

DISCLOSURE STATEMENT

FOR ALL SUBDIVISIONS CONTAINING FIVE (5) OR MORE PARCELS

1600023

PLEASE READ THIS DISCLOSURE STATEMENT BEFORE YOU SIGN ANY DOCUMENTS OR AGREE TO ANYTHING

This disclosure statement is intended to provide you with enough information to permit you to make an informed decision on the purchase, lease or acquisition of property described in this statement. You should read carefully all of the information contained in this statement before you decide to buy, lease or otherwise acquire the described property.

Various public agencies may have issued opinions, on both the subdivision proposal and the information contained in this disclosure statement. They may be favorable or unfavorable. You should read them closely.

The Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can fulfill what the subdivider has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. In addition, this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

The Board of County Commissioners recommends that you inspect the property before buying, leasing or otherwise acquiring it. If you have not inspected the parcel before purchasing, leasing or otherwise acquiring it, you have six (6) months from the time of purchase, lease or other acquisition to personally inspect the property. After inspecting the parcel within the six (6) month period you have three (3) days to rescind the transaction and receive all of your money back from the subdivider when merchantable title is revested in the subdivider. To rescind the transaction you must give the subdivider notice of your intent to rescind within three (3) days of your inspection of the property.

County regulations require that any deed, real estate contract, lease or other instrument conveying an interest in a parcel in the subdivision be recorded with the Santa Fe County Clerk.

Building permits, wastewater permits or other use permits must be issued by state or county officials before improvements are constructed. You should investigate the availability of such permits before you purchase, lease or otherwise acquire an interest in the land. You should also determine whether such permits are required for construction of additional improvements before you occupy the property.

1. NAME OF SUBDIVISION.

La Paz at Eldorado

2. NAME AND ADDRESS OF SUBDIVIDER.

Eldorado Joint Venture
One Caliente
Santa Fe, New Mexico 87505



COUNTY OF SANTA FE 1060, 386
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 5th day of Feb. A.D.
19 99 at 1:46 o'clock p.m.
and was duly recorded in book 1600
page 023-052 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.
[Signature]
Deputy

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES, LEASING OR OTHER CONVEYANCE IN NEW MEXICO

1600024

Mr. Mark Conkling
Eldorado Joint Venture
One Caliente
Santa Fe, New Mexico 87505
(505) 892-9794

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED.

Present:	Anticipated:
63 lots	99 lots
335 acres	335 acres

5. SIZE OF LARGEST PARCEL OFFERED FOR SALE, LEASE OR OTHER CONVEYANCE WITHIN THE SUBDIVISION.

6.85 acres

6. SIZE OF SMALLEST PARCEL OFFERED FOR SALE, LEASE OR OTHER CONVEYANCE WITHIN THE SUBDIVISION.

1.68 acres

7. PROPOSED RANGE OF PRICES FOR SELLING, LEASING OR OTHER CONVEYANCE.

\$55,000 = lowest amount	Size of parcel:	1.68 acres
\$90,000 = highest amount	Size of parcel:	6.85 acres

8. FINANCING TERMS.

To be negotiated.

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE.

Eldorado Joint Venture
One Caliente
Santa Fe, New Mexico 87505

10. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE.

Eldorado Joint Venture
One Caliente
Santa Fe, New Mexico 87505

11. CONDITION OF TITLE.

Number of mortgages: Two: One on Phases 1 and 2; One on Phase 3.

Name of each mortgagee:

Phases 1 and 2: Charter Bank For Savings
Available borrowing line: \$1,160,000.00
Releases available at \$40,000.00 per lot

Phase 3: Independent Trust Company
Loan balance is \$290,000.00
Releases available at \$2,680.00 per acre/
40 acre minimum release

1600025

Statement of any other encumbrances on the land and any other conditions relevant to the state of the title:

None existing at time of subdivision. Declaration of covenants for La Paz at Eldorado Phase 2 (a duplicate of the covenants already filed and appearing in the records of the Santa Fe County Clerk in Book 1359, Pages 878-936) and reservations, restrictions and easements shown on plat and documents recorded therewith will encumber property after plat is filed.

12. STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OF RECORD THAT SUBJECT THE SUBDIVIDED LAND TO ANY CONDITIONS AFFECTING ITS USE OR OCCUPANCY.

Deed and plat restrictions: The Declaration of Covenants for La Paz at Eldorado Phase 2 (A duplicate of covenants already filed and appearing in the records of the Santa Fe Clerk in Book 1359, Pages 878-936) contains restrictions on water usage, building, size, uses and architectural matters, and nuisance restrictions. The recorded subdivision plat contains certain archeological easements shown thereon.

13. ESCROW AGENT.

No escrow agent currently exists.

14. UTILITIES.

Telephone service:	U.S. West	Estimated Cost:	\$30.00 + tax Hook-up Fee
Electrical service:	Public Service Co. of N.M.	Estimated Cost:	\$15.00 + tax Hook-up Fee
Gas service:	Gas Co. of New Mexico	Estimated Cost:	\$40.00 + tax Hook-up Fee
Water service:	Eldorado Utilities, Inc.	Estimated Cost:	\$285.00 + tax Hook-up Fee
Sewer service:	None	Estimated Cost:	N/A
Garbage Collection:	Environmental Control, Inc.	Estimated Cost:	\$71.50 + tax Monthly Fee

15. INSTALLATION OF UTILITIES.

Water:	Date:	Occupancy
Telephone:	Date:	Occupancy
Electricity:	Date:	Occupancy
Gas:	Date:	Occupancy
Liquid Waste Disposal:	Date:	By lot purchaser
Solid Waste Disposal:	Date:	Occupancy

16. UTILITY LOCATION.

The following utilities will be provided to each parcel in the subdivision: electric, telephone, cable television, gas and water. Sewer service will not be provided by the subdivider. All utility lines will be underground in easements across the front property line of each lot.

