Re: Alta Vista Estates Subdivision

Dear Mr. Kesler:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced subdivision proposal pursuant to the Doña Ana County Subdivision Regulations and the New Mexico Subdivision Act.

Based on the information provided, this office cannot determine that the subdivider can furnish water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses. Accordingly, a negative opinion is issued.

A staff memorandum providing specific comments is attached for your information. If you have any questions, please call Emily Geery at 505-827-6664.

Sincerely,

Molly Magnuson, P.E.
Senior Water Resource Specialist

cc: OSE Water Rights Division, Las Cruces Office
MEMORANDUM
New Mexico Office of the State Engineer
Water Use and Conservation Bureau

DATE: February 18, 2014
TO: Molly Magnuson, P.E. Senior Water Resource Specialist
FROM: Emily Geery, Senior Water Resource Specialist
SUBJECT: Alta Vista Estates Subdivision in Doña Ana County

SUMMARY
On January 28, 2014 the Office of the State Engineer (OSE) received a proposal for the Alta Vista Estates, Replat #1, a Type 3A Subdivision, a 1.39 acre-parcel located within the Performance District (PD) Zoning. The applicant seeks to reconfigure two lots from 0.93 and 0.47 acres to 0.77 and 0.63 acres each. The proposed water supply is by the Desert Aire Mutual Domestic Water Company and SWA. The property is described as Lot 2 and the south half of Lot 3, Block 2, of Alta Vista Estates in Dona Ana County, New Mexico within Section 7, Township 26 South, Range 4 East. The parcel address is 3031 Rim Rock Road, Chaparral, New Mexico 88081.

The water supply documents submitted to this office consist of a Disclosure Statement and the Plat Map.

The proposal was reviewed pursuant to the Doña Ana County Subdivision Regulations (Regulations) and the New Mexico Subdivision Act. It is the opinion of this office that the water supply proposal does not satisfy the requirements of Section 14.3.5.A.2 of the County Regulations and Section 47-6-11.F (1) of the New Mexico Subdivision Act (Act). A letter stating that the utility is ready, willing, and able to provide the maximum annual water requirements for the subdivision, as required by Section 14.3.5.A.2 of the Regulations, is not included in the proposal. Therefore, a negative opinion should be issued.

WATER DEMAND ANALYSIS AND WATER CONSERVATION
In accordance with Section 14.3.2.A of the Regulations, the developer has quantified the maximum annual water requirement for this subdivision as 1.5 acre-feet per year. Desert Aire Mutual Domestic Company and SWA will provide water to this subdivision and is limited to .75 acre-feet per year, per lot.

The water conservation measures including new construction to conform to the administrative and plumbing codes of Dona Ana County and the use of low water landscaping techniques are included in the Disclosure Statement.

WATER AVAILABILITY ASSESSMENT
The proposed water supply for the subdivision is by the Desert Aire Mutual Domestic Water and SWA.
A letter from the Association stating that the utility is ready, willing, and able to provide the maximum annual water requirements for the subdivision, as required by Section 14.3.5.A.2 of the Regulations, is not included in the proposal.

Based on OSE records, the Desert Aire Mutual Domestic Water and SWA currently holds sufficient water rights to provide service to the proposed development.