STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER

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Mailing Address:
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April 16, 2019

Luis Marmolejo
Doña Ana County
845 N Motel Blvd.
Las Cruces, NM 88007

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: The Melodies Subdivision in Doña Ana County

Dear Mr. Marmolejo:

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 Unified Development Code and the New Mexico Subdivision Act.

Based on the information provided by the applicant, the OSE 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 fulfill the proposals in the disclosure statement. Accordingly, a **positive** opinion is issued.

A staff memorandum providing specific comments is attached for your information. If you have any questions, please call Matt Nelson at 505-827-6755.

Sincerely,

Molly Magnuson

Molly Magnuson, P.E.
Water Use and Conservation Bureau Chief

cc: OSE Water Rights Division, Las Cruces Office

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

DATE: April 16, 2019
TO: Molly Magnuson, P.E. Water Use & Conservation Bureau Chief MLM
THRU: Julie Valdez, Senior Water Resource Specialist
FROM: Matt Nelson, Senior Water Resource Specialist MN
SUBJECT: **The Melodies in Doña Ana County**

SUMMARY

On April 1, 2019, the Office of the State Engineer (OSE) received a request to re-review the preliminary plat proposal for the referenced subdivision. Our office previously reviewed this proposal on October 11, 2018. For details, please refer to that letter.

The proposal, a Type Two subdivision, is a request to subdivide a 22.9 acre tract into 111 residential lots ranging in size from 0.128 to 0.315 acres. The property is located at the northeast corner of Peachtree Hills Road and Holman Road in Doña Ana County, within Section 7, Township 22 South, Range 3 East, NMPM. The water supply is proposed to be provided by Moongate Water Company.

The water supply documents submitted to this office consist of a Disclosure Statement, Water Usage Calculations, Commitment Letter, and Plat Maps.

The proposal was reviewed pursuant to the Doña Ana County Unified Development Code - Ordinance No. 287-2016 (Code) and the New Mexico Subdivision Act (Act). The County requirements are specified in Articles 4.7 and 6.6.2 of the Code. The proposal is in compliance with both the Code 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 for the subdivision pursuant to 6.6.2(b) of the Code. Based on the submitted water usage calculations, the water requirements for the subdivision are computed at 0.57 acre-feet per year per residential lot, or 63.15 acre-feet annually for the entire subdivision.

Water conservation measures for the subdivision are included under Item 17 of the Disclosure Statement. For indoor use, these include the use of water savings fixtures and other conservation measures as per code. Outdoor water use is limited to 800 square feet of turf grass, 800 square feet of horticultural plants, and 800 square feet of trees and shrubs. Both xeriscaping and drip irrigation are encouraged.

Our office recommends that outdoor water use be limited to 800 square feet total rather than the 2,400 square feet shown in the Disclosure Statement. Also, the outdoor water use was calculated using Kentucky Blue Grass (a non-native species), which resulted in a conservative estimate. The actual outdoor water use for the subdivision should be lower than the estimate.

WATER AVAILABILITY ASSESSMENT

Item 17 of the Disclosure Statement states that the water supply requirements for the subdivision will be met by Moongate Water Company (Moongate). A letter stating that Moongate "will be the water provider" to the subdivision was included in the submittal. Although the Code no longer requires such a letter, the OSE considers such documentation to be necessary to determine if the subdivider can meet the requirements of Section 47-6-11.F of the Act.

Moongate has a total permitted diversion of 3,361.54 acre-feet/annum. It is important to note that Moongate's annual diversions have been increasing rapidly in recent years, with 2,967 acre-feet of diversions in 2018. Including this proposal, the total amount of water committed, but currently unserved by Moongate is approximately 70 acre-feet/annum. Based on the available information, it is the opinion of this office that Moongate holds sufficient water rights to serve the proposed subdivision.