17. WATER AVAILABILITY.

1600026

The annual water requirement for all 99 lots of the subdivision is approximately 22 acre/feet/year. All water mains and fire hydrants are fully installed. The water necessary to meet this requirement will be supplied by El Dorado Utilities, Inc. Water will be delivered to the lots by means of eight inch (8") and six inch (6") underground water mains owned and operated by El Dorado Utilities, Inc. Both indoor and outdoor water use is significantly restricted by the Declaration of Covenants and the County of Santa Fe Water Restrictive Covenants applicable to this subdivision. Among other restrictions, these documents require the use of water saving fixtures and other conservative measures. Prospective purchasers of lots within the subdivision should review all applicable restrictions prior to purchase. Water usage is monitored by El Dorado Utilities, Inc. Excessive use of water may be reported to County of Santa Fe authorities.

18. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS.

Name and address of entity providing water: El Dorado Utilities, Inc.

Source of water and means of delivery: The source of water is the El Dorado Utilities, Inc. underground wells. The water is delivered to the subdivision by means of an eight inch (8") and a six inch (6") underground water main owned and operated by El Dorado Utilities, Inc.

Summary of legal restrictions on either indoor or outdoor usage: Both indoor and outdoor water use is significantly restricted by the Declaration of Covenants and the County of Santa Fe Water Restrictive Covenants applicable to this subdivision. Among other restrictions, these documents require the use of water saving fixtures and other conservation measures. Prospective purchasers of lots within the subdivision should review all applicable restrictions prior to purchase. Water usage is monitored by the El Dorado Utilities, Inc. Excessive use of water may be reported to County of Santa Fe authorities.

Private, individual wells are prohibited on the Property.

19. FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR SHARED WELLS.

N/A

20. LIFE EXPECTANCY OF THE WATER SUPPLY.

El Dorado Utilities, Inc. estimates its water supply has a life expectancy in excess of 100 years.

21. SURFACE WATER

None.

22. NEW MEXICO STATE ENGINEER'S OPINION ON WATER AVAILABILITY.

The subdivision will rely on El Dorado Utilities, Inc. to fulfill all water supply requirements for the subdivision. The New Mexico State Engineer's Opinion dated December 19, 1996 regarding El Dorado Utilities, Inc. is contained in the Supplemental Information attached hereto.

23. WATER QUALITY.

Water quality in the subdivision meets all applicable requirements and is fit for human consumption. the subdivider knows of no quality of the water which would render it unfit for human consumption. Contact El Dorado Utilities, Inc. for further information regarding water quality. In addition, see New Mexico Environmental Department's comments in Supplemental Information attached hereto.

24. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON WATER QUALITY.

1600027

See New Mexico Environmental Department's comments in Supplemental Information attached hereto. Based upon the Environmental Department's comments and El Dorado Utilities' comments, the subdivider believes that the proposed water supply will furnish water of an acceptable quality for human consumption, that there are adequate measures to protect the water supply from contamination as regulated by the state, the water supply will fulfill the water quality statements contained herein, the water quality proposed herein, and complies with County regulations.

25. LIQUID WASTE DISPOSAL.

The type of liquid waste disposal systems proposed are individual, on-site liquid waste disposal systems. However, some lots within the subdivision may be required to utilize alternative septic systems; see New Mexico Environmental Department's comments in Supplemental Information attached hereto.

26. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON LIQUID WASTE DISPOSAL.

See New Mexico Environmental Department's comments in Supplemental Information attached hereto. The subdivider is not providing any liquid waste disposal systems. Each lot purchaser must install an individual septic system at the time of construction of improvements on a lot.

27. SOLID WASTE DISPOSAL.

Solid waste disposal service will be provided by Environmental Control, Inc. Solid waste containment will be provided by individual on-site receptacles.

28. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON SOLID WASTE DISPOSAL.

See New Mexico Environmental Department's comments in Supplemental Information attached hereto. Based on the Environmental Department's comments, the subdivider believes that the solid waste disposal facilities will conform to state regulations, the proposed solid waste disposal facilities can occur, and the proposed solid waste facilities comply with applicable County regulations.

29. TERRAIN MANAGEMENT.

Depth to rock could cause limitations for foundation depth and placement - please refer to Terrain Management Plan for more details.

The location of all lots within floodways, flood fringes and flood plains is as follows:

1. Finish floor elevation of Lots No. 56, 57, 58, 69, 70, 71, 77, 78 and 79 shall be design 2 feet minimum above both: the flood plain elevation and the highest adjacent natural ground elevation.

2. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 41, 59, 60, 61, 62, 63 and 64 are in flood plain soils according to the County Soils Map. The flood plain of these lots has been removed by a levee system which is to be maintained by the Homeowner's Association. Maintenance of the artificial levees will be essential for continued flood protection from flood plain. These lots do not lay within the flood hazard area as designated on FEMA Panel No. 3500690250B and 3500690325B effective date November 4, 1988.

All lots will drain freely - refer to Terrain Management Plan for more details.

A levee system will protect the developed lots from the floodplain. Road side ditches and a few minor roadway culverts will convey the on-site minor drainage to the central arroyo. These improvements

of the record of the Survey is on file in the County Clerk's Office, Santa Fe, New Mexico.
1600027-2-12-99
Yvonne Sanchez

are expected to be completed in a phased construction. Approximate construction dates are: Phase 1, Summer 1997; Phase 2, Summer 1998, Phase 3, Summer 1999.

1600028

30. SOIL AND WATER CONSERVATION DISTRICT'S OPINION ON TERRAIN MANAGEMENT.

See Santa Fe - Pojoaque Soil and Water Conservation District's and Santa Fe County Staff Hydrology comments in Supplemental Information attached hereto. Based upon said comments, the subdivider believes it can furnish terrain management to protect against flooding, inadequate drainage and soil erosion, it can satisfy the terrain management proposal made herein and the proposal conforms with applicable County regulations.

31. SUBDIVISION ACCESS.

Name of town nearest subdivision: Santa Fe, New Mexico
Distance from town to subdivision: Approximately 12 miles
Route over which distance is computed: U.S. Highway 285 and U.S. Interstate 25.
Access roads to subdivision are all-weather paved roads.
The subdivision is accessible by conventional vehicle.
The property is ordinarily accessible in all seasons and under all weather conditions.
All roads are 26' paved surface width and 24' gravel surface width in the 70' utility drainage and access easement.
All roads will be completed prior to occupancy of any lot (Summer 1997, Phase 1; Spring 1999, Phase 2; Spring 2000, Phase 3)

32. MAINTENANCE.

The subdivider will be responsible for the construction of roads and drainage structures and for the extension of cable, water and gas utility mains and service laterals to the lot line.

