

May 28th, 2026

Wayne Johnson, Sandoval County Manager
Doraida Arias, Interim Director, Sandoval County Planning & Zoning
Mailing address: P.O. Box 40, Bernalillo NM 87004

Dear Mr. Johnson and Ms. Arias:

We write as the leadership of the Algodones Neighborhood Association (ANA), a voluntary organization registered with the State of New Mexico to promote the well-being of our community, Algodones.

Our purpose in writing is to address the question of expansion plans for the Algodones Distillery, 15 Calle Alfredo, Algodones, NM 87001 (the Distillery). We understand you will be meeting with concerned citizens on 29th May 2026.

It appears that the Distillery and its neighbors have had a series of ongoing disagreements over the Distillery's operations including impact on easement rights, water usage, wastewater management, parking, and appropriate permitting of events.

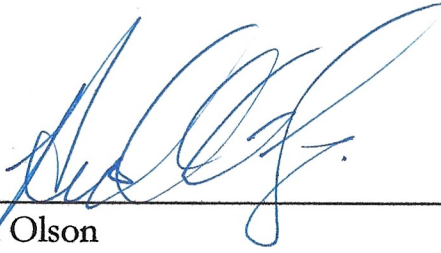
One of the Distillery's neighbors, Mr. Michael Quinones, has extensively documented the behavior of the Distillery over many years, some of which will be shared with you at the meeting on May 29th.

We have contacted the Distillery management which challenges the account provided by Mr. Quinones.

While we are unable to resolve the conflicting factual claims, we urge the County to take seriously the concerns of Mr. Quinones and other citizens and assure them that any possibility of expansion of the distillery addresses these concerns. Moreover, we strongly believe that any events at the Distillery be fully permitted in accordance with County regulations.

Algodones is a small rural community which prides itself on its tranquility and traditional lifestyle and we hope that any decisions taken by the County will reflect these values and be in accordance with the Algodones Area Development Policy of 1987.

Thank you in advance for your attention to this matter.



Richard Olson

Secretary, Algodones Neighborhood Association

(Signing on behalf of President Sufi Mustafa, Treasurer Ann Gibson, and Board Member
Reece Buckner)

CC – Sandoval County Commissioner, Joshua Jones

June 3, 2026

Sandoval County Planning & Zoning
Sandoval County Complex
1500 Idalia Blvd, Building D
Bernalillo, NM 87004

Dear Ms. Arias and Planning & Zoning Committee:

Having owned my home on Highway 474 for over 35 years, I'm a long-time resident of Algodones. I wear two hats in relation to my community. First, I'm a community resident committed to preserving the predominantly rural, residential/agricultural (RRA) nature of Algodones; secondly, I am a Board member of the Algodones Neighborhood Association. This letter is written in my personal capacity as a long-time resident and active community member.

I have reviewed public records available from Planning & Zoning meetings (January 2014 through January 2026) and numerous Sandoval County and State websites. The Special Use District request (ZNCH 25-006) by the proprietors of the Algodones Distillery does not seem to meet any of the fourteen (14) allowable uses in a Special Use District (Section 10. D of the Comprehensive Zoning Ordinance).

Per Statute 60-6A-6.1, craft distilleries are akin to small wineries in that they are permissible in areas zoned RRA. The proprietors of the Distillery have been addressing site concerns raised in previous Planning & Zoning meetings. However, a Special Use District designation does not align with the allowed uses per Section 10.D and seems to run counter to maintaining the *compatibility of property uses, integrity, and character of the area* (Section 10.A.1 and 2). I am personally of the opinion that the Algodones Distillery can conduct current allowable craft distillery operations using County approved Special Event permits; such permitted events (i.e. weddings) constitute a small percentage of their overall revenue compared to the sales of their bottled products. The Algodones Area Development Policy already has areas designated for commercial use where the Distillery could grow its product production, sales, and ability to host numerous events.

