

MEMORANDUM

New Mexico Office of the State Engineer

Water Use & Conservation Bureau

Date: August 28, 2002

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

From: John T. Romero, Water Master I

Subject: El Shaddai Subdivision 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 largest lot in this subdivision will be 4.88 acres and the smallest will be 0.85 acres. The subdivision is located approximately 0.25 miles Southwest of Arrey, NM and further described as being 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 0.286 acre-feet of water per lot per year will be available from GWA. This water allotment reflects indoor domestic use only and does not make any provision for outdoor landscape irrigation. The developer should refer to Section 7 of OSE Technical Report 48 for guidance in calculating landscape irrigation water requirements for this proposal. This will help insure that they have adequately addressed the water requirement for this proposal. Additionally, a 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 is required pursuant to Appendix C, Section E of the Sierra 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 the individual lots will not exceed their water allotment. It is recommended that since the water amount allocated to each lot is 0.286 acre-feet for both indoor and outdoor purposes, the county should require the developer to refer to the previously referenced OSE Technical Report 48, Section 6 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 to 800 square-feet or less. It is further recommended that the county require the developer to restrict any additional outdoor water uses such as decorative ponds, swimming pools, and water fountains.

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The developer has also failed to adequately address Fire Protection when the subdivision is to be supplied by an existing water utility as per Appendix C, Section 5 of the Sierra County Subdivision Regulations. The developer should provide additional information addressing storage, water flow and hydrant spacing for our review.

Finally, a review of GWA's water right files indicates that they have approximately 822.6 acre-feet of permitted water rights available to them. The OSE is recommending that the county require additional information from GWA to help clarify the issue of water availability. A tabulation should be prepared and submitted showing the water rights currently owned by GWA including any leased water rights and any expiration dates if they exist. The GWA 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 GWA.

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