The lot owners will be responsible for hook-ups to all utilities.

A Homeowner's Association has been formed which will be financially responsible for maintenance of the roads, drainage structures, the levee system and the open space (Tract A). Lot owners will pay a maintenance fee for these items and their administration. The Declaration of Covenants contains fee payment enforcement measures including liens and damage rights.

Restrictive covenants will be recorded and will run with the land. The covenants will call for each owner to: keep their premises maintained in a socially acceptable condition at their sole expense, construct on-site liquid waste systems in accordance with approved design, install water conservative water fixtures and limit the use of exterior irrigation.

An Architectural Review Committee will be established by the covenants. This committee will be empowered to review all principal construction plans and site grading features prior to the owner's application for county or State building permit. All lot purchasers will be required to comply with the provisions of this review.

33. STATE HIGHWAY DEPARTMENT'S OPINION ON ACCESS.

See New Mexico State Highway & Transportation Department's comments in Supplement Information Attached hereto. Based upon said comments, the subdivider believes it can fulfill access requirements in conformity with state regulations, it can satisfy the access proposal for the subdivision and the access conforms to applicable County regulations.

34. CONSTRUCTION CREDITS.

All roads and drainage structures will be completed prior to any lot sale. The subdivider has posted a letter of credit with the County of Santa Fe securing the cost of completing said infrastructure.

NOTE: Unless there is a sufficient bond, letter of credit or other adequate collateral to secure completion of proposed improvements, it is possible that the proposed improvements will not be completed. Caution is advised.

35. ADVERSE OR UNUSUAL CONDITIONS.

None.

36. RECREATIONAL FACILITIES.

Tract A is to be reserved as open space for joint use by Eldorado and La Paz residents.

37. FIRE PROTECTION.

Fire hydrants for fire protection purposes are provided within the subdivision. The nearest fire station is approximately 3 miles away. The fire station is manned by the El Dorado Fire and Rescue Department which is a volunteer fire department. Fire hydrants are located within the subdivision pursuant to a plan approved by the County of Santa Fe. Under normal circumstances, a residential sprinkler system is not required within the subdivision. However, each prospective purchaser of a lot within the subdivision should consult all standards and codes applicable to purchaser's proposed structure.

38. POLICE PROTECTION.

List the various police units that would patrol the subdivision:

Sheriff's department: Yes, by regular patrol.
Municipal police: No regular patrol.
State police: No regular patrol.

39. PUBLIC SCHOOLS.

Name of nearest elementary school:

Eldorado Elementary School.

Distance of nearest elementary school and route over which the distance is computed:

Approximately 2 miles; Avenida Eldorado and Avenida Torreon.

Name of nearest secondary school:

Santa Fe High School.

Distance of nearest secondary school and route over which distance is computed:

Approximately 14 miles -- Avenida Eldorado, U.S. Highway 285, 1-25, St. Francis Drive and Siringo Road.

40. **HOSPITALS.**

Name of nearest hospital:

1600030

St. Vincent Hospital.

Distance of nearest hospital and route over which distance is computed:

Approximately 12 miles - Avenida Eldorado, U.S. Highway 285, I-25, Old Pecos Trail and St. Michaels Drive.

Number of beds in nearest hospital:

265.

41. **SHOPPING FACILITIES.**

Distance of nearest shopping facilities over which distance is computed:

Approximately 14 miles to Santa Fe, New Mexico; approximately 2 miles to the Agora shopping center in Eldorado

Number of stores in the nearest shopping facility:

Numerous.

42. **PUBLIC TRANSPORTATION.**

Include here whether the subdivision is served on a regular basis by:

Bus: None.

Plane: None.

Other means of transportation: None.

43. **COMPLETION DATES.**

State the projected dates upon which any of the items mentioned in #38 through #44 above will be available if they are not yet available:

All now available.

ELDORADO JOINT VENTURE,
a New Mexico joint venture,

1600031

By: Sierra Homes, Inc, a New Mexico
corporation and Joint Venture partner,

By: Mark Conkling
Mark Conkling, President

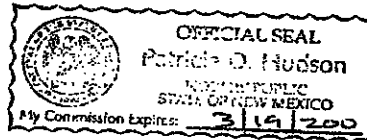
STATE OF NEW MEXICO)
) ss.
COUNTY OF SANDOVAL)

This instrument was acknowledged before me on November 18, 1998 by Mark Conkling,
President of Sierra Homes, Inc., a New Mexico corporation and joint venture partner of the Eldorado Joint
Venture, a New Mexico joint venture, on behalf of said corporation and joint venture.

Patricia D. Hudson
NOTARY PUBLIC

My commission expires:

3/19/2000



1600032

Supplementary Documents
for
The Disclosure Statement
for
La Paz at Eldorado

THIS IS TO CERTIFY that the microfilm herein appearing is this book are accurate and complete reproduction
of the records of the SANTA FE COUNTY CLERK as delivered to the regular course of business for microfilm.
NOTED 1600 DATE 2-17-99
KIDWINE SEARCHER

INTRA-DEPARTMENTAL CORRESPONDENCE

SUBJECT: La Paz Subdivision Review

Date: 3/24/94

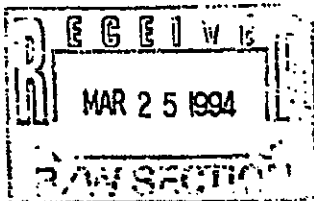
To: Chris Vigil
R/W BureauFrom: Robert Bracher *Rob. Bracher*
District #5 Traffic Engineer

I have reviewed the Amended Master Plan and Preliminary Plat Report for the subject subdivision.

Though a traffic impact analysis, per se, was not included in the report, traffic volume data was and a traffic assessment was made.

