

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

Date: October 30, 2002
To: Brian C. Wilson, P.E., Chief, Water Use & Conservation Bureau
From: John T. Romero, P.E.
Subject: El Shaddai Subdivision Re-review, Sierra County

This proposal is a request to subdivide a 37.39-acre parcel of land into a 29-lot subdivision known as El Shaddai Subdivision. The subdivision is located within Section 11, Township 17 South, Range 5 West, New Mexico Principal Meridian. This proposal was reviewed pursuant to the Sierra County Subdivision Regulations and provisions of the New Mexico Subdivision Act.

The developer has stated that the Garfield Water Association (GWA) will provide water to this subdivision. The developer has stated that approximately 0.40 acre-feet of water per lot per year will be available from GWA. This water allotment reflects indoor and outdoor domestic use. The developer has also included 60,000 gallons for fire protection. This amount is not included with the 0.40 acre-feet of water allowed for each lot.

The developer has submitted an agreement/letter of intent from GWA stating that they are ready, willing, and able to provide the maximum annual water requirement for indoor and outdoor water use to this subdivision as required by Appendix C, Section E of the Sierra County Subdivision Regulations.

The developer has adequately addressed water conservation measures in the disclosure statement; including additional measures to insure that the individual lots will not exceed their water allotment. For example, the developer limited the amount of irrigated turf area including trees and shrubs to 800 square-feet. It is recommended that the county consider requiring the developer to restrict any additional outdoor water uses such as decorative ponds, swimming pools, and water fountains for the same purpose.

The developer has adequately address Fire Protection for the subdivision as required by Appendix C, Section 5 of the Sierra County Subdivision Regulations. The county may want to consider requiring the developer to provide additional information addressing storage and water flows to county fire officials for review.

Finally, a previous review of GWA's water right files indicated that they have approximately 822.6 acre-feet of permitted water rights available to them. The developer

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has submitted additional information from GWA, which has helped clarify the issue of water availability.

It is my opinion that the developer's water proposal now conforms to the Sierra County Subdivision Regulations and the New Mexico Subdivision Act. Therefore, a **favorable** opinion will be issued at this time.