As you are aware, Highway 474 has undergone its share of upheaval due to repetitive zoning violations within our RRA area – especially over Permissive and Conditional uses. Hence, I personally *oppose* approval of the Special Use District request by the proprietors of the Algodones Distillery. Fortunately for us in the vicinity of Highway 474, action by the neighborhood and Sandoval County Code Enforcement resolved our issue. May it do the same for neighbors on and around Calle Alfredo.

Sincerely,

Ann L. Gibson



Office of the Governor

June 3, 2026

Sandoval County Planning and Zoning
Attn: Doraida Arias, Interim Director
1500 Idalia Road, Building D
PO Box 40
Bernalillo, NM 87004

Sent Via Email to: darias@sandovalcountynm.gov

RE: ZNCH-25-006: Request by Gregory R. McAllister for a Zone Map Amendment from RRA to Special Use District for Subd: MAP 5 Tract: 73A in Algodones, NM.

Dear Members of the Sandoval County Planning and Zoning Commission,

The Pueblo of San Felipe herein restates our concerns expressed at the January 13, 2026 Sandoval County Planning and Zoning Commission Public Hearing, Attachment 1.

The Pueblo of San Felipe is extremely concerned with the changes proposed in ZNCH-25-006, where Mr. Gregory R. McAllister on behalf of the Algodones Distillery is requesting a Zone Map Amendment from Rural Residential Agricultural to Special Use.

The parcel in question is within the exterior boundaries of the Pueblo of San Felipe and is "Indian Country" as defined by 18 U.S.C Section 1151. The Algodones Distillery property is within the Pueblo of San Felipe Grant and is surrounded by Pueblo land on the south, west and east sides of the parcel, so the Pueblo's interest is significant. Attachment 2

Our concerns include the following:

1. The Pueblo has no record of being consulted regarding the issuance of a liquor license or the Home Occupation Permit issued in 2014. The conditions of the January 31, 2014 Permit expressly prohibited direct sales, on-premise service, and special events — and stated those activities required a zone change. Mr. McAllister's own application acknowledges he has been conducting all of those activities since at least 2014. The County's own P&Z staff found that the Distillery continued operating after its business license expired and without the required Special Use Permit. Finding of Fact No. 6, Attachment 1. The zone change application is an attempt to obtain after the fact the authorization that was required from the outset.
2. Mr. McAllister has made no efforts to respond to the Pueblo's communication regarding his encroachments or to provide any assurances regarding his proposed zone change. The Pueblo's July 16, 2025 letter from Governor Ortiz formally demanded that Mr. McAllister remedy his fence encroachment onto Pueblo land. Attachment 3. He has failed to do so.
3. The Algodones Distillery has been drawing water for commercial distillery and events operations from a shared residential well (well #RG-A2931) that is permitted for household use only under NMSA 72-12-1, case no. RG-64500. Commercial use is not authorized under that permit. The County's own P&Z staff identified this as a basis for denial in Finding of Fact No. 8. The Pueblo has filed a formal water use complaint with the New Mexico Office of the State Engineer regarding this violation. Attachment 4. We have heard informally that a new well was dug, however a new well or approving the zone change would ratify and expand an existing unauthorized commercial use of a shared water resource within the exterior boundaries of the Pueblo's grant. The Pueblo of San Felipe is also opposed to downstream to upstream water rights transfers and will protest any proposed transfer of water rights sought to support the zone change.
4. On Pueblo of San Felipe land directly adjacent to the Algodones Distillery are 5 homes built with federal funding for the purpose of emergency housing and domestic violence shelter. It is utterly incompatible to have a liquor establishment, and party venue with hundreds of visitors annually to be permitted next to the Pueblo's emergency and domestic violence homes. Examples of how these homes are used include a tribal member who received a lung transplant required very specific housing conditions to properly accept the lung transplant. She was housed at this location until able to successfully return to her home. This Commission knows very well the concerns that exist with domestic violence. When we have women and children in a crisis situation these homes are located near the school, and must remain a safe and quiet place for families to figure out appropriate next steps.