Based upon the information provided and my knowledge of the area, it would appear that the improvements already proposed for Avenida Eldorado, i.e. the addition of a right turn deceleration lane and a left turn acceleration lane would be adequate to handle the additional traffic projected for the La Paz Subdivision.

As a point of interest, the traffic generated by the La Paz Subdivision alone would require the above mentioned auxiliary lanes. Therefore, if the improvements are not made by others, the roadway improvements should be made by La Paz as a condition to the approval of the subdivision.



Orig: Chris Vigil
xc: Bob Lopez
Toni Gallegos
Joe Ruiz

New Mexico State
Highway & Transportation Department

1600034

INTRA-DEPARTMENTAL CORRESPONDENCE

CT: La Paz Subdivision

Date: April 19, 1994

File Reference:

Chris Vigil
Right-of-Way Bureau

Attention of:

John J. Nitzel *JJN*
Traffic Design Engineer

A review of the subject subdivision documents indicates that the improvements requested by the District Traffic Engineer are appropriate for the intersection of Avenida El Dorado and US-285. These improvements are a right-turn deceleration lane and a left-turn acceleration lane. Consistent with the left-turn acceleration lane some consideration should be given to a left-turn deceleration lane for north bound traffic. As always, these improvements must be designed to meet standards in the Department's Driveway Regulations.

There appears to be a need to coordinate the implementation of these improvements. Perhaps the issue of coordination of improvements needs to be addressed for the entire Eldorado area before any future subdivision approvals are given by the Department.

cc: Robert Bracher
Community Sciences Corp.

1600035

New Mexico
State Highway and Transportation Department

I N T R A - D E P A R T M E N T A L C O R R E S P O N D E N C E

SCT: La Paz at Eldorado Subdivision
Approval

Date: 04/04/94

Chris Vigil
Property Management Unit

File Ref:

Raymunda A. Van Hoven
Drainage Engineer

Attention of:

R. Van Hoven

Enclosed is a copy of the letter from Mr. Brian Degani of Community Science Corporation regarding our drainage concerns on the subject subdivision.

Since, the proposed subdivision will not impact the drainage on US 285, the drainage report is hereby approved.

If I can be of further assistance, please advise.

/RVH

Orig w/doc: Chris Vigil
xc w/o doc: Robert Lopez
Joe Ruiz

APR -5

1600036

New Mexico
State Highway and Transportation Department

INTRA-DEPARTMENTAL CORRESPONDENCE

CT: La Paz at Eldorado
Subdivision

Date: 01/14/94

Chris Vigil
Property Management Unit

File Ref:

Raymunda A. Van Hoven
Drainage Engineer

Attention of:

R. Van Hoven

I have reviewed the subject subdivision and offer the following comments.

The development along US 285 will drain partly toward the highway, a drainage control measure should be considered to mitigate any drainage impact on US 285.

If there is any drainage structure crossing the highway within the site, it should be shown and the outlet which discharges into the site should not be impeded?

Adequate drainage within the highway right-of-way shall be maintained such as: side ditches and approved drainage structures shall be provided at Avenida Eldorado road intersection as may be required.

If I can be of further assistance, please advise.

xc: C. V. Trujillo

1600037

N.M.S.H. & T.D.
PROJECT DEVELOPMENT CONFERENCE

Date: 03-25-94

To: ✓ Chris Vigil
Right-of-way Section

From: Charles L. Ortiz, Urban
Project Development Engineer

Re: La Paz, Eldorado, Santa Fe County, District 5

The following comments are offered concerning effect of the proposed development on US 285:

The only impact of this subdivision to US 285 that I notice are minor traffic impacts. Traffic Design and the District can provide more detailed analysis.

This particular subdivision may not have a major impact on US 285. Consideration must be given that this subdivision combined with all the other subdivisions that have been built and will be built in the Eldorado area are having a major impact on US 285 and I 25. The Developers should share in the cost of these impacts.

Upon approval of subdivision package by the reviewers, approval should be granted.

If you have any questions or need additional information, please call me at extension 9853.

xc: George A. Herrera
Robert B. Bracher



NEW MEXICO
Department of Land and Natural Resources

DISTRICT II OFFICE
1911 Fifth Street, Suite 205
Santa Fe, New Mexico 87503
(505) 473-3473
Fax (505) 473-3477

BRUCE KING
GOVERNOR

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

February 8, 1994

1600038

Mr. Gilbert Chavez
Land Use and Code Administrator
Santa Fe County
P.O. Box 276
Santa Fe, New Mexico 87504-0276

RE: LA PAZ AT ELDORADO SUBDIVISION
MASTER PLAN AND PRELIMINARY PLAT
SANTA FE COUNTY, NEW MEXICO

Dear Mr. Chavez:

On January 12, 1994, the NMED District II Office received a submittal for a master plan and preliminary plat for the above referenced project, with your request for a review for technical accuracy and compliance with the Santa Fe County Land Development Code.

General

La Paz at Eldorado is a proposed single family residential subdivision to be located within the Canada de Los Alamos Grant and a portion of the Bishop John Lamy Grant, T15N, R10E, N.M.P.M., Santa Fe County, N.M.

The project is a consolidation of two parcels of land, "Tract 3, Eldorado at Santa Fe, Unit 3" and "Lot 4-12, Los Caballos Estates".

La Paz is bounded on the north by Avenida Eldorado, on the east by U.S. Highway 285, on the south by Los Caballos Estates Subdivision and on the west by Avenida Torreon and the Eldorado at Santa Fe, Unit 3 Subdivision.

A total of 335.16 acres will be subdivided into 99 residential lots, an open space area and a buffer zone along U.S. Highway 285, thus creating a Type II subdivision.

Water Supply Plan and Quality

Eldorado Utilities Inc. has submitted a letter of intent to serve the La Paz Subdivision with water.

By _____
Deputy Secretary

1600039

Water Supply Plan and Quality (cont.)

The water quality analysis for Eldorado Utilities Inc., on file with the NMED Santa Fe Field Office, meets all of the water quality parameters of the regulations.

The water supply plan and quality meet the requirements of the code.

