



Part I Antebellum

Chapter One: Discovery

by Andrew Wice

H₂O

Sun penetrated the naked open ocean, arousing the surface. One particular water molecule broke free of its compadres. Spinning into the air, its blur of electrons hummed with potential. The molecule soared upwards. Gravity weakened to a distant, forgotten anchor. Free and light again, at last.

Then, at great height, the dizzying rise began to falter. In cooling fatigue, the one water molecule linked with others. Arrayed around a speck of carbon, the discrete droplet swirled through the growing cloud.

Billowing out to catch the wind, they sailed over the ocean. Beneath them, the ocean grew shallow and warm. Water molecules rose to join the cloud. And then the ocean gave way to land, and the supply of compadres dried up.

A wall of mountain blocked their path. The cloud rode up the mountain's face, shedding its droplets like ballast. As the cloud crested the summit, the one discrete droplet became lethargic. Its bonds clicked rigid, locking the one particular molecule in place. Bricked into an intricate crystal, the collective pull of gravity beckoned.

The exhausted crystal abandoned the sinking cloud. It flipped and yawed downward, one snowflake of billions among trillions. Air currents played catch with the snowflake but gravity was its master. The crystal landed atop other crystals and was itself soon covered. The one molecule slept, unable to shiver its frozen bonds.

Eddie Brown

Of all the stripclubs in all the towns in all the world, you walked into hers. And what kind of stripper refuses a lapdance to an ex-lover?

“Whatcha lookin for, mister?”

Startled on his knees, Eddie turned around. The boy was about ten, backed up by a sketchy mongrel that growled between his legs.

“Ants,” said Eddie. “I’m looking for fire ants. Want to help?”

“I know fire ants,” said the boy, wary. He looked back to a low ring of hills across the flat brown plain. Sun-squinting, he returned to Eddie and the anthill.

Eddie said, “There are different kinds of fire ants. The kind I’m looking for is called *invicta* – the invader. They came up from Central America to conquer territory from the native ants.”

“Why don’t the other ants just fight back?”

“Because the invader ants have better guns. Do you like guns?”

The boy nodded.

Eddie said, “Imagine that the native ants have revolvers. Well, the invaders have AK-47’s. They have AK-47’s in their *butts*.”

The boy giggled. Eddie continued, “They can shoot other ants, or they can shoot you if you get too close. Their stinger is the gun and their venom is the bullet.”

The boy bit his lip.

“But do you see what’s missing from this fire ant mound?” asked Eddie.

The boy stared intently at the mound rising from the sandy soil. It looked like a regular anthill, dug up a little. The boy shrugged.

“No ants!” Eddie laughed. “Come and see – they’re all gone.”

The boy stepped closer. His dog whined around behind him. The boy said, “What’s that funnel thing you got?”

“This is called a Berlese-Tullgren funnel. See where I dug into the dirt here? I use the funnel to separate the ants from the dirt. Only – guess what? – no ants.”

The boy poked the troweled-up hole with a finger. No ants.

“My name is Eddie. What’s yours?”

The boy said, “Daniel.”

“Daniel, what do you think happened to all the fire ants that used to live here?”

“I dunno. The earthquake squashed them?”

“Maybe. That must have been scary, that earthquake two weeks ago. That was no ordinary earthquake. That was caused by subsidence. Do you know what that is?”

Daniel dug into in the vacant mound with his finger. He shook his head no.

“Subsidence is when we pump too much water out of the ground and the ground sinks. Like the way a car sinks if it loses air in its tires.”

“There ain’t water under the ground here.”

“Maybe there’s no groundwater here, but if they pump enough water out of the ground in Clovis, or Lubbock, or even El Paso, subsidence can happen. Usually it happens so slowly that you don’t notice, but sometimes it happens fast, like it did two weeks ago. That’s because there was a fault in the rock beneath us, like an old broken bone that never healed right. But I don’t think the earthquake killed these invader ants.”

Daniel squinted up cautiously.

“Daniel, do you remember how I told you that there are different kinds of fire ants? One of these local fire ants has a special enemy, an army ant. And so I’m doing an experiment.”

Daniel’s eyes widened. “What kind of experiment?”

“I’m trying to teach the army ants to attack the invader fire ants.”

“How you gonna teach *ants* to do things? I can’t even get Pico to sit when I tell him to.” The dog looked up at the sound of his name, then dropped his attention to sniffing Eddie’s pack.

“Ants smell with their antenna, and it’s how they tell who’s who. I made the invader fire ants smell like the native ones. It’s like switching their uniforms.”

“And then you get the army ants and put em in there?”

