

August 17, 2009

Mr. Jonathan Kesler  
Planning and Development Department  
Doña Ana County  
845 N. Motel Blvd.  
Las Cruces, NM 88007

CERTIFIED MAIL  
RETURN RECEIPT  
REQUESTED

**Re: San Antonio Subdivision**

Dear Mr. Kesler:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced subdivision proposal pursuant to the Doña Ana 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 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, Las Cruces Office

JK:jk

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

**DATE:** August 10, 2009

**TO:** John Longworth, P.E. Water Use & Conservation Bureau Chief  
**FROM:** Jerry Keller, Senior Water Resource Specialist  
**SUBJECT:** San Antonio Subdivision in Doña Ana County

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**SUMMARY**

On July 14, 2009 the Office of the State Engineer (OSE) received additional/revised information for the Preliminary Plat for San Antonio, a Type Two Subdivision. The proposal is a request to subdivide 69 acres into 73 residential lots ranging in size from 0.75 acres to 1.84 acres each. The proposed water supply is by the Anthony Water & Sanitation District. The property is located southwest of Anthony, on the south side of Washington Street northwest of the Texas state line, within Section 34, Township 26 South, Range 3 East, NMPM.

This office issued a negative opinion for this subdivision proposal on December 3, 2007, June 20, 2008, and September 11, 2008 for the reason that the proposal was not in compliance with the requirements of Sections 14.3.1 and 14.3.2 of the Doña Ana County Subdivision Regulations and Sections 47-6-11 F (1) and 47-6-17 B (11) of the New Mexico Subdivision Act. Please see the previous letters for specific comments.

The revised water supply documents submitted to this office consist of a Disclosure Statement and a water service commitment letter.

The revised proposal was reviewed pursuant to the Doña Ana 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**

The developer has quantified the maximum annual water requirements of the subdivision, including indoor and outdoor use, as required by Section 14.3.2 of the Regulations and Section 47-6-17 B (11) of the Act. Under Item No. 17 of the revised Disclosure Statement the subdivider specifies that Anthony Water and Sanitation District will provide water at an estimated 134 gallons per capita per day to each lot for design purposes. The maximum annual water demand of 17,852,150 gallons (54.75 acre-feet) is based on five persons per household.

Water conservation measures and use restrictions are included under Item No. 16 of the revised Disclosure Statement. The total irrigated area is limited to 800 square feet per parcel. The 800 square feet may be planted in any combination of trees, shrubs, annuals and perennials, grasses, and garden. Low-water use landscaping techniques applying the principles of xeriscape shall be

utilized. Drip irrigation is encouraged whenever possible. Water will not be provided for recreational use, inclusive of swimming pools, water fountains, decorative ponds, and spas.

**WATER AVAILABILITY ASSESSMENT**

The proposal indicates that Anthony Water & Sanitation District (District) will provide the water supply requirements for the subdivision. The revised proposal contains an updated letter from the utility committing water service to the 73 lots. The previous conditions that the subdivision property be annexed into the District's service area and the transfer of 54.9-acre feet of water rights to a District well are no longer included.

OSE records indicate that Anthony Water & Sanitation District currently holds sufficient water rights to provide water service to the proposed development. However, this office does not have current information regarding any existing commitments made by Anthony Water & Sanitation District that are not currently served.