Liquid Waste Plan

Individual, on-site liquid waste disposal systems are proposed for this subdivision. For lots with soils having severe limitations to conventional liquid waste systems, it is proposed that alternate systems be installed according to NMED regulations.

The soils map provided in the master plan report indicates that the soils throughout most of the subdivision have slight to moderate limitations to liquid waste leach fields.

The liquid waste plan complies with the requirements of the code.

Solid Waste Plan

Solid waste disposal is to be provided by Environmental Control Inc. Solid waste containment will be handled with individual, on-site receptacles.

The solid waste plan meets the requirements of the code.

If I can be of further assistance in this matter, please do not hesitate to contact me at (505) 474-4405.

Sincerely,

Edward A. Gonzales
Edward A. Gonzales, PE & PS
District II Engineer

cc. Courte Voorhaes, HPM-1, District II
Vladimir Gershanok, Environmentalist, Santa Fe Field Office

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1600 MAY 2-12-99
KIMBERLY S. SANCHEZ



BRUCE KING
GOVERNOR

STATE OF NEW MEXICO
OFFICE OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

1600040

VILLA RIVERA BUILDING
228 EAST PALACE AVENUE
SANTA FE, NEW MEXICO 87503
(505) 827-6320

HELMUTH J. NAUMER
CULTURAL AFFAIRS OFFICER

THOMAS W. MERLAN
DIRECTOR

827-6338 (FAX)

January 24, 1994

Gilbert Chavez
Land Use and Code Administrator
Santa Fe County
P.O. Box 276
Santa Fe, New Mexico 87504-0276

Dear Mr. Chavez:

Thank you for your letter of January 10, 1994, which I received on January 12, enclosing archaeological survey reports for the proposed ~~La Paz~~ Subdivision, located near Eldorado at the intersection of Avenida Eldorado and U.S. 285. I have reviewed the reports pursuant to Section 3.4.7 of the Santa Fe County Development Code.

The La Paz at Eldorado was inventoried for archaeological resources by Mr. Michael Marshall in two tracts for Community Sciences Corporation: Tract 3, Eldorado at Santa Fe Unit 3 (Cibola Research Report No. 85) and Lot 4-12, Los Caballos Estates (Cibola Research Report No. 72). I find that both reports have been prepared consistent with the standards outlined in Section 3.4.6 of the County Land Development Code.


The Survey of Tract 3 revealed five isolated occurrences or localities, none of which are significant under the provisions of the Land Use Code (c.f. Section 3.2.10). Mr. Marshall identified three archaeological sites and 12 isolated occurrences in Lot 4-12. LA 100777 and the isolated occurrences are not significant. The remaining sites (LA 100778 and 100779) contain the remains of prehistoric habitations and are significant because they possess information that will contribute to our understanding of Santa Fe prehistory.

It is my opinion that the proposed La Paz residential development will adversely affect significant archaeological resources, but the effects can be mitigated through a specific

RECEIVED

JAN 26 1994

Thank you for your cooperation. Please contact Jim O'Hara, of my office, if you have any questions.

Sincerely,

 Thomas W. Merlan
 State Historic Pres

TAM/JMO:log. 42649

THIS IS TO CERTIFY that the stereophotographs appearing in this book are accurate and complete reproductions of the records of the SANTA FE COUNTY CLERK as delivered in the regular course of business, for use



BRUCE KING
GOVERNOR

STATE OF NEW MEXICO
OFFICE OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

VILLA RIVERA BUILDING
228 EAST PALACE AVENUE
SANTA FE, N.M. 87503
(505) 827-6320

THOMAS W. MERLAN
DIRECTOR

1600042

HELMUTH J. NAUMER
CULTURAL AFFAIRS OFFICER

March 17, 1994

MAR 21 1994

Gilbert Chavez
Land Use and Code Administrator
Santa Fe County
P.O. Box 276
Santa Fe, New Mexico 87504-0276

Dear Mr. Chavez:

On March 14, 1994 I received a copy of the archaeological treatment plan for the proposed La Paz at Eldorado subdivision, located west of U.S. 285 and south of Eldorado in Santa Fe County. The plan was prepared by Brian Degani, Assistant Planner at Community Sciences Corporation and submitted to me pursuant to Section 3.4.7 County Ordinance 1988-8.

Two significant archaeological sites are located in the proposed subdivision, LA 100778 and LA 100779. Both contain the remains of prehistoric habitations and may also contain human burials. As a result, the developer has decided to protect these sites through a preservation easement and setbacks that will be noted on the final plat. It is my opinion that this is a suitable treatment plan.

I recommend that the County approve the La Paz at Eldorado Subdivision, provided that the two significant sites are permanently marked on the final plat and the setbacks and preservation are made a part of the title information for lots 2 and 14.

Thank you for your cooperation. Please contact Jim O'Hara, of my office, if you have any questions.

Sincerely,


Thomas W. Merlan
State Historic Preservation Officer

TWM/JMO

cc: Brian Degani, Community Sciences Corporation

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Santa Fe - Pojoaque Soil and Water Conservation District
Santa Fe, New Mexico 87501

1600043

1911 Fifth Street, Suite 201

471-9160

February 8, 1994

Mr. Gilbert Chavez
Land Use and Code Administrator
Santa Fe County
P.O. Box 276
Santa Fe, New Mexico 87504

Subject: La Paz at Eldorado - Master and Preliminary Plan

Dear Mr. Chavez:

We have reviewed the material received from your office on January 11, 1993. It is our opinion that the material does not conform to the County Code in regard to the Terrain Management Plan.

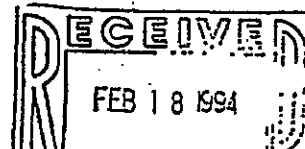
These items are of concern to us and need to be addressed:

1. The Existing Site Data map and the Preliminary Plat map are of the same scale but, the scale is 1" to 200' not the required 1" to 100' as section 5.3.1 c.ii of the code states.
2. The lack of a major vegetation type and cover density map of the subject site as required by section 3.2.1f of the code.
3. The lack of a landscape plan as required by section 3.2.4-d of the code.
4. Sheet 6 of 13 of the drawings includes notes about the lots that are bordering the floodplain. We recommend that the notes on sheet 6 of 13 be located in the disclosure statement under Terrain Management as prescribed by the the code under the disclosure statement section 10.2.14.