“I wish it were that easy. But the problem with army ants is that they’re always on the march. They only stay in one place, called a bivouac, for a short while. Then they move on, looking for more food. If I can find a bivouac nearby, maybe I can prove that my experiment worked. The army ants live underground so it’s really hard to find them.”

Eddie looked around the disk of horizon, then at the eroded knob of a hill casting a shadow on his pickup, then across the brown plain to the ring of low hills. Daniel scanned as well, squinting like Eddie.

Eddie said, “If my name was *Neivamyrmex harrisi*, where would I live?”

Daniel said, “Some crazy place I bet I never heard of.”

Eddie smiled and pointed to the knob hill. “Daniel, does that hill look different than it used to?”

Daniel studied the hill. He said, “Yeah, all them rocks crashed down when the earthquaked, like mom’s CD’s falling off the shelf. And it looks like got bigger.”

“It does. I bet it stayed where it was though, and the ground subsided. It looks like that might actually *be* the fault line along there. See where that cactus fell over?”

“Uh ... no.”

“The roots of that cholla are exposed, making a nice little shelter for an army ant bivouac out here in the sunny desert. Let’s go see.”

They climbed the hill. The cholla was half-yanked out of its socket, dumped on its crown. A loose welt of displaced earth was scattered around the root ball.

“I don’t see no army ants,” said Daniel.

“They don’t like the sun.” Eddie flipped over a flat rock. Tiny mustard yellow ants reeled in the sudden sunlight, scattering to the rock’s dark side.

“I think we might have found the army ant bivouac,” said Eddie. “Are you excited? I am.”

“Dig the dirt away so we can see,” said Daniel.

Eddie sunk his entrenching tool into the loose sand around the roots. He pulled the debris away, revealing a basketball-sized hollow.

“Whoa,” said Daniel.

Inside the hollow were thousands, tens of thousands of tiny, mustard yellow ants.

Daniel said, “Is that them? The army ants?”

“Meet the hardworking *Neivamyrmex* sisters. Now I need to find evidence that this army attacked those fire ants down there.”

“What kind of evidence?” Daniel leaned closer to the hollow.

“Pupa.”

“What’s pupa?”

“That’s an ant kid, halfway between an egg and an ant. Like a butterfly when it’s inside the chrysalis.”

“What’s a chrysalis?”

“A cocoon. You’ve seen a cocoon, right?”

“Uh ... yeah?”

Eddie pointed into the hollow – Daniel sucked in his breath to see how close Eddie’s finger got to the army ants. “Do you see these hanging from the ceiling there? Those are cocoons, with army ant pupa inside them. The army ants found this spot after the earthquake and made a bivouac here, hung their kids from the ceiling.”

Daniel laughed. “My mom told me she was gonna hang me from the ceiling.”

“Really?”

Daniel said, “Yeah, she was only kidding.”

Eddie dug further into the cool sand, exposing more of the chamber.

Daniel said, “Hey, hey lookit! Them cocoons down there are different.”

“Right you are,” smiled Eddie. He reached into his pack to remove specimen bottles and long forceps.

“Is that the evidence? For your experiment?”

“I think it is,” said Eddie. He unstopped a bottle and, with gentle forceps, plucked a half-dozen foreign pupa from the chamber. “I’ll know for sure later. But if they are what I hope they are – the pupa of the invader fire ants – then it means that you and I are looking at something no one else has ever seen before.”

“No one *ever?*” frowned Daniel. “Forever?”

“No one ever in the whole history of the world. You and I are the first, buddy.”

“Hey, this one’s getting on me!”

“I’ll get her, real gently, and return her to the bivouac.”

“How do you know it’s a girl?”

“All the ants you see are girls. They’re all sisters, and the queen is their mom.”

“There’s no boys?”

“The boys have wings and only come out to mate with winged females, to turn them into queens.”

“Where’s the queen at?”

“She’s in that chamber somewhere, but her daughters are hiding her, to protect her. They don’t know that we’re friendly.” Eddie slid the rubber-stoppered specimen bottles into their sleeves in his pack. He dug down deeper into the dirt.

“Hey,” said Daniel, “the bottom is filling up with water, mister.”

Indeed, water was trickling up into the hollow.

“Where’s it coming from?” whispered Daniel. “Ain’t no water here.”

“Maybe it’s an underground river, shifted closer to the surface by the earthquake.”

“Lookit, the army ants are drowning.”

“You’re right, they are. I’m going to stop disturbing our little friends here. They’ve had enough for one day.”

Pico raised his nose from sniffing the cholla root ball, head cocked. Daniel looked across the brown plain to the low ring of hills in the distance. “I think I gotta go home now.

