

January 6, 2004

Grant Pinkerton
Planning and Zoning Director
Chaves County
P.O. Box 1817
Roswell, NM 88202-1817

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: Prospector Subdivision

Dear Mr. Pinkerton:

On December 10, 2003, the Office of the State Engineer received the additional/amended documents regarding the referenced subdivision, which had been requested in the letter dated October 31, 2003. At that time this office issued a negative opinion because the developer had not properly calculated the water budget for the subdivision, and had failed to address water conservation measures. It is still the opinion of this office that the developer's water supply proposal does not satisfy the requirements of the County's subdivision regulations and the New Mexico Subdivision Act.

The developer has revised the water demand analysis for both indoor and outdoor purposes following the procedures set forth in OSE Technical Report 48 (Wilson, 1996). The water requirement for the subdivision, which will consist of 33 lots supplied by domestic wells, has been estimated at 35.16 acre-feet per year, assuming 4 persons per dwelling, 5,000 square feet of Bermuda grass per lot, and 5% conveyance losses (in the case that some lot owners decide to share a domestic well). The estimated water demand is too high. It is strongly recommended that the developer limit the total irrigated area to 800 square feet per parcel, and revise the total demand for the subdivision accordingly. This was already recommended in the OSE letter dated October 31, 2003.

This office had recommended, in the aforementioned letter, that the limitation on the area that may be irrigated be included in the Disclosure Statement. It has not been done. Section 5.0 of the Water Availability Assessment/Engineering Report, revised on November 23, 2003, still states that water conservation can be encouraged by providing the following statement, "*Desert landscaping is required for any lawn area*". This sentence is inadequate in addressing water conservation; further 5,000 square feet of Bermuda grass per parcel does not represent a desert landscape and is contrary to the conservation of water. Restrictions on irrigated area should be specified in Item # 17 of the Disclosure Statement, to ensure that the amount of water used at each residence does not exceed the estimated amount. This restriction may be stated as follows: "*The total irrigated area shall not*

exceed 800 square feet per lot. The 800 square feet may be planted in any combination of trees, shrubs, annual and perennials, and grasses. Grasses should be selected that are well adapted to local climatic conditions, and non-native grasses are discouraged. Low-water use landscaping techniques applying the principles of xeriscape shall be utilized. Drip irrigation is encouraged whenever possible."

Finally, because the subdivision will be located in the Roswell Extraterritorial Zoning District, and 8 of the 33 parcels are less than 5 acres in size, the developer needs approval from the County Commission for a variance from the requirement for a community water system, as required by Section 5.1 of Appendix C-1 of the Chaves County Subdivision Ordinance.

If you have any questions, please call me at 505-827-4273.

Sincerely,

Mara Smith
Water Use and Conservation Bureau

cc: Brian C. Wilson, P.E., OSE Water Use and Conservation Bureau Chief
OSE Roswell Office