

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2025-__

INTRODUCED BY:

Councilor Jamie Cassutt

Councilor Carol Romero-Wirth

A RESOLUTION

UPDATING THE WATER OFFSET REQUIREMENT FEE CHART TO MORE ACCURATELY REFLECT THE CURRENT MARKET VALUE OF WATER RIGHTS.

WHEREAS, pursuant to the City of Santa Fe (“City”) Municipal Code, SFCC 1987, Sections 25-9 and 25-10, land use development must offset new water demand and, in certain situations, such as developments adding new water demand below a threshold, developments may offset demand by paying the City the current market value of an equivalent amount of water rights; and

WHEREAS, in March of 2010, the City adopted Resolution No. 2010-20, which adopted the Administrative Procedures for Water Demand Offset Requirements, and the water offset fees were included in these procedures as Appendix I, entitled “Water Offset Requirement Fee Chart”; and

WHEREAS, the Water Offset Requirement Fee Chart states that the average per acre foot cost for water rights should be updated annually; and

WHEREAS, the water rights cost in the Water Offset Requirement Fee has not changed since 2010; and

WHEREAS, Resolution No. 2010-20 provides that “modification of fees associated with the

1 implementation of the city code requires approval of the Governing Body”; and

2 **WHEREAS**, SFCC 1987, Section 25-12.8(E) states that the “current value of the water rights
3 shall be presumed to be the current fair market value of pre-1907 consumptive use water rights from
4 the Middle Rio Grande Basin. The City shall have the sole discretion to determine the current value of
5 the water rights, which determination shall be reasonably made based upon the known market for such
6 rights and upon the purchase price of the water rights as evidenced by the purchase agreement required
7 in Section 25-12.4(D) SFCC 1987”; and

8 **WHEREAS**, water rights are becoming more difficult to obtain due to limited supply and
9 protests of water right transfers by Middle Rio Grande Pueblos and the Middle Rio Grande
10 Conservancy District (MRGCD); and

11 **WHEREAS**, as of 2024, Santa Fe County uses a value of water rights of \$36,000 per acre-foot
12 in determination of water demand offset fees.

13 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
14 **CITY OF SANTA FE** that, effective January 1, 2026, the value of water rights used to determine offset
15 fees in the Water Offset Requirement Fee Chart shall be \$36,000 per acre-foot.

16 **BE IT FURTHER RESOLVED THAT** the updated Water Offset Requirement Fee Chart is
17 attached to this resolution as Exhibit A and shall replace the existing Appendix I, “Water Offset
18 Requirement Fee Chart” in the “Administrative Procedures for Water Demand Offset Requirements”,
19 adopted by Resolution 2010-20.

20 PASSED, APPROVED, and ADOPTED this ___ day of _____ 2025.

21
22
23 _____
24 ALAN WEBBER, MAYOR
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ATTEST:

ANDRÉA SALAZAR, CITY CLERK

APPROVED AS TO FORM:

Erin McSherry

[Erin McSherry \(Sep 15, 2025 16:50:13 MDT\)](#)
ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2025/Resolutions/Updating the Water Offset Requirement fee chart

Exhibit A

Water Offset Requirement Fee Chart (Effective Date 1/1/2026)

Type of Use	# Acre Feet	Fee	Unit of Measurement
WATER RIGHT			
Average per acre foot cost (to be up-dated annually)	1	\$36,000	1 Acre Feet Per Year
Due diligence	NA	\$1,000	per application
RESIDENTIAL			
*Single Family Dwelling Unit	0.18		Per Dwelling unit
Single Family Dwelling Unit Lot (<6000sq ft)	0.15	\$5,400	Per Dwelling unit
Single Family Dwelling Unit Lot (6,000-10,890)	0.17	\$6,120	Per Dwelling Unit
Single Family Dwelling Unit Lot (>10,890 sq ft)	0.25	\$9,000	Per Dwelling Unit
Apartment/Condominium	0.16	\$5,760	Per Dwelling Unit
Mobile Home	0.17	\$6,120	Per Dwelling Unit
Accessory Dwelling Unit	0.09	\$3,240	Per Dwelling Unit
Senior Complex	0.12	\$4,320	Per Dwelling Unit
COMMERCIAL			
Restaurant, Full Service	0.02	\$720	Per Seat
Restaurant, Limited Service	1.63	\$58,680	Per Site
Hotel	0.13	\$4,680	Per Room
Motel	0.09	\$3,240	Per Room
Grocery Store	1.27	\$45,720	Per 10,000 sq. ft.
Retail, Large (>75,000 sq ft)	0.45	\$16,200	Per 10,000 sq. ft.
Retail, Medium (75,000-25,000 sq ft)	0.43	\$15,480	Per 10,000 sq. ft.
Retail, Small (<25,000 sq ft)	0.06	\$2,160	Per Site
Gallery	0.6	\$21,600	Per Site
Medical Office	0.72	\$25,920	Per 10,000 sq. ft.
Office – City/State	0.58	\$20,880	Per 10,000 sq. ft.
Office – Non Medical	0.7	\$25,200	Per 10,000 sq. ft.
Research & Development Lab	1.18	\$42,480	Per 10,000 sq. ft.
Manufacturing – Goods	0.21	\$7,560	Per Site
Manufacturing – Consumables	2.33	\$83,880	Per Site
Gas Station	0.88	\$31,680	Per Site
Gas Station w/ Carwash	6.56	Water rights required	Per Site
Carwash, Full Service	5.66	Water rights required	Per Site
Carwash, Limited Service	0.94	\$33,840	Per Bay
Laundromat, Commercial	0.78	\$28,080	Per Machine
Laundromat, Other	0.22	\$7,920	Per Machine
Drycleaner	0.41	\$14,760	Per Site
Plant Nursery	0.56	\$20,160	Per 10,000 sq. ft.
Gyms w/ Showers	8.94	Water rights required	Per Site
Gyms w/o Showers	0.77	\$27,720	Per Site
Salons	0.21	\$7,560	Per Site
Pet Grooming	0.52	\$18,720	Per Site
Pet Daycare	0.11	\$3,960	Per Site
Auto Repair	0.12	\$4,320	Per Site
Car Rental	0.12	\$4,320	Per Site
Car Sales	0.07	\$2,520	Per 10,000 sq. ft.
Self-Storage	0.13	\$4,680	Per Site

Type of Use	# Acre Feet	Fee	Unit of Measurement
PUBLIC SERVICES			
Parks	1.48	\$53,280	Per Acre
Schools, Daycare	0.85	\$30,600	Per 100 children
Schools, Elementary	0.53	\$19,080	Per 100 students
Schools, Middle	1.68	\$60,480	Per 100 students
Schools, High	2.64	\$95,040	Per 100 students
Places of Worship	0.15	\$5,400	Per Site
Places of Worship w/ Daycare & School	0.95	\$34,200	Per Site

*Average of residential lot sizes, used for estimating purposes only