

MEMORANDUM

New Mexico Office of the State Engineer

Water Use & Conservation Bureau

Date: August 20, 2002

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

From: John T. Romero, Water Master I

Subject: Dos Piedras Subdivision Review, Eddy County

This proposal is a request to subdivide a 38.32-acre parcel of land into a 32-parcel subdivision known as Dos Piedras Subdivision. The largest parcel in this subdivision will be 1.06 acres and the smallest parcel will be 0.98 acre. The subdivision is located approximately 2.0 miles North of Artesia, NM and further described as being located within Section 32, Township 16 South, Range 26 East, New Mexico Principal Meridian. This proposal was reviewed pursuant to the Eddy County Subdivision Regulations and provisions of the New Mexico Subdivision Act.

The developer has stated that The City of Artesia Municipal Water Utility (CAMWU) will provide water to this subdivision. The developer has stated that 0.75 acre-feet of water per parcel per year will be available from CAMWU. A letter of intent from CAMWU stating that they are ready, willing, and able to provide the maximum annual water requirement for indoor and outdoor use is required pursuant to Section 5 of the Eddy County Subdivision Regulations. This letter is required before an opinion from the Office of the State Engineer (OSE) is issued.

The developer has addressed water conservation measures in the disclosure statement; however, they should include additional measures to insure that each parcel's water allotment is not exceeded. It is recommended that the county require the developer to refer to OSE Technical Report 48 entitled "Water Conservation and Quantification of Water Demands in Subdivisions (Wilson, 1996) to use as a reference and guide to help formulate additional water conservation measures for this proposal. For example, the developer could limit the amount of irrigated turf area including trees and shrubs. The developer should refer to Section 7 of OSE Technical Report 48 for guidance in calculating landscape irrigation water requirements for this proposal.

The developer has failed to adequately address Fire Protection when the subdivision will be supplied by an existing water utility as per Section 6 of the Eddy County Subdivision Regulations. The developer should provide additional information addressing storage, water flow and hydrant spacing for our review.

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Finally, a review of CAMWU's water right files indicates that they have approximately 7,560.8 acre-feet of permitted water rights available to them. The OSE is requiring additional information from CAMWU to help clarify this issue of water availability. A tabulation should be prepared and submitted showing the water rights currently owned by CAMWU including any leased water rights and any expiration dates if they exist. The CAMWU should also provide information on the amount of annual water usage for existing customers during the 2000 and 2001 calendar years. Also, any additional commitments to supply water for new subdivisions and developments should be submitted. This information will help facilitate a comparison of the total water demand with the supply that is available to CAMWU.

It is my opinion that the developer's water proposal does not conform to the Eddy County Subdivision Regulations and the New Mexico Subdivision Act. Therefore, a favorable opinion will be **withheld** at this time.