

September 26, 2007

Mr. Edward Vigil
Senior Planner, Taos County
105 Albright Street, Suite C
Taos, NM 87571

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: Taos Country Club Casitas Summary Subdivision

Dear Mr. Vigil:

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

Based on the information provided, this office has determined 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, and that the subdivider can fulfill the proposals in his disclosure statement concerning water, excepting water quality. Accordingly, a **positive** opinion is issued.

A staff memorandum providing the specific comments is attached for your information. If you have any questions, please call Jerry Keller at 505-827-3845.

Sincerely,

John W. Longworth, P.E.
Water Use & Conservation/Subdivision Review Bureau Chief

Encl.

cc: OSE Water Rights Division, Santa Fe Office

JK:jk

MEMORANDUM
New Mexico Office of the State Engineer
Water Use and Conservation Bureau

DATE: September 26, 2007

TO: John Longworth, P.E. Water Use & Conservation Bureau Chief

FROM: Jerry Keller, Senior Water Resource Specialist

SUBJECT: Taos Country Club Casitas Summary Subdivision, Taos County

SUMMARY

On August 27, 2007 the Office of the State Engineer (OSE) received a request review the Preliminary Plat for Taos Country Club Casitas, a Summary Subdivision. The proposal is a request to develop 28 condominium units on three 3-acre lots. The proposed water supply is shared 72-12-1 domestic wells. The property is located on Golf Course Drive, north of State Road 570, within projected Section 34, Township 25 North, Range 12 East, NMPM.

The water supply documents submitted to this office consist of a Disclosure Statement, a previous Water Availability Assessment (Geohydrologic Report), Special Use Permit Application, Covenants, Conditions, and Restrictions (CCR's), and Plat Map.

This subdivision qualifies for Summary Review under Article 6, Section 6.1.1 of the Taos County Subdivision Regulations. However, Section 6.2.17 allows that agency review may be required by the Planning Department as set forth in Section 4.7. Taos County planning staff is requesting OSE to provide an opinion as to whether or not there is adequate water to service the build out of the proposed 28 condominium units and the potential for the units to exceed the water budget proposed by the subdivider.

This proposal was reviewed pursuant to the Taos County Subdivision Regulations (Regulations) and the New Mexico Subdivision Act (Act). The water supply proposal is in substantial compliance with the requirements of the Regulations and the Act. Accordingly, a **positive** opinion should be issued.

WATER DEMAND ANALYSIS AND WATER CONSERVATION

Under Section 6.2.10.A of the Regulations, the maximum annual water usage is 0.5 acre-feet per lot. Under Item No. 15 and 16 of the Disclosure Statement the subdivider has quantified the maximum annual water requirements as 3.0 acre-feet per lot (9.0 acre-feet for the subdivision). Each of the 28 condominium units is restricted to 0.25 acre-feet per annum. The subdivider has filed a variance request to permit a maximum of 10 units to be served by a shared well and the maximum annual water requirements reduced to 0.25 acre-feet per year per unit.

The subdivider submitted a water budget based on per capita indoor use of 80 gallons per day and 2.5 persons per dwelling unit. The subdivider assumes a 60 percent occupancy rate based on previous experience with this type of development. The estimated annual indoor use is 0.133 acre-feet. No estimate is provided for outdoor use. The subdivider states that the 60 percent

occupancy rate is based on 10-years experience with this type of development. Water use records for the last five years for a similar 78-unit condominium development is also provided to support the estimate. An annual water budget of 0.25 acre-feet per unit should provide adequate water service for this type of development.

Section 8 of the Special Use Permit Application specifies that each casita will be equipped with a rainwater catchment system for “irrigating the landscaping”. The water budget does not make reference to rainwater harvesting. The water budget contains a statement that “some groundwater will be used for establishing and maintaining the landscaping during the early years as the project slowly builds out”. However, no quantity estimate is provided for the irrigation requirements.

Water conservation measures are contained in Item No. 23 of the Disclosure Statement and include low water use plumbing fixtures, encouraging low water demand plant materials, xeriscaping, and drip irrigation systems. The conservation measures should also be included in the Covenants.

The rainwater harvesting system referenced in Section 8 of the Special Use Permit application should also be included in the Disclosure Statement and Covenants.

Each shared well and the service connection to each unit will be metered.

WATER AVAILABILITY ASSESSMENT

The proposed water supply is three shared 72-12-1 domestic wells to be completed by the subdivider. Shared well agreements are not included in the proposal.

The subdivider has submitted a variance request to serve a maximum of 10 units per well in lieu of six lots allowed in the Regulations. OSE rules and regulations do not specify the maximum number of lots served by a domestic well.

The proposal includes a Geohydrology Report (Geohydrology Report For The Baird Joint Venture Property, Taos County, New Mexico) prepared in 1989 for the Taos Country Club Subdivision. The Report investigated the groundwater availability to support the development of 350 dwelling units, golf course, and a 150-room hotel on 387.5 acres. The golf course is irrigated with treated effluent from the Town of Taos sewage treatment plant. The total potable water demand was estimated as 110 acre-feet per year. The last review of the Report was conducted by OSE for phase IV. The review indicates that only 64 lots of 3-acres or more have been mapped. This office issued a positive opinion for 18 lots in Phase IV in March 2000.

Based on the information provided, the water use proposed for the current condominium development does not constitute a significant additional demand. The Report included a future

effects model that analyzed effects for a 40-year period as required at the time. Based on the model results in the 1989 report, it is unlikely that a 50-year model performed today would produce significantly different results.