

October 10, 2003

Vicente Archuleta  
Development Review Specialist II  
Santa Fe County  
102 Grant Avenue – P.O. Box 276  
Santa Fe, NM 87504-0276

**CERTIFIED**  
**RETURN RECEIPT**  
**REQUESTED**

**Re: EZ CASE # S 03-4830 Valle Serena Subdivision**

Dear Mr. Archuleta:

On September 24, 2003, the Office of the State Engineer received a request to review the proposal for “Valle Serena”, a Type-Two subdivision. The developer proposes to subdivide 50.019 acres of land into 20 lots, with sizes ranging between 0.81 and 1.18 acres (the remaining 29.82 acres will be open space). The proposed subdivision is located approximately one mile east of State Road 14 and one mile south of I-25/Cerrillos Road interchange, in the Community College District. This submittal was reviewed pursuant to the Santa Fe County Land Development Code, the Community College District Land Use and Zoning Regulations, and the New Mexico Subdivision Act. It is the opinion of this office that the developer’s water supply proposal does **not** satisfy the requirements of the County regulations.

**WATER DEMAND ANALYSIS**

The developer has quantified the maximum annual water requirement for each lot at 0.24 acre-foot per annum. Water demand has been quantified for indoor domestic, 1,000 square feet of Fescue grass, 2,000 square feet of shrubs and flowers on drip irrigation, and 1,000 square feet of trees on drip irrigation. The following problems have been identified:

1. The developer is not in compliance with Section 6.G of the Community College District Regulations, which states, “*Residential yards shall be required to use xeriscape designs incorporating drought-tolerant and native vegetation to the maximum extent possible. Non-native turf will not be permitted.*” Fescue is a non-native, cool season grass, and therefore it should not be used in this particular area. Also, shrubs, flowers and trees have a higher water requirement than indicated in the water demand calculations.
2. The developer has estimated the indoor water requirement at 40 gallons per day per capita (gpcd). It is unrealistically low. It should be 55 – 60 gpcd. Further, no allowance has been made for evaporative cooling water requirements.

3. No allowance for distribution losses has been made. Total water demand for indoor and outdoor uses exclusive of firefighting requirements should be divided by 0.95 to account for a minimum of 5% losses.
4. Finally, the water budget fails to account for water for fire protection.

It is suggested that the developer refer to State Engineer Technical Report No. 48, "*Water Conservation and Quantification of Water Demands in Subdivisions*" (Wilson, 1996) to calculate indoor and outdoor water use.

Restrictions on outdoor water use should be reflected in the Disclosure Statement, to ensure that residents will not exceed the allowed amount (Section 16 of the Disclosure Statement provided by the developer simply indicates that the water availability will be 0.25 acre-foot per year per parcel).

#### **WATER AVAILABILITY ASSESSMENT**

The developer has indicated that Santa Fe County Water Utility (SFCWU) will supply water to the subdivision. The proposal includes a copy of a customer contract for commitment of water service, in which SFCWU states that it agrees to provide water for only six hook-ups (of the 20). Accordingly, the development of six lots will proceed during Phase I, while the development of the remaining 14 will depend on the future availability of County water.

The fundamental issue here is that the State Engineer records indicate that this utility is not in possession of enough water rights to supply this subdivision; they also indicate that a good portion of the water rights relied upon at this time are San Juan/Chama diversion rights, which will expire on December 31, 2016. The developer must provide information showing proof of sufficient water rights pursuant to Section 6.4.4 of the County Code and demonstrate that a 100-year water supply is available. A tabulation should be prepared showing permanent water rights owned by SFCWU, and leased water rights including expiration dates; SFCWU annual water demand for existing customers; and commitments to supply water for new developments. This information will facilitate a comparison of the total water demand with the supply that is available.

Should you have 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