The sun's setting."

"I have to go home too, so I can check out our pupa." Eddie pulled a magnifying glass from his pack. "This is for you, Daniel, for helping make this great discovery. You can check out all the different ants that live around your house. But remember, this magnifying glass is for learning, not burning."

Daniel took it by the handle, looked it over and slipped it into his pocket. He started to run down the eroded knob of hill, dog sliding after him. By the time Eddie packed up, Daniel was a diminished dot across the plain. Eddie pulled on his pack and hiked down the back side of the hill to his pickup truck.

He snorted in disbelief, "Nice, 'learning not burning.' That's so gay."

&

Beep.

"Hey Gordon! Hey Gordon, it's Eddie, pick up the phone, pick up the phone, hey Gordie, how Gordie, Gordie Howe, hey –"

"All right, all right, I'm here. What time is it?"

Eddie said, "I'm not sure. Still nocturnal, I'd wager. I've been in my lab since I got back from my collection site."

"Where?"

"My collection site, out on the border with Texas. Between Hobbes and Portales, where they had that subsidence quake."

"Yeah, ok," and then a stinger of impatience rose in Gordon's voice. "You know I have to work tomorrow, so –"

"That's it, that's why I'm calling. I need to get into the electron microscopy lab."

“I can’t – why, Eddie?”

“Because I think it *worked*, that’s why. One of the *Solenopsis invicta* colonies I fogged with *S. xyloni* hydrocarbons was extirpated. I found a *Neivamyrmex harrisi* bivouac about ten meters away. I’ve got pupa, Gordon. I think they’re from that extirpated *invicta* colony. But my bedroom laboratory is, well, limited let’s say.”

“I know your ‘laboratory.’ *Pogonomyrmex* workers reviving in a pile of homemade amphetamines. Lidless jars of evaporated ether.”

“And that’s *after* I cleaned up. I know. But my main problem is that I need a scanning electron microscope to prove that the pupa are *invicta*.”

“Well yeah. Remember when you thought you had discovered the missing link, a pre-formicid living fossil that turned out to be a flightless aculeate wasp?”

“Yes Gordon, I do remember. Not my finest hour. The folks at the Entomological Cryptozoology Society still won’t return my calls. But I dug down and collected pupa specimens until the chamber started to get water seepage.”

“Water seepage? Over in that dry corner?”

“Probably just some forgotten finger off the Oglalla aquifer, brought near the surface by that subsidence quake. Anyway, if I can get into the microscopy lab, I can prove that the pupa are *invicta* and that my hydrocarbon-masking technique can work.”

“Eddie, you said you were doing this, uh, project to prove that it can’t work, that ants would be terrible biocontrol mechanisms, that *Neivamyrmex* was not an appropriate defense against *Solenopsis invicta*.”

“I know, and I am. That’s still my goal. But Gordon, it’s already been proposed, and *that* research is about to begin at UTEP. All I’m doing is anticipating their study, starting with the

hydrocarbon-masking. First I'm going to collect all the positive data that I can, even more impressive than whatever UTEP pulls off because I'm doing it in the field. And then I'll poke big holes in the idea, big enough for *Solenopsis invicta* to crawl through and halt the bad sad history of introducing predator species for biocontrol. The Cane Toads in Australia, the mongoose in Jamaica and Hawaii, the brown tree snakes in Guam."

"What's the compound you masked the colony with? Doesn't it upset the fire ants? Maybe *that's* what killed them."

"No, it's just a dose of a *Solenopsis xyloni* queen's signature scent from her postpharyngeal gland, a basic dimethyl-branched hydrocarbon complex. All species of *Solenopsis* are so trail-specific, they completely ignore the presence of an alien scent."

A creaky yawn from Gordon. "All right, all right. Anything to get back to sleep. Come by at noon tomorrow. Dr. Davids won't be around."

"Great, perfect. Perfect. I'll see you tomorrow. With pupa!"

The phone clicked and Eddie pulled it from his ear – ah, the cooling of ear sweat.

"To bed?" Eddie asked of his bedroom. The terrarium of black *Camponotus* toiled like tiny carpenters. The dog-eared taxonomic guides sloughed from a pile of ragged scientific journals. A ramekin of homemade amphetamines whispered, "Not yet."

"All right," sighed Eddie. "Not yet."

U.S. Armstrong

U.S. Armstrong let the moment stretch out in front of them. His white ten-gallon was tipped forward over his eyes. Legs out long to boot-scuff the conference table, leaning back in his executive chair.