The preceding review and the opinions on the Terrain Management plan for the proposed La Paz at Eldorado were made in response to the request by the Santa Fe County Commission. The review comments and opinions are only such and are not in any way an endorsement or recommendation of the proposed project by the Santa Fe - Pojoaque, Soil and Water Conservation District.

Sincerely,

J. T. Maestas
Joaquin T. Maestas, Chairman



THIS IS TO CERTIFY that the microfilm copy appearing in this book is accurate and complete reproduction of the records of the Santa Fe County Clerk as delivered to the printer source of business for microfilming.
1600043
2-12-94
Joaquin T. Maestas

Santa Fe - Pojoaque Soil and Water Conservation District
Santa Fe, New Mexico 87501

1600044

1911 Fifth Street, Suite 201

471-9160

March 29, 1994

Mr. Gilber Chavez
Land Use and Code Administrator
Santa Fe County
P.O. Box 276
Santa Fe, New Mexico 87504

Subject: La Paz at Eldorado - Master and Preliminary Plan

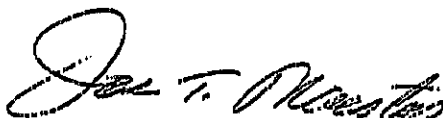
Dear Mr. Chavez:

We have reviewed the material received from your office on March 24, 1994. It is our opinion that the material does conform to the County Code in regard to the Terrain Management Plan.

The Disclosure Statement now includes information about all lots that are in or adjacent to the floodplain that is present within this development.

The preceding review and the opinions on the Terrain Management plan for the proposed La Paz at Eldorado Subdivision were made in response to the request by the Santa Fe County Commission. The review comments and opinions are only such and are not in any way an endorsement or recommendation of the proposed project by the Santa Fe - Pojoaque, Soil and Water Conservation District.

Sincerely,


Joe T. Maestas, Chairman

MEMORANDUM

New Mexico State Engineer Office
Hydrology

1600045

Date: December 19, 1996
To: Donald T. Lopez, P.E., Assistant State Engineer
Thru: Edward Ynuarte, Chief, Subdivision Review Bureau *EY*
Thru: Tom Morrison, Chief, Hydrology Bureau *TM*
From: Mustafa Chudnoff *MC*
Subject: Updated 100-year Water Supply Availability Analysis, Eldorado Utilities, Inc.

Summary and Conclusions

The Santa Fe County Attorney's Office requested that the SEO evaluate new information to determine whether or not the Eldorado Utilities, Inc. Company (EDU) has sufficient water available to meet the requirements of existing and proposed subdivisions relying on the utility for their source of water supply. The significant documents reviewed for the purposes of this analysis were: New Mexico Public Utilities Commission (NMPUC) 1996 inspection report (Schwebke memorandum to Gary Roybal, June 13, 1996); EDU Updated Master Plan Report, October 1996; well pumping data and water levels provided by EDU operational staff; county consultant's report titled, "Review of El Dorado Area Water Production and Groundwater Resource", Frost & Assoc., June, 1996; EDU consultant's memorandum on Eldorado groundwater supply, WestWater Assoc., Sept. 24, 1996; EDU Water Conservation Plan, dated October 21, 1996; RG-18529-S permit and related Water Rights Division documents, November 18, 1996.

After careful review, it is my conclusion that EDU does not have sufficient production capacity (defined by the county as 0.28 AF/Yr. per residence) to meet the full requirements of its current customers. At full, 24-hr production, the utility is projected to only be able to provide each residence in 1996 with 0.19 acre-feet. To achieve this production rate the utility relied in part on well RG-18556 (the Lamy well), and on a combined diversion of approximately 186 gpm (300 acre-feet) from wells RG-18529 (EDU #2) and RG-18529-S.

The Lamy well (EDU #5) does not have a valid water right permit from the SEO. Further, in a recent permit issued to EDU, the SEO limited the combined diversion from EDU #2 and its supplemental well to 146 acre-feet. Assuming that EDU does not or cannot obtain an SEO permit for the Lamy well, and accounting for the permit diversion limitations on wells RG-18529 and RG-18529-S, the combined annual loss of production from these three wells is approximately 349 acre-feet or half of the utility's total production capacity of approximately

Currently available information indicates EDU owns 16 production wells. Only ten wells are producing. The largest producing well, RG-18556 (EDU #9 or Lamy well) is currently pumping without a valid permit due to ongoing and protracted litigation between the SEO and EDU. It is possible that EDU will have to cease its diversions from the Lamy well.

EDU's total declared rights are 3,257 acre-feet. The total yield from the declared wells is limited by the order entered by the District Court in a 1972 judgement. This yield has been previously estimated by various EDU consultants to be 1,641.06 acre-feet. This number was based on preliminary and unverified production estimates. This yield has not been recognized by the SEO. The amount of the water rights owned by EDU will be established by actual beneficial use.

In March, 1996, the utility applied for a permit to supplement well RG-18529 (EDU #2). This well had a declaration of 305.9 acre feet filed in March of 1971. However, the maximum annual amount ever put to beneficial use from the well was 145.97 acre feet. In approving the permit to supplement the well (RG-18529-S, EDU #13 or Torreon well) the combined production from both wells was limited to this lesser amount. EDU filed a formal grievance with the SEO requesting the agency reconsider the restriction imposed on RG-18529. While the appeal is pending, EDU can pump up to 305.9 acre-feet from EDU #9, but will not be able to use EDU #13.

Assessment of Production Capacity

During the summer of 1996, utility operations staff stated on a number of occasions to county, NMPUC and SEO staff that their wells were operating at full capacity, 24 hours a day. It may, therefore, be presumed that a review of previous years' production records should provide an indication of the utility's current total maximum production capacity. The production records of EDU'S ten active wells were reviewed, and this information is summarized in the following table.

