

# MEMORANDUM

New Mexico State Engineer Office

*Water Use and Conservation Bureau*

**Date:** June 19, 2002

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

**From:** John T. Romero, Water Master I

**Subject:** Juniper Hills Subdivision, McKinley County

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The proposed subdivision is a request to develop a 28-acre lot into a 38-parcel subdivision. This proposed subdivision is classified as a Type II subdivision. The parcels will range between 0.75-acres and 1.88-acres in size. The subdivision is located in McKinley County within Section 28, Township 15 North, Range 18 West, New Mexico Principal Meridian and was reviewed pursuant to the McKinley County Subdivision Regulations and provisions of the New Mexico Subdivision Act.

The subdivider proposes that water for the subdivision will be provided by the Navajo Tribal Utility Authority (NTUA). The subdivider has stated that the NTUA will supply the subdivision with 10,000 gallons per day from their Rock Springs wells. A water service contract between NTUA and the subdivider was provided for only 21 of the 38 parcels. The subdivider wishes to negotiate an agreement with NTUA for water service for the remaining 17 parcels. The subdivider has not submitted a water budget for the subdivision depicting the amount of water required for indoor and outdoor purposes. The subdivider is required to quantify the maximum annual water requirement for indoor and outdoor uses, by the subdivision, pursuant to McKinley County Subdivision Regulations, Appendix B, Section III, Quantification of the Annual Water Requirements. This section states that the subdivider shall quantify the maximum annual water requirement for indoor and outdoor purposes and the results stated in the disclosure statement. This quantification shall be performed using the standards set forth in Office of the State Engineer (OSE) Technical Report 48 entitled "Water Conservation and Quantification of Water Demands in Subdivisions" (Wilson, 1996).

The subdivider has also failed to address water availability pursuant to Appendix B, Section V, Sub-section E of the same regulations. The subdivider has failed to submit a letter of intent from NTUA stating they are ready, willing, and able to provide the maximum annual water requirements for the entire subdivision for a 40-year period. A review of NTUA's water right files indicates that they may have sufficient water rights available to meet the requirements of this proposal; yet, it is not clear why an agreement to supply the entire subdivision with sufficient water was not made in the first place. It is suggested that the county require the subdivider to submit information addressing NTUA's current number of hook-ups (customers) and their 2000 and 2001 water use amounts so we can properly evaluate water availability issues.

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The subdivider has also failed to address conservation measures in the Disclosure Statement as required by Appendix B of the McKinley County Subdivision Regulations; however, in addition to the conservation measures listed in Appendix B the subdivider should refer to OSE Technical Report 48 to obtain additional conservation measures and to calculate the amount of irrigated turf area each parcel will be allowed to have. It is suggested that the subdivider limit each parcel to 800 square-feet or less for outdoor landscaping as an additional conservation measure.

It is my opinion that the subdivider's water proposal does not meet the requirements of the McKinley County Subdivision Regulations and the New Mexico Subdivision Act. A favorable opinion will be withheld for this subdivision proposal at this time.