The entire room waited for him. The windows of the conference room offered them the bright castellation of downtown El Paso. The blue sky was darkened by the tinted glass. Sharp reflections off the skyscrapers burned molten copper. Inside the room it was silent. U.S.'s hat brim rose imperceptibly to reveal a slice of pale blue eye.

With a voice like sun-warmed leather, "Starvin are yeh? Let me tell you about *starvin*. Back in Indochina, my unit was out on patrol when our fire base got overrun. We set out marching south through that goddamn jungle with one C ration left to a man. We walked for a week. We was eating tree bark and termites before we made it back to civilization. Starvin. You don't know *starvin*."

U.S. dropped the brim of his hat over his eyes.

Keith Earl cleared his throat. "I didn't mean it serious like that, U.S. I'm just saying, uh, lunch is passing us by and it don't seem like we're getting it right. And uh, maybe if we took a short break ..."

Geldman held up his hand. "No breaks, lunch or otherwise, until U.S. says so. So let's move on to the next item on the agenda. Vince, what do you have for us?"

Vince cleared his throat. His white hat and teeth glowed in contrast with his dark face. "New Mexico drilled a well between Hobbes and Portales, right on our border. This corporate body owns an old claim which abuts that same stretch of border, near the little town of Bledsoe. This well they dug is one hundred feet deep with a twelve inch bore drawing twenty gallons per minute, and is being used for local irrigation as we speak."

"And?" baritoned U.S. "I got a lot of wells running, bigger ones."

Vince soldiered on, "This area has never been utilized for groundwater. It's not above the Oglalla aquifer and is too far east to be part of the Pecos river system. All of a sudden, these New Mexicans drop a well into dry desert and are pumping up cold, sweet water. Now

there's no way to tell for sure, but our geologists ran some models and are saying that the lay of the land implies that it probably flows from *our* side of the border. Specifically, through our old claim there.”

Geldman said, “Vince, like U.S. said, this corporation owns water wells from the Rio Grande all the way up the panhandle. What’s the point of another?”

Vince opened a folder and pulled out an assessment sheet. “Every well we own, just like every water district in the New Southwest, is over-allocated. Without more water there can be no further growth, no progress. It all started with the Bureau of Reclamation, which built the great dams all over the West. Those reservoirs and hydroelectric generators made growth and progress possible in what had been useless desert. The progress encouraged more growth and business, until soon there were too many people for even all the combined lakes and rivers. And then, as if guided by the invisible hand of the Almighty, we discovered that the entire middle of the country is sitting on a great freshwater ocean. We pumped it up and had irrigated rows of swollen watermelon where before it was dryland farming at best. Think on that, growing *watermelon* in the desert. It was such a great success that we built more farms, more towns, sank more wells. After a while, we noticed that the level of the aquifer was dropping fast. Progress dictated pumping it up faster than it could refill. That water trickled its way down before the birth of Christ, who put it there for us to find. Now the environmentalists claim that the aquifer will be pumped dry in twenty years.”

“Bullshit,” U.S. commented gravely.

“Absolutely, I couldn’t agree more. However, it is true that the more the level drops, the more expensive it gets to pump the water out. Now, all of our wells are going one hundred percent, and there’s scarcely a patch of ground left that hasn’t been explored. And then, all of a sudden, some little dirt farms in New Mexico stumble on good water where there’s never been.

I'm saying, let's tap into what's ours. We got to pump the water out now, while it's still there. It's probably flowing right underneath our claim, too deep for trees but not too deep for us. We got to get our water up to the surface before it's gone. Right now it's just being wasted."

Geldman folded his hands upon the polished table. He stole a glance at U.S.'s boots and said, "Vince, exploratory wells cost money. Geologists cost money. Pipelines cost money. What does this corporation need with more water? We're not farmers."

Vince said, "Nossir, we're not. But once we capture that water, it's ours. We could sell to the highest bidder – for example, the Rio Grande Water district, right here in El Paso. They went into business privately when the city decided they didn't want to partner up, and now they control every drop. Big money in that."

Geldman said, "We don't even know for sure if that water is going to be where you're hoping. Hope don't make it so. Sorry, I don't think –"

"It's *my* goddamn water," interrupted U.S. He raised his hat brim to scan the room. "Ain't it? And it's being wasted, letting some tater farmers pump it out from underneath me? My land, my water beneath it. I want it, just like I want the oil or gas or coal or gold beneath my land, if it's there. Don't waste any time with any more geologists or environmentalists or other kooks. Drop a twenty-one inch bore, two hundred feet down. We can sell it off to the farmers, or El Paso. Or hell, Lubbock, I don't care. We'll sell to the highest bidder. So that's that. Lunch time. Meeting adjourned until two."