SEO well ID No.	EDU ID No.	Maximum Production Rate (AF/Yr.)	Year Achieved
RG-18528	#1	43.90	1993
RG-18529	#2	145.97	1994
RG-18529-S	#13	161.30	1996
RG-18543	#3	15.39	1994
RG-18550	#4	30.34	1994
RG-18515	#5	21.66	1994
RG-18571	#6	29.12	1993
RG-18595	#7	42.54	1995
RG-18531	#8	35.75	1993
RG-18556	#9	187.27	1993
Total Maximum Production		713.24	

713 acre-feet. Based on a production figure of 364 acre-feet (713-349), EDU will be able to supply each existing residence with an annual average of 0.18 acre-feet.

The annual growth rate of new service connections within the EDU service area (infilling of approved lots) is 240 residences. Without an increase of production from the utility's approved (SEO permitted) sources of supply, the utility will only be able to produce sufficient water in 1997 to provide each residence with an annual average 0.16 acre-feet.

A recent field check of all EDU non-producing wells, conducted jointly by SEO and EDU staff, revealed that most of these wells would probably not become significant contributors to the system in the near future. EDU's recently completed master plan states that only two of these wells, EDU #10 and EDU #11 will be added to the system.

Neither the utility nor subdividers with pending subdivision applications have provided any documentation demonstrating that EDU will be able to increase diversions to meet current growth in demand (infilling of approved lots) or new lots they are proposing to add to the system. A 100-year supply from reliable sources with valid water rights permits has not been demonstrated as required by county regulation and the New Mexico Subdivision Act.

Water Supply Requirements

It is the policy of Santa Fe County, as adopted in its General Plan to allow the depletion of a subdivision's groundwater source over a period of 100 years, unless municipal water services are relatively accessible, and that water service will ultimately be provided by imported water through an expanded metropolitan supply system. This policy has been implemented in the county's amended Land Development Code which requires subdividers to demonstrate that the groundwater source will be able to meet the proposed subdivision's full water requirements for at least 100 years.

This regulation applies to all subdivisions located within the general Eldorado area. Subdividers obtaining service from EDU are required by the county to annually provide each residential parcel with a minimum of 0.28 acre-feet of water (0.25 for consumptive use and 0.03 for lost and unaccounted water in the system). It has been the practice of EDU to provide developers with letters of intent stating that they are ready, willing and able to meet this requirement.

According to the 1996 NMPUC inspection report of the utility, EDU currently serves 1841 residential customers and 12 non-residential customers. Therefore, the utility should be capable of producing 515 acre-feet to meet current residential demand (1841×0.28) and approximately 20 acre-feet for non-residential users.

With an annual growth rate of approximately 240 units (infilling of approved lots), an additional increase in annual production of 67 acre feet is required.

The production rate of 713.24 acre-feet represent the historically demonstrated physical capacity of the existing production wells. The actual amount of production that is available to EDU on a reliable basis is significantly less.

1600048

There are two standard engineering methods that can be used to evaluate the production reliability of EDU's wells: (1) all wells pumping 60% of the time, or (2) with the largest well out of service, and the remaining wells pumping 100% of the time.¹

Method 1:

Sixty (60%) percent of the total production rate of 713.24 acre-feet (assuming EDU will prevail in its litigation with the SEO over the Lamy well) is 427.94 acre-feet. This amount is sufficient for 1,457 residences (427.94-20/0.28). However, the recent grievance filed by EDU with the SEO Water Rights Division prevents EDU from using well #13. Sixty percent of the balance is only 331.16 acre-feet ($0.6 \times 713.24 - 161.3$). This amount is only sufficient for 1,111 residences (331.16-20/0.28). This represents a deficit of 184 acre-feet in the current production requirement of 515 acre-feet for the 1,841 lots currently served.

Method 2:

The Lamy well is EDU's largest producer. The well is drought sensitive, and during the spring and summer of 1996 it went dry for extended periods. Under this engineering criteria EDU's legally permitted reliable production capacity is 364.67 acre-feet (713.24-187.27-161.3). This represents a deficit of 150 acre-feet in the current production requirement of 515 acre-feet for the 1,841 lots currently served.

Other approaches are available for evaluating the utility's production capacity. Both Frost and the NMPUC, in their recent reports, evaluated EDU's proven or rated capacity using instantaneous pumping rates. Using 1993-1995 data Frost calculated EDU's peak capacity at 463 gpm (Figure 5 of his report). The NMPUC, using May 1996 data, calculated EDU's pumping capacity at 334 gpm (Schwebke, Table 5). These numbers should be adjusted downward to account for the restriction on EDU #13, and eliminating production from the Lamy well as per method 2 outlined above. As a result, the utility's rated capacity ranges between 223 gpm (463-240) and 229 gpm (334-105). These instantaneous rates are equivalent to approximately 360 acre-feet per year.

In the fall of 1996, EDU's non-producing wells were field checked by SEO and EDU staff. Most of these wells are broken-down windmill structures located at great distances from EDU's active wells and transmission lines. A number of these wells appeared to be dry. It is not likely that these wells could be brought on-line in the near future, or that they would make a significant contribution to total system production capacity.

¹These methods are used by the NMPUC (refer to Schwebke memorandum), and they are supported by AWWA and other water supply engineering standards.

EDU is a private, investor owned utility under the jurisdiction of the New Mexico Public Utilities Commission (NMPUC). The ability of the utility to meet its 1996 demand, and projected 1987 demand was recently evaluated by the NMPUC and documented in an inspection report (Schwebke, June 13, 1996 memorandum). The report's author concluded that under May operating conditions "it appears EDU has sufficient supply capacity to meet its peak demands for 1996 and 1997..". The NMPUC concluded that EDU's 1996 rated peak well production capacity is 312 to 334 gpm. The utility's NMPUC rated capacity in 1987 was 706 gpm.

This finding was made by staff prior to the restriction placed on RG-18529-S by the SEO which effectively reduces by 30% the rated pumping capacity used by the NMPUC in its analysis. Their analysis was also based on a 30% rate for lost and unaccounted water, or twice the value used in this and previous SEO analyses.

