Jose E. Larrañaga  
Development Review Team Leader  
Santa Fe County  
P.O. Box 276  
Santa Fe, NM 87504-0276  

Reference: Madrid Mixed Use Development Plan  

Dear Mr. Larranaga:  

On January 28, 2016, the Office of the State Engineer (OSE) received a request to re-review the proposal for the referenced subdivision.  

This office reviewed the proposal for the Madrid Mixed Use Master Plan on August 24, 2015. For details, please refer to that letter.  

The proposed development will consist of approximately 1,234 square feet of retail space on the first floor with a 656 square foot residential apartment on the second floor. Water is currently provided by the Madrid Water Co-op. The property is located at 2889 New Mexico 14, in Madrid.  

This proposal was reviewed pursuant to the Santa Fe County Sustainable Land Development Code (Code) and the New Mexico Subdivision Act.  

When a subdivision proposal is received by the OSE, the developer’s water demand analysis is reviewed to determine if it is technically correct and reasonable. The OSE also verifies that the appropriate conservation measures are reflected in the analysis. Further, data in the water demand analysis are compared with the data and statements included in the disclosure statement and in the restrictive covenants to make sure that they are consistent with each other.  

Under the Water Budget section of the proposal the developer states that a water budget and copy of the latest invoice from the water utility is attached to the proposal. These documents were not provided to our office in the January 28, 2016 submittal. However, the documents were provided in the August 12, 2015 submittal.
In the 2015 submittal the water budget was estimated to be 44,895 gallons, or 0.13 acre feet per year for the retail and residential use. It is unclear how many people will be using the residence; therefore this office was not able to determine if the water budget is calculated appropriately. The water needed for landscaping will be harvested through cistern-rain water collection.

Section 47-6-11.F (1) of the New Mexico Subdivision Act requires that the developer provide documents demonstrating that water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision is available. Therefore, the OSE reviews the water rights and the physical water availability. A letter from the utility, stating they are ready, willing, and able to provide water service for the development as required by Section 7.13.2.3 of the Code was not included. The developer provided a water bill from Madrid Water Co-op. However, this is not a guarantee that the water supplier is ready, willing and able to provide water service to the proposed Mixed Use Building.

Section 4.4.7 of the Code allows the Santa Fe County Land Use staff to refer applications as appropriate to state agencies for review. The OSE recognizes the proactive actions on behalf of the County to solicit the technical opinion of the OSE on this development plan. However, because the proposed development is not formally covered under the New Mexico Subdivision Act, the OSE declines to provide an opinion at this time. We appreciate the opportunity to review the Madrid Mixed Use Development Plan submittal.

If you have any questions, please call Julie Valdez at 505-827-6790.

Sincerely,

Molly Magnuson, P.E.
Water Use & Conservation Bureau Chief

cc: OSE Water Rights Division, Santa Fe Office