

July 11, 2003

Charlie Padilla
Taos County
105 Albright St. Suite C
Taos, NM 87571

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Reference: Riverbend Subdivision

Dear Mr. Padilla:

The Office of the State Engineer has reviewed the subdivision proposal for the referenced subdivision pursuant to the Taos County Subdivision Regulations. It is the opinion of this office that, with minor changes, the subdivider's water supply proposal will comply with the County's subdivision regulations. In accordance with this finding, we hereby issue a (conditional) positive opinion.

The Riverbend proposal is a request to develop a 100.79-acre lot into a 17-lot residential subdivision. It is located approximately two miles northwest of the Taos Country Club, in Sections 29 of T25N, R12E, N.M.P.M. The developer proposes that water will be supplied to this development via shared and individual 72-12-1 domestic wells.

The developer has quantified the maximum annual water requirements as 0.5 acre-feet per year per lot, pursuant to Article 16, Section 4 of the Taos County Subdivision Regulations. In order to assure that the lot purchaser will stay within this limit, irrigated area should be restricted to 1,500 square feet per lot. This restriction should be specified in the disclosure statement and the covenants.

The developer has submitted a geohydrologic report, as required in Article 8. The report, by Glorieta Geoscience included well logs, drawdown and recovery well test data, geologic cross-sections, water level contours, estimated thickness of the aquifer and 40-year schedule of effects calculations. The author concludes that water will be available for the forty-year period prescribed by the County. I concur with this finding.

It should be noted that nearly all of the water pumped from the Riverbend subdivision wells will ultimately come from the Rio Pueblo, which is located adjacent to the proposed subdivision. Thus, the approval of this subdivision may diminish the surface water supply available to downstream users on the Rio Pueblo. There are no requirements in OSE regulations or in the Taos County Subdivision Regulations that applicants for domestic well permits issued under Section 72-12-1 NMSA obtain water rights to offset effects on streams.

If you have any questions regarding this opinion, please feel free to call me at (505) 827-6790.

Sincerely,

Patrick J. Romero
Water Resource Engineer
Cc: Brian C. Wilson, P.E., Water Use and Conservation Bureau