The Sandoval County Comprehensive Zoning Ordinance Section 10 A. states “The County Board may not grant a Zone Map Amendment for establishment of a Special Use District unless satisfactory provisions have been made:

- 1) To assure that compatibility of property uses shall be maintained in the general area
- 2) To preserve the integrity and character of the area in which the Special Use District will be located,...and
- 3) To assure that the Special Use District will not become detrimental to the public health, safety, or general welfare of the County.”

Further, the County’s Zoning Ordinance requires the Commission to ensure that “the proposed use is not detrimental to the area in which it is proposed to be located”.

It bears emphasis that the Sandoval County Planning and Zoning Department Staff itself has recommended denial of this application, citing nine Findings of Fact including: the applicant’s failure to provide required information; an unpermitted events/ballroom space of uncertain fire code compliance; the well permit limitation to household use only; and a septic permit that has not been re-inspected to accommodate commercial loads. The Pueblo’s objections align with and reinforce the Staff’s own findings.

The Pueblo’s concerns regarding the incompatible uses are warranted, and we have not received any assurances regarding compatibility. We believe an expansion of the Algodones Distillery resulting from any zone change will be detrimental to the health, safety and welfare of the Pueblo and its people.

The Pueblo of San Felipe is strongly opposed to the proposed zone change, and asks the Sandoval County Planning and Zoning Commission to deny Zone Change 25-006.

Sincerely,
Pueblo of San Felipe



Governor Mark Calabaza



Lt. Governor Thaddeus Garcia



Office of the Governor

Sandoval County Planning and Zoning
1500 Idalia Road, Building D
Bernalillo, NM 87004

HAND DELIVERED

Tuesday, January 13, 2026, Sandoval County Planning and Zoning Commission Public Hearing

RE: ZNCH-25-006: Request by Gregory R. McAllister for a Zone Map Amendment from RRA to Special Use District for Subd: MAP 5 Tract: 73A in Algodones, NM.

Dear Members of the Sandoval County Planning and Zoning Commission,

The Pueblo of San Felipe is concerned with the changes proposed in ZNCH-25-006, where Mr. McAllister on behalf of the Algodones Distillery is requesting a Zone Map Amendment from Rural Residential Agricultural to Special Use.

The Pueblo of San Felipe borders the Algodones Distillery property on both its south and west sides, so our interest is significant. Attachment 1.

In the summer of 2025, the Pueblo received a letter from Mr. McAllister requesting permission for overflow guest parking on Pueblo of San Felipe land. The Algodones Distillery site plan, and the Pueblo land Mr. McAllister requested for overflow parking is shown in Attachment 2.

On July 16, 2025 the Pueblo of San Felipe replied to Mr. McAllister, respectfully declining use of Pueblo of San Felipe land for overflow parking for large distillery events. We further discussed the owner's encroachment onto Pueblo land. Attachments 3 and 4

We made our staff available to Mr. McAllister to discuss his request and encroachment but did not hear from him again until we received a letter dated August 4, 2025 providing notice of the requested zone change. We will note that while the letter was dated Aug 4, we received it much later, and emailed the Planning and Zoning Department upon receipt.

Attachment 1

The Pueblo of San Felipe seeks to maintain good relations with its neighbors, and this is part of the reason that although the encroachment was known to the Pueblo, we did not press our neighbors.

The Pueblo has not previously raised any objections or complaints regarding the Distillery, but we do not believe it is appropriate for the business to grow and change to the point where they need to request Pueblo land for parking.

Further, and more sensitive, as shown in Attachment 3, the Pueblo has five homes used for emergency housing for our tribal members. As we are sure you can understand, families requiring emergency housing may be in sensitive situations requiring a peaceful, rural residential area – not large commercial areas with parties, extensive traffic and unknown visitors. We are willing to discuss these homes and their uses in a confidential setting with the Planning and Zoning Department and Commissioners.

Our understanding from the Sandoval County Comprehensive Zoning Ordinance Section 10 is that a Special Use District is intended to accommodate “developments that require special consideration because of their magnitude, unusual nature, infrequent operations, questionable impact on surrounding property, or other similar reason.” Attachment 5.

