August 4, 2003

Lawrence Stefan
Torrance County
P.O. Box 48
Estancia, N.M., 87016

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Reference: Deer Canyon Preserve Phase II

Dear Mr. Stefan:

The Office of the State Engineer has re-reviewed the preliminary plat subdivision proposal for Phase II of the Deer Canyon Preserve Subdivision, pursuant to the Torrance County Subdivision Regulations. It is the opinion of this office that the subdivider's water supply proposal meets the requirements laid out in the county's subdivision regulations. In accordance with this finding, a **positive** opinion is hereby issued.

Phase II of the Deer Canyon Preserve proposal is a request to develop a 5920-acre lot into a 148-lot residential subdivision. The lot is located approximately 3 miles South of Mountainair, and is accessible via CR B016, in Sections 29, 30, 32, in 33 of T3N, R7E, in Sections 1, 2, 11, 14, 25, and 36 in T3N, 6E, and in Section 31 of T2N, R7E N.M.P.M. The developer proposes that water will be supplied to this development via shared 72-12-1 domestic wells.

The developer has quantified the maximum annual water requirements of his subdivision as 0.3 acre-feet per year, per lot, as per Section 2 of the Supplemental Guidelines of the Torrance County Subdivision Regulations. Water requirements are separated into indoor and outdoor uses. Water use restrictions are specified in the disclosure statement and the covenants. These restrictions are consistent with the water requirement calculations.

The subdivider has submitted a revised geohydrologic report, pursuant to Section 5.4 of the Supplemental guidelines of the Torrance County Subdivision Regulations. The geohydrologic report and the supplemental data provided by MJDarrconsultant, Inc. includes aquifer descriptions, geologic cross-sections, well drilling descriptions, results of well tests within and nearby this phase, and a calculation of the drawdowns in the water table that would be caused by this development. The consultant concludes that water is available to meet the demand of this development for the 70-year period prescribed by Torrance County.

Two of the three wells tested for this phase of development are nominal. Due to the size of the subdivision, and the characteristics of the geology in the area, three well tests should not be considered adequate to determine water availability for this development. The non-homogenous characteristics of the fractured units drilled into add uncertainty to any long-term projections. Lot purchasers should be made aware that the delicate nature of the ecosystem found here might be susceptible to drought conditions.

The developer and this office are cognizant of the fact that the Torrance County requirement to "adequately characterize the aquifer" is a task, which may not be practical where fractured geologic units are found over a large area. This is especially true in this phase, where several nominal wells may exist. I have found that this developer is very aware of the water cycle in his development, and is motivated to develop responsibly, thus providing a quality product to his cliental. Evidence of this is the developer's proposal to test every well drilled for this development. In addition, he has proposed analyzing each well to assure that it will be capable of providing lot purchasers with enough water to supply their domestic needs for the 70-year period prescribed by Torrance County. The consultant would forward every test to me for my approval. These actions would exceed the County's requirements.

If you have any questions regarding this opinion, please feel free to call me at (505) 827-6790.

Sincerely,

Patrick J. Romero
Water Resource Engineer

Cc: Brian C. Wilson, P.E., Water Use and Conservation Bureau