

April 12, 2006

Ms. Shelly Cobau
Development Review Specialist II
Santa Fe County
102 Grant Avenue
Santa Fe, New Mexico 87504-0276

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: Melody Ranch Preschool

Dear Ms. Cobau:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced subdivision proposal pursuant to the Santa Fe County Subdivision Regulations, the New Mexico Subdivision Act and the OSE Rules and Regulations Governing the Drilling of Wells and the Appropriation of Ground Water in New Mexico.

It is the opinion of this office that the subdivider's water supply proposal does not satisfies the requirements of Article VII, Section 6.6.2 and 6.4.7(b) of the County Land Development Code.

A staff memorandum providing the specific comments and recommendations is attached for your information. If you have any questions, please call Julie Valdez at 505-827-6790.

Sincerely,

John W. Longworth, P.E.
Water Use & Conservation/Subdivision Review Bureau Chief

Encl.

cc: OSE Water Rights Division, Santa Fe Office

DATE: April 11, 2006
TO: John W. Longworth
FROM: Julie Valdez
CC: Mara Smith
SUBJECT: Melody Ranch Preschool

SUMMARY

On March 15, 2006, the Office of the State Engineer (OSE) received a request to review the proposal for Eldorado Preschool at Melody Ranch. The preschool will be operated from the applicant's residential home located on 8.366 acres of land. The applicant proposes to convert the family room into a classroom, playschool room and bathroom. The existing residence is 2,500 squared feet with an attached garage, a small barn, paddock for horses and small pool. The property is located in Eldorado between U.S. Highway 285 and Camino Pinon with in Section 9, Township 15 North, Range 10 East, NMPM. The proposed water supply is an existing domestic well.

The documents submitted to this office consist of a Disclosure Statement and Plat Map.

This proposal was reviewed pursuant to Santa Fe County Land Development Code, the New Mexico Subdivision Act and the OSE Rules and Regulations Governing the Drilling of Wells and the Appropriation of Ground Water in New Mexico. It is the opinion of this office that the applicant has failed to provide a water budget, pursuant to Article VII, Section 6.6.2 of the County Land Development Code and did not demonstrate that sufficient water is available for the existing residence and the proposed preschool pursuant to Article VII, Section 6.4.7(b) of the County Land Development Code.

WATER DEMAND ANALYSIS & WATER CONSERVATION

The applicant states that the maximum water requirement for the preschool was quantified following the procedures set forth in OSE Technical Report No. 51 (Wilson et al., 2003) (Report No. 51), pursuant to Section 6.6.2 of the County Regulations. The maximum water demand was quantified as 29,700 gallons per year or 0.09 acre-feet per annum.

Several discrepancies were found in the submittal regarding the water budget. The water budget was calculated assuming 12 students (at 15 gpcd) and adding the mean water use from the neighboring Monte Vista Montessori. The median of two numbers was than taken to obtain the maximum water demand for the preschool. This method is inaccurate and it is unclear from the proposal why the applicant used the median to calculate the maximum water demand. Further, while the Monte Vista Montessori has the same general operations, it is not clear these operations are specifically comparable. Therefore, The OSE recommends the applicant use the numbers published in Report 51.

Since, the applicant's residence will serve as both a preschool and a residential dwelling it is recommended that a method, which accounts for pre-school use and residential use be used to

calculate the maximum annual water requirements. Indoor and outdoor water requirements should be quantified using the procedure described in Section 7 of OSE Technical Report 48 (Wilson, 1996). The water use for the preschool should be calculated following the procedures set forth in Report 51, assuming 12 students (and number of teachers assisting students).

The outdoor water use calculations should include an amount for the swimming pool, farm animals and the irrigation of non-commercial trees, lawn and garden.

WATER AVAILABILITY ASSESSMENT

The applicant has proposed to supply the school with water from existing domestic well RG-25137. The current owner of permit RG-27706 does not coincide with the current owner of the property where the preschool is to be located.

The OSE records show that well RG-27706 was permitted in accordance with Section 75-11-1 NMSA 1958 for use by one household, and as such, exempt from metering requirement. A domestic well is permitted for a diversion not to exceed 3 acre-feet per year, and limits the use to domestic purposes and sanitary purposes in conjunction with a commercial operation.

Since, the preschool will be operated from applicant's residence, permit RG-27706 will no longer be classified as a single household, it will be classified as a commercial operation. Article 1-15-7 of the OSE Rules and Regulations states that all domestic permits issued for uses of water, other than one household must be metered.

The applicant is hereby requested to contact the Water Rights Division of the OSE, and have permit RG-25137 amended, to indicate the current owner and correct use of water.

A copy of this letter will be forwarded to the Water Rights Division for follow up.

If the water demand analysis demonstrates that the amount of water that will be diverted from the well will be 3 acre-feet or less per year, the applicant must submit a reconnaissance availability assessment, pursuant to Article VII, Section 6.4.6 of the County Code. If the maximum water requirement will be more than 3 acre-feet, then the applicant must file an application for a non-domestic permit with the OSE, and submit a geohydrologic report pursuant to Article VII, Section 6.4.2 of the County Code.