We ask that prior to any zone change, time be spent by both the County and the land owner, to communicate and work with the Pueblo to develop satisfactory and binding provisions to:

1. Ensure the Pueblo of San Felipe understands the proposed uses and future development
2. Assure that the property uses are compatible with the Pueblo’s adjacent land uses.
3. Assure the Pueblo of San Felipe that the integrity and character of the rural, agricultural and residential area will be preserved; and to
4. Assure the Pueblo of San Felipe that the Special Use District will not become detrimental to the Pueblo’s public health, safety and general welfare.

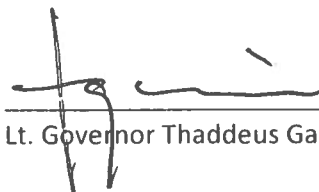
Until such time as these provisions are developed, the Pueblo of San Felipe cannot support Zone Map Amendment ZNCH-25-006.

Please contact our office, specifically Pinu’u Stout, Department of Natural Resources Director to begin these discussions.

Sincerely,
Pueblo of San Felipe

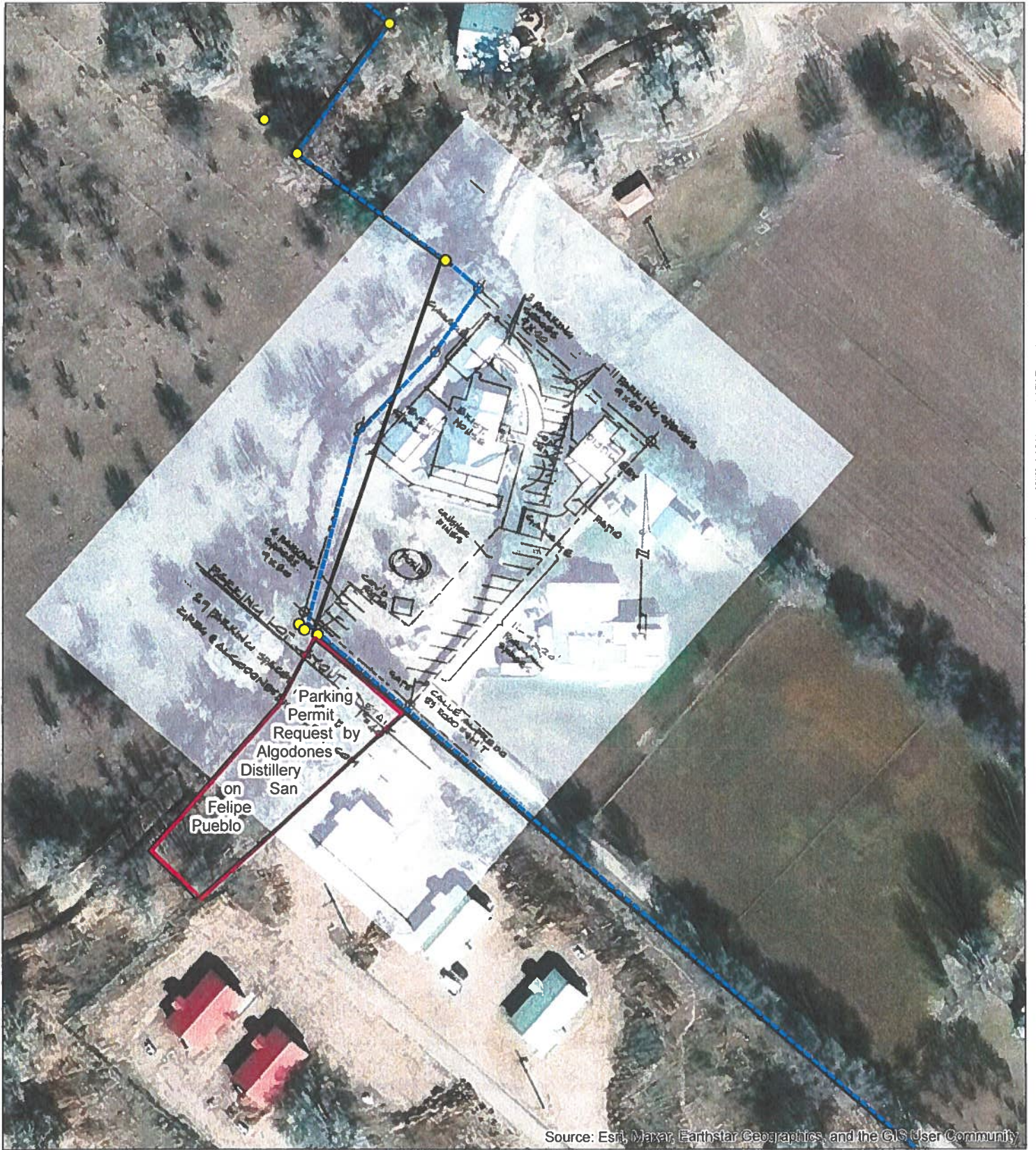


Governor Mark Calabaza



Lt. Governor Thaddeus Garcia

Cc: Daniel Beaman, Director of Planning and Zoning:



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

- Legend**
- BLM Bench Markers
 - Existing Fenceline
 - San Felipe Pueblo Boundary
 - Algodones Distillery Overlay
- RGB**
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3

Scale 1in = 80ft



Map of Algodones Distillery Proposed Plan



Attachment 2. Distillery site plan aerial



Office of the Governor

July 16, 2025

Algodones Distillery, LLC
Attn: Greg McAllister
15 Calle Alfredo
Algodones, NM 87001

Dear Mr. McAllister,

Thank you for your letter and request. The Pueblo's Land Committee has considered your request to use Pueblo land for overflow parking and has made the decision to respectfully decline your request.

We must remind you that your fence is encroaching onto Pueblo land, as show in the attached documents. We ask you to remedy this encroachment.

As you may know, the land you currently own, and all of Algodones, is both ancestral Pueblo land and part of San Felipe's original grant. The land was excepted from the grant in the 1920's when the federal government allowed our land to be claimed by non-tribal members.

Despite this history, we value good neighborly relations with yourselves and others. We have had much discussion with our Tribal Council and the Department of Interior regarding these encroachments. At this time, we are beginning to send notices to all those who are encroaching onto Pueblo land, providing a timeframe to either remedy the encroachment or pay an annual fee.

If you would like to meet, we make our Natural Resources Director and Land Management Specialist available to you. Please contact Pinu'u Stout, Natural Resources Director at pstout@sfpueblo.com or (505) 771-9963.