Papers were straightened, folders were returned to briefcases. Brass snapping of locks. They began to push away from the table.

Keith Earl suggested sending his secretary out for some McDonald's.

"Mack-donalds, hell," said U.S. "Let's go to the Roadhouse. I want a steak and a beer. I'm buying."

Geldman said, “U.S., we can’t drive up to the Roadhouse and be back by two.”

“Then we’ll push back the meeting with the satellite radio people,” growled U.S.

“But you’ve got your inspection today at Fort Bliss.”

“Aw hell, you’re right.” U.S. pulled his legs off the table and smoothed down his bolero: the badge of the Texas State Guard, a pipestone T on a silver star in a shield of turquoise. He rose to his full height. “Right, my boys are going to be displaying their discipline at the Parade Grounds today. I’m needed there. Keith Earl, you go ahead and tell your secretary to bring us up some Mack-Donalds. I’ll have a steak, bleeding.”

Keith Earl pinched his lips. “Uh Boss, they don’t got steak on their menu.”

U.S. turned away and assessed his skyline. “I’ll have a steak, bleeding.”

Billy Ortiz

My good luck keeps on going bro, there’s a spot in front of Pete’s bar. I jam the screwdriver into the column to keep my truck from rolling. It’s a nice summer night.

Inside Pete’s, the band is so fucking *loud*, bro. But I see Manning, and he’s someone I can talk to about this. Big Joe gets up kinda shaky from next to Manning, pulls his way along the wall to get to the john. I grab the rail and set myself on the stool next to Manning.

Charlie appears in front of me and says, “Shot and a beer, Billy?”

“Yeah bro, when you get a minute. Hey Manning, how’s it going?”

Manning finally notices me. His eyes wrinkle and he nods. He’s got that collapsed face when he ain’t got his teeth in. A rolled cigarette is dead between his lips.

I lean in, so I don’t got to shout. “I did it bro. I tapped into the pipeline. No more hauling water for me.”

A shot of tequila and a cold bottle appear in front of me. “Thanks Charlie!” I shout.

Back to Manning, “I tapped in right after the first split. Just an hour with a wrench, since I had the hoses already connected and buried. And Melody, she’s had that dripline ready to go for a while now.”

Manning’s loose cheeks fold up a little smile. I took a drink of beer and it was good, cold. I lean back in to Manning. “The hardest part was the last two nights, burying the hoses. It’s just gravity from the split, down the slope and to my plants. It’s working right now.”

I pick up my shot and clack it off Manning’s empty bottle. I tip it down – tastes like honey. I breathe out the fumes and ask Manning if he wants another beer.

I catch Charlie’s eye. “A beer for Manning and another shot for me and ...” I pick up my bottle, half-empty, “I guess another beer for me. Thanks Charlie.”

The band is so loud, playing that “Mustang Sally” song for the hundredth time. But here comes Charlie with the drinks. I like Charlie, he’s a good guy.

I clack bottles with Manning and finish my half. Big juicy beer burp, aftertaste of tequila. Manning lights up that stub of a cigarette, nearly burns his mustache.

“Hey Manning, you want a smoke? I went to the Pueblo last week.” He doesn’t hear me so I lean in closer, raise my voice. “So I’m just like fuck it, you know? We find water and I can’t have *any* of it, cause they got to it first? All that land, all of it, is Ortiz land. We’ve had it since before the Spanish land grants, even. So fuck it bro, I’m going to grow my plants. Worth a hell of a lot more than potatoes, we all know that. Now I just wish I had started with better seeds, you know, not those Mexi seeds.”

The band had just stopped so I shouted the part about the seeds real loud, just before people started clapping. Fuck it, no one cares anyway. I light a generic cigarette and tip back my tequila.

Someone taps my shoulder. I turn around: it's One-Armed Anthony. I raise my bottle to him, "Hey Anthony."

Anthony nods and scratches his beard with his one hand. "You get my leaf spring done yet Billy?"

"Oh sorry bro. I couldn't get to it. Maybe tomorrow." I drink my beer.

"It's just a long walk home from here, that's all."

"I'll give you a ride home tonight, if you need it. No problem. Hey Charlie, can you get me another shot and a beer when you get a minute?"

The band starts up again, "Brown Eyed Girl." A bunch of girls pull each other onto the dance floor. Any good-looking ones? I drink my beer and check them out.

Governor Armeño

The Governor of New Mexico brushed powdered sugar from his fingers. He sent a thick tongue to the corners of his mouth, missing the mustache crumbs.

"Mr. White?"

The Governor's secretary raised his fine blonde eyebrows.

"Mr. White, you can take away this snack and send them in now."