EDU Master Plan

The NMPUC also recommended that EDU develop a master plan to address future needs of the system. This report was prepared in October, and a copy provided to the SEO. The plan includes: a summary discussion of potential new sources of water rights; a technical memorandum describing the results of an exploratory well drilling program; and an analysis of current well production capabilities and storage requirements.

Water Rights

The plan contains a very general discussion of alternative sources of water rights including: application for new appropriation, point of diversion changes, water rights purchases, and water importation. The discussion does not contain specific recommendations or implementation schedule. The discussion does not include a realistic analysis of the legal and technical difficulties inherent in the acquisition and development process. These issues may delay the implementation of these recommendations for many years.

Exploratory Drilling Program

The technical memorandum describing the exploratory program was prepared by WestWater Associates, Inc., a Colorado geology consulting firm. In 1996 EDU drilled four exploratory wells (RG-65707(1-4)). Three of these wells were drilled into a thin layer of fractured limestone. Initial production rates for these wells were in excess of 150 gpm. The fourth well did not encounter the limestone, and the reported production potential is less than 50 gpm. An aquifer test (72-hour duration) was performed on only one of the wells. This well (RG-18529-S) is now permitted by the SEO for production.

On the basis of this drilling program, EDU's consultant concluded that the utility now has "a

large groundwater resource for the future.", The consultant also asserts that the limestone aquifer exists under much of the Eldorado subdivision. The consultant did not cite or produce any evidence to support either conclusion. Of the hundreds of domestic and commercial wells drilled in the Eldorado subdivision, only three encountered the limestone. Mr. Jack Frost, County Hydrologist, in his recent analysis of the Eldorado area, asserts that the limestone is truncated and of limited areal extent. This conclusion is supported by the fact that one of the exploratory wells, which was drilled in close proximity to the other three did not encounter limestone.

Well Production Analysis

EDU's consultant concludes that the utility's combined well production capacity is 1,014 gpm or 1,636 AP/Yr. This estimate is based on a combination of the original declarations and preliminary production assessments of the wells. The production and legal (water rights) history of EDU's wells indicates otherwise as noted previously in this memorandum. The proven production capacity of the EDU system (excluding the Lamy well and with the RG-18529 restrictions) is only 364.63 AP/Yr.

Water Conservation Plan

In response to the recent drought condition, the utility adopted a water conservation plan. The plan's focus is on providing homeowners with a list of suggested actions which may result in reduced water usage. If implemented the recommended actions may result in the utility and residents being able to better cope with the chronic shortages which will continue to occur. The plan, however, does not recognize the utility's obligation to provide each residence with 0.25 acre-feet annually.

Conclusions and Recommendation

The New Mexico Subdivision Act requires developers to demonstrate that sufficient water will be available to meet the outdoor and indoor requirements of the subdivision. Santa Fe County's land development regulations require that the demonstration be made for a 100-year period. Approved subdivision water supply proposals for the EDU service area, and existing agreements between EDU and developers commit both EDU and the developers to providing 0.25 acre-feet to each parcel annually, and to providing an additional .03 acre-feet per parcel to off-set losses and unaccounted uses.

EDU and the developers, therefore, have committed to providing 535 acre-feet of water to meet current residential and non-residential annual demands. Additional production is required to meet the needs of in-filling lots at a rate of 67 acre-feet per year (approximately 240 lots).

In 1996 EDU was only able to produce 364 acre-feet, or 64 percent of the required 0.28 acre-feet per lot. EDU achieved this production rate by relying on EDU well #9, which does

not have a valid water right permit; and on a combined diversion from EDU wells #2 and #13 in excess of the now SEO permitted amount.

Recent action proposed by the Water Rights Division of the SEO would, if implemented, restrict the combined diversion from EDU #2 and its supplemental well EDU #13 to the maximum historic diversion rate from EDU #2. EDU has filed a grievance with SEO, an action which has the effect of setting aside the pending action. However, until the matter is settled, EDU cannot use well #13. Either action has the effect of restricting the permitted diversion amount to less than half the actual physical production capability of the two wells.

Both the New Mexico Subdivision Act and the county's subdivision regulations require the developer to have proof of sufficient water rights as a condition of final plat approval. EDU has not demonstrated that it has the ability to meet its current service obligations, let alone the requirements of future development with applications pending before the county for preliminary plat approval.

The geohydrologic and engineering data submitted by EDU do not demonstrate that the existing production wells and the recently completed exploratory wells will allow EDU to meet the water requirements of approved and pending subdivisions for 100 years.

The utility has yet to demonstrate that the recently discovered limestone aquifer contains a large, recoverable supply of water. As noted by EDU's consultant, this would require long-term production tests and close monitoring of water levels. Because the wells are located in close proximity to each other, excessive localized drawdowns may result if all four are brought into simultaneous production. Additional testing and analysis, including calculating a schedule of effects, is required.

Even if all four recently drilled wells were successfully brought into production, their combined production may only be sufficient to recover lost production in existing wells, and insufficient to meet the needs of proposed subdivisions seeking service from EDU.

The utility's master plan analysis of its ability to acquire additional water rights and production capacity does not discuss the possibility and the effects of failure to increase its water production. This assessment may be optimistic given the available facts.

The 1996 shortage conditions will likely not be an isolated occurrence. There is the possibility that the utility could have consistent shortfalls in production and drought conditions will exacerbate any bad situation. Neither the utility nor the developers have demonstrated that they can furnish sufficient water to fulfill the maximum annual requirements of existing customers. Their ability to meet the requirements of in-filling approved lots or the requirements of subdivisions with pending preliminary plat applications is, therefore, questionable.

It is my recommendation that the SEO withhold a favorable opinion of the utility's or

developers' ability to meet the water supply requirements of pending subdivisions.

The conclusions and recommendation are based only on an analysis of existing proven production capacity and water rights availability. A geohydrologic analysis of the aquifer's response to continued groundwater development through EDU's wells has not been performed. This analysis (100-year schedule of effects as described by the county's Amended Land Development Code) is also required to demonstrate that sufficient "wet" water will be available to meet the requirements of existing and proposed subdivisions served by EDU.