

MEMORANDUM

New Mexico Office of the State Engineer

Water Use and Conservation Bureau

November 20, 2001

To: Brian Wilson, P.E., Water Use and Conservation Bureau Chief

From: Patrick J. Romero, Water Master I

Subject: Sierra Madre Subdivision Master Plan, Valencia County

The Sierra Madre Subdivision proposal is a request to develop a 34.4-acre parcel into a 120-lot commercial subdivision. This parcel is located Northeast of the intersection North Rio del Oro Loop and the Manzano Expressway, approximately 1.0 mile East of Tome, N.M., within Sections 7,8,17, and 18 of T6N, R3E, N.M.P.M.. It was reviewed pursuant to the Valencia County Subdivision Regulations, and the New Mexico Subdivision Act.

The subdivider has calculated the maximum annual water requirement of this subdivision, as 0.37 acre-feet per lot, or 44.4 acre feet for the entire subdivision, pursuant to page 39 of the Valencia Subdivision Guidelines. Water requirements were separated into indoor and outdoor uses. Restrictions on irrigated area are specified in the disclosure statement and the covenants. These restrictions are consistent with those as required on page 38 of the Valencia Subdivision Guidelines.

The developer has proposed that the Rio Grande Utility Corporation (RGUC) provide water to this subdivision. The subdivider has submitted a letter from this provider, in which the provider states that he is ready, willing, and able to supply this subdivision with it's maximum annual water requirement. This is subject to certain terms, which include requiring the developer to provide water rights. A review of the RGUC water right file (RG-1811) indicates that, in 2000, they withdrew 1273.0 of their 1592 .0 (with allowance for return flow) acre-foot water right. RGUC should possess water rights (44.4 acre-feet/.9 to account for losses) above their commitments to provide water to this subdivision. Due to the fact that this office does not know what other commitments RGUC has made, it is not certain they can legally meet this commitment, pursuant to page 40 of the Valencia Subdivision Guidelines

It is my opinion that the developer has not provided ample evidence that his water requirements can be met, pursuant to the Valencia County Subdivision Regulations and the New Mexico Subdivision Act. In accordance, a favorable opinion should be withheld.