Mr. White cleared the desk of biscochito crumbs. Then he strode to the door and opened it, announcing, "Attorney General Arida and associate."

Two men in dark blue suits entered the makeshift office. Mr. White offered chairs before the Governor's desk. The men set down their briefcases and took seats.

To the familiar-looking Arida, Governor Armeño said, "I apologize that we have to meet

in this office. The air conditioning in my own is entirely broken, you see.”

“It is not a problem, Mr. Governor.”

“They have promised to have it fixed for a week now. Well, maybe tomorrow.”

The Attorney General nodded.

“So ...” said Armeño, showing them his palms. His eyebrows caterpillared up his forehead. “Good news?”

Arida swept his briefcase onto his knees and snapped it open. He removed a folder, closed his briefcase and returned it to his side. “We are finally on the docket, Mr. Governor. The Federal District Court will hear the case on Monday. While my office prepared the suit for the State Engineer, it will be argued by my associate, Mr. Sedito. He has many years of experience in water rights litigation at the county and state level, and a familiarity with Federal Law which should permit –”

“Wait a minute,” interrupted Armeño, “you are not the producers?”

“Producers?” asked Arida, still proffering the folder.

“Yes, the producers, the California producers. For the show. No?”

Mr. White said, “Ah, Mr. Governor, that is your two o’clock. This is your Attorney General, Mr. Arida, and his associate Mr. Sedito.”

Armeño smiled. “Oh? Well, very good. And again, this pertains to ... ”

“Our suit against the Armstrong Corporation of Texas, Mr. Governor,” said Mr. White, nodding encouragement to the lawyers.

Arida looked back to the Governor’s confusion. “Yes. Regarding the drilling of a competing well on the state border.”

Vacuum pause. Arida removed several papers from the file and placed them on the

Governor's desk.

Arida continued, "As you may recall Mr. Governor, one year ago we developed an uncontained aquifer in Southern Roosevelt County. On your desk there is 19.27.74 NMAC Special Order #195, signed by the State Engineer, declaring it an official groundwater basin, with possession of rights pursuant to that distinction."

Governor Armeño looked at OSE Order #195, then back at Arida.

"Ahem," said the Attorney General. "This establishes the rule of prior appropriation for the reasonable use of a groundwater resource, which follows '*Qui prior est in tempore, potior est in jure.*' That is to say, he that is first in time is first in right."

"Aha, yes," nodded Armeño. "That's good."

Arida continued, "Four months after establishing our right, the Armstrong Corporation, in conjunction with the Edwards Trinity and Oglalla Water Districts, drilled a deeper well with a larger bore only a few thousand meters to the northeast. Since then, the New Mexican site has experienced a radical decline in production."

"But we drilled it first? They can't cut in line if we drilled it first, right?"

"Exactly Mr. Governor, hence the lawsuit."

Armeño nodded thoughtfully. "So we'll definitely win."

Arida said, "I expect so, sir, but unfortunately the case is more complicated than that. Mr. Sedito?"

Mr. Sedito brought his briefcase up to his knees and snapped it open, removing a file. He returned the briefcase to the floor and cleared his throat. "As opposed to the prior appropriation rule of most Western states, Texas water rights are derived from the antiquated English Common Law – the rule of capture. It was ruled in 1935's *Acton v. Blundel* that 'the

person who owns the surface may dig therein, and apply all that is there found.’ In Texas state law, this right is absolute: everything found beneath a property is the possession of said property owner.”

“Unless we can prove their violation of *damnum abque injuria*, the principle of loss without injury, *id est*, the shortfall in predicted gallons per minute, *exempli gratia*,” interjected the Attorney General.

“To which they will doubtless cite *Houston v. East*, that groundwater exists ‘so secret, occult and concealed’ that interconnectivity between underground water systems cannot be proven,” returned Mr. Sediato.

“Wow, ‘secret, occult and concealed,’ that’s like a scary movie,” joked Governor Armeño. Only Mr. White issued a smile, and a mirthless one at that.

Attorney General Arida charged, “To *that*, we will argue their violation of reasonable use and correlative rights, qualified by delivering water off-site to El Paso.”

Mr. Sediato shook his head. “It is legal in Texas to transport groundwater between basins. As the plaintiff, we must overcome an extremely high burden of proof. A drawdown is only circumstantial. The Texas Supreme Court has upheld the absolute right of capture, regardless of injury to other claims, in *Corpus Christi v. Pleasanton*, *Denis v. Kickapoo*, *Sipriano v. Great Spring Waters of America*, *et cetera*.”

