

June 24, 2009

Mr. Nathan Sanchez
Interim Chief Planner
Taos County
105 Albright Street, Suite C
Taos, NM 87571

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: Alice Sanchez Mobile Home Park

Dear Mr. Sanchez:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer (OSE) received a letter from the developer's engineer dated May 19, 2009 in response to the comments provided in the OSE staff memorandum dated April 6, 2009 for the referenced subdivision proposal. This office reviewed the subdivider's comments in accordance with your request by letter received May 29, 2009.

The primary concern in the previous review was that the subdivider had not provided a water demand analysis that demonstrates the proposed 16-lots can be provided water service by one 72-12-1 domestic well. That concern has not been adequately addressed in the letter.

The letter reiterates the previously stated water budget of 50 gallons per capita per day (gpcd) without any supporting documentation or calculations. The statement that "the 50 gpcd is based on experience with, and on customary water consumption for a small single-unit mobile park similar to the one being proposed" is not supported by an estimate included in the previous submittal based on water use at a similar 20-lot mobile home development that has resulted in over diversion and use in excess of the assumed 50 gpcd. The subdivider has not demonstrated adequate water system management practices will be in place to prevent similar future over diversion at the proposed development.

The only new information provided is the total prohibition of outdoor use at each lot and each lot will be restricted to 5,000 gallons of water per month in lieu of the 5,400 gallons per month as previously stated in the Rental Agreement. No information is provided to the prospective tenants on the conservation measures required to achieve the 5,000 gallons per month water restriction. Although outdoor use is prohibited on individual lots, outdoor use for landscape irrigation requirements for perimeter areas and open space (see Section 7.2.10 of the Taos County Subdivision Regulations Ordinance) and distribution system losses have not addressed.

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The subdivider has not provided any justification for the request for a variance from the requirements of Section 4.3.4.A of the Taos County Subdivision Regulations Ordinance that one shared well serves a maximum of six lots.

No new information has been provided that would compel this office to reverse the previous conclusion that 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, and that the subdivider can fulfill the proposals in his disclosure statement concerning water, excepting water quality. Accordingly, a **negative** opinion is issued.

If you have any questions, please call me at 505-827-6121.

Sincerely,

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

Encl.

cc: OSE Water Rights Division, Santa Fe Office

JK:jk