“But the United States Supreme Court ruled in *California-Oregon Power v. Beaver Portland Cement Company* that prior appropriation for *beneficial* use is entitled to protectionism, following the Desert Land Act of 1877,” triumphed Arida.

Mr. Sediato shook his head bitterly. “The Act is limited by local and customary laws of usage – we’re right back to whether the Court will recognize our right by prior appropriation or theirs, by the antiquated Common Law of Texas. Justice Stephens may dismiss the suit simply

on the basis of *Guitierrez v. Albuquerque Land & Irrigation Company*. Further, with the preponderance of – ”

“Gentlemen, gentlemen, gentlemen,” interrupted the Governor, lifting his heavy head from the cradle of his hands. “What does any of this have to do with ... I mean, do you need me for this in some way?”

Attorney General Arida blinked behind his glasses. “No, Mr. Governor, we were just demonstrating some of the difficulties with our lawsuit. We are able to assess the economic liability the Armstrong Corporation has caused, and if the Court acknowledges our right by prior appropriation we’ll be fully rewarded, *quod erat demonstrandum*. The difficulties stem from the collision of two mutually exclusive systems of water right adjudication competing across state lines, as well as the ‘secret, occult and concealed’ nature of groundwater hydrogeology.”

“Yes, well, good. Very, very good. Carry on, and I’d like a *brief* report when you return from D.C.”

Mr. White piped in, “It’s the Federal District Court, sir. The case will be heard here, in Santa Fe.”

“Even better,” smiled Armeño. “Home court advantage. Get it?”

“Mr. Governor, the Federal Courts are in no way – ” began the Attorney General.

“Thank you,” interrupted the Governor. “That’s fine, very helpful. Thank you.”

The lawyers stood. Mr. White opened the door for them. Attorney General Arida paused at the threshold and turned back to the Governor. Looking down over his glasses, he said dryly, “Mr. Governor, shall we keep you informed?”

“Mm? Yes, I’d like that. No need to come in, an email will be fine. Adios.”

Mr. White closed the door behind them. “Sir, I should remind you that the legislature has discouraged public officials from using ‘adios’ owing to its theism.”

“Yes, good,” said Governor Armeño, smiling into a vanity mirror. He stretched his Young Brando smile up over his teeth, forced more warm sincerity into his eyes, raised his Spanish chin while spit-curling a dark lock. “Send the producers in now please, the producers from California.”

“That’s at two o’clock, sir. You are meeting now with Mr. Benitez, your Adjutant General, and General Gary Camby, on behalf of the New Mexico State Defense Force.”

“Even generals are better than more lawyers. Dry as caliche. Get me a bottle of water, would you?”

Mr. White produced a bottle from the mini-fridge and cracked it open. He turned up a glass from the sideboard and poured in the bottle.

Governor Armeño sipped. “Ahm. Where’s this water from anyway, Mr. White?”

Mr. White said, “Sam’s Club, I think.”

“We’re not running out, are we?”

“No sir, we’ve got plenty,” said Mr. White, dropping the bottle in the trashcan.

The Governor drained the glass. “Excellent. You can take this glass away, and send the generals in.”

Mr. White opened the door and ushered the supplicants in. He announced, “Adjutant General Benitez and General Camby, commanding general of the State Defense Force.”

“Are you real generals? Or lawyer-generals, like that last guy?” smiled Armeño.

Mr. White said, “You remember promoting Brigadier General Camby when you appointed him to command the State Defense Force.”

“Yes, of course. Please have a seat. I’m sorry that we aren’t able to meet in my real office. Something with the ducts. They say it will be fixed, maybe tomorrow.”

The generals nodded curtly. They wore suits, not uniforms. Camby’s golf tan made him almost as dark as Benitez.

“Mr. Governor,” began Benitez, “Local civilian militias have come to the aid of New Mexico for four hundred years. Currently called the State Defense Force, this militia is ‘the Governor’s own.’”

“My own army? I thought that’s what the National Guard is for,” smiled Armeño.

“The State Defense Force cannot ever be federalized, as the National Guard is now. The SDF is essentially the reserves for the army reserves, but with seventy-five percent of our National Guard currently deployed in the Middle East, New Mexico is extremely vulnerable. We are here to ask for additional funding to increase enlistment, training and equipment for the militia.”

“What are we vulnerable to? Things are pretty quiet around here.”

“Natural disasters. Terrorism. Civil unrest. Drug and illegal immigrant traffic.”

“Well we’ve got the Homeland Security and Border Patrol and all that, and the DEA. Violent crime is down two percent, last quarter,” dismissed the Governor.

“Federal programs are experiencing major budget cuts, to offset the cost of the War on Terror. However, PATRIOT V strongly encourages the promotion of state defense forces with a possibility of matching funds. The militia serves without pay unless it is called into active duty. With a small monthly stipend, we would be able to maintain a ready force instead. With a small increase in our clerical staff and administration, we could expand recruitment and streamline our efficiency. With a small allotment we could purchase new uniforms and equipment.”

Governor Armeño folded his hands under his chin. He hoarsely affected Brando's

Godfather, "Tell me how much."

The Governor watched bemused as Benitez pulled a notebook and Waterman pen from his jacket, wrote a figure and tore the page out. He laid the paper face down on Armeño's bare desk and slid it across with two fingers.

The Governor turned the paper over. "Two million dollars! Ai, you've got to be kidding me here."

The generals shifted uncomfortably in their chairs. Benitez said, "Remember, tax breaks will offset some costs. Perhaps ... twenty percent? Without an adequate security force, the people of New Mexico lie dangerously exposed."

"To what? We don't have hurricanes, and there's Air Force bases and ... two million? That's the craziest ... "

"Mr. Governor, the costs could be much higher down the road," said Benitez.

"This is madness," said Armeño. He flashed his Consolation Smile. "I'm sorry, but there isn't anything near two million for you."

Benitez said, "Perhaps through a private fund raiser?"

"I do enough of those already. I've got one tonight. Work, work, work."

General Camby took a pin out his pocket and slid it across the desk. It was the shield of the New Mexico State Defense Force with a tiny banner that read "Los Vecinos."

Camby's voice was mild, "Sir, at least accept a pin to show your support. Our name goes back to the 1800's and means 'the neighbors,' an excellent description of our role in the self-defense of this great state."

"I know what 'vecino' means," said the Governor, turning the shiny pin over in his fingers. He fixed the pin to his lapel with some difficulty. When he finally looked up to the generals his Benevolent Smile was in place. "Gentlemen, I'll wear this pin proudly. And I'll see what I can do for some funding. Now I thank you, but I've got an important meeting. Producers from California."

The generals stood. Camby said, “I’m from California, sir, originally. At least, since the eighties.”

“Mm,” smiled the Governor.

Mr. White closed the door behind them.

Governor Armeño said, “Are they outside? Are they waiting?”

“Yes. Shall I send them in now?”

“Let them wait one minute. Are the gift bags ready Mr. White?”

Mr. White nodded.

“Is my – does the hair look right?”

Mr. White nodded.

“I guess we’re ready.”

Mr. White said, “Sir, are you prepared for ... if it isn’t good news?”

“Sure, sure. No problem. Send them in now, Mr. White.”

Mr. White opened the door to two impossibly tanned men, dressed city-slick. The taller, Mr. Garvin, wore a white dinner jacket and a Hawaiian shirt. Mr. Greenbaum presented a salmon leisure suit, hairy chest, big gold watch. They took their seats.

Armeño beamed at them. His fingers twiddled when he said, “Well?”

Mr. Garvin said, “Mr. Governor, we must inform you ...”

“Yes?” hissed Armeño, smile straining to its corners.

“... that you have the green light! Congratulations, you’re going to be the star of the network’s newest reality show.”

“Yes!” Armeño raised his fists in glory. “Oh that is wonderful, fantastic. Thank you! It will be a great show, a great one. I already have so many ideas for it! Here, I came up with a

title.”

The producers watched as the Governor pulled a sheet of paper from his desk, uncapped a pen and wrote “Lower Exposure” on it. He turned the paper over and slid it across his desk on two fingers to Mr. Greenbaum, who folded it and put it in his pocket.

Mr. Greenbaum said, “Thank you Mr. Governor, I’ll send this on to our people. They’ve already begun working on some wonderful challenges, dramatics and so forth.”

“This calls for a celebration. Mr. White, the gift bag! I know you guys will love the nuts. Pistachios rolled in green chile salt, they’re addictive. Mr. White, see what we’ve got special in the sideboard. Hey, I’m sorry we’re not meeting in my regular office, which is much more comfortable. But the air conditioning is broken and they haven’t gotten it fixed yet. Maybe tomorrow. Here, take some New Mexico gift bags, they’re good fun. Mr. White, pour those drinks please. Do you like my title for the show? ‘Lower Exposure.’ You know, like that TV show they had in Alaska? I could be like the head guy in that show, and you’ll follow me around to see how I overcome the difficult challenges of statesmenhood.”

“Yes, and for the eating contest, we’ve already locked in Taka Miyake, the two-time Japanese champion,” said Mr. Garvin, accepting a glass of reposado.

“A toast to our success, gentlemen,” said the Governor. “Mr. White, you had better cancel my afternoon please.”