Sincerely,
Pueblo of San Felipe


Governor Anthony Ortiz


Lt. Governor James Tenorio

(505) 867-3381/3382

AX: (505) 867-3383

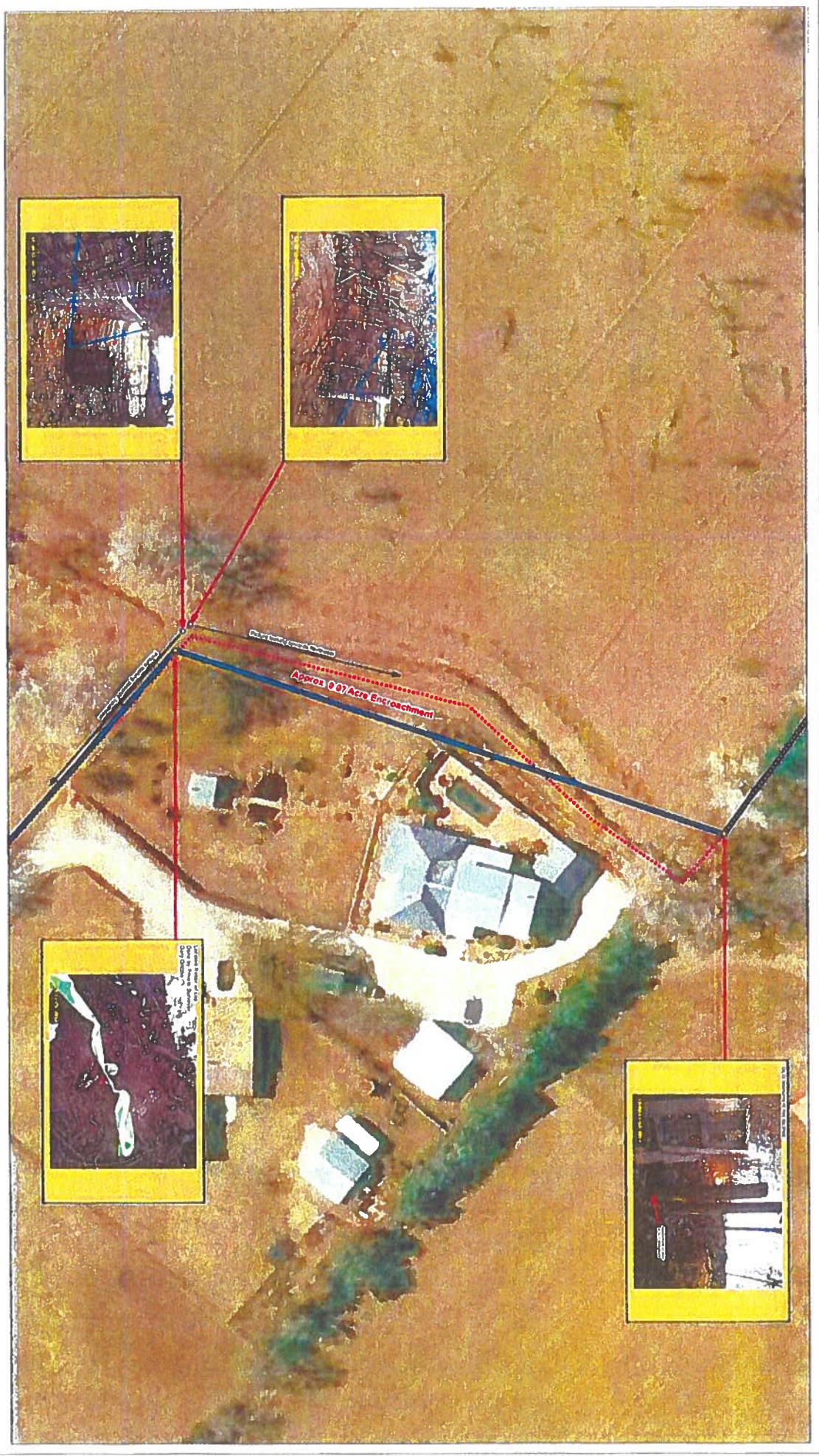


Figure A

Legend

- BLM Monuments
- Grading Footprint
- Existing Property
- San Felipe Reservation

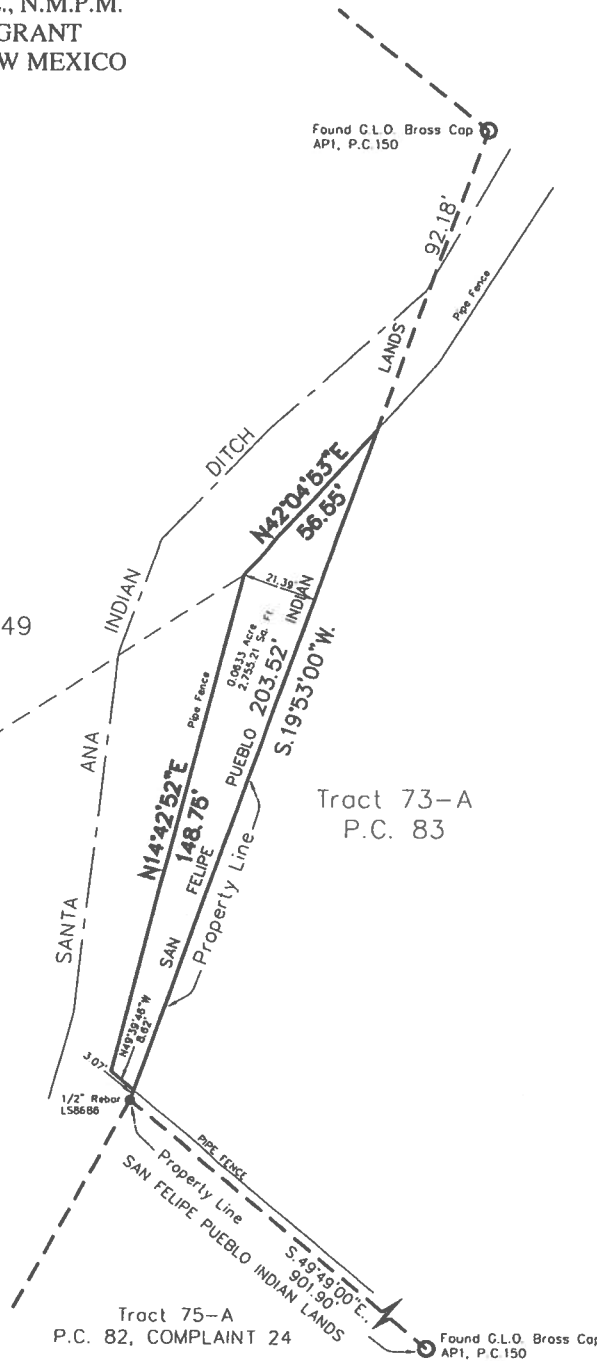
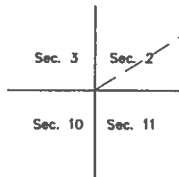


 OFFICE OF NATURAL RESOURCES

SAN FELIPE PUEBLO INDIAN LANDS
 SE 1/4 Sec. 2, T.13 N., R.4 E., N.M.P.M.
 SAN FELIPE PUEBLO GRANT
 SANDOVAL COUNTY, NEW MEXICO



Tract 74
 P.C. 150, COMPLAINT 49



LEGAL DESCRIPTION

A parcel of land situate within the southeast quarter of Section 2, Township 13 North, Range 4 East, New Mexico Principal Meridian, San Felipe Pueblo Grant, Sandoval County, New Mexico; being more particularly described as follows:

Beginning at a fence corner; whence the southwest corner of Section 2, bears S56°56'11\"W, 3432.59 feet; thence N42°04'53\"E, 56.55 feet to a point; thence S19°53'00\"W, 203.52 feet to a point; thence N49°39'46\"W, 8.62 feet to a fence corner; thence N14°42'52\"E, 148.75 feet to the point of beginning, containing an area of 0.0633 acre, or 2,755.21 square feet.

Earl P. Ortiz, Land Surveyor
 Bureau of Indian Affairs
 Southern Pueblos Agency
 Real Estate Services
 April 18, 2005

SECTION 10. SU - SPECIAL USE DISTRICT.

- A. **Intent.** This zone district accommodates developments that require special consideration because of their magnitude, unusual nature, infrequent operations, questionable impact on surrounding property, or other similar reason. The boundaries of this district shall be determined on a case-by-case basis following amendment procedures provided in Section 19 of this Ordinance. Special conditions may be imposed by the County Board following recommendation by the Zoning Commission. The County Board may not grant a Zone Map Amendment for establishment of a Special Use District unless satisfactory provisions have been made:
1. To assure that compatibility of property uses shall be maintained in the general area;
 2. To preserve the integrity and character of the area in which the Special Use District will be located, and the utility and value of property in the Special Use District and in adjacent zone districts; and
 3. To assure that the Special Use District will not become detrimental to the public health, safety, or general welfare of the County.
 4. To assure that the Special Use District will not conflict with the Sandoval County Comprehensive Plan or any other applicable land use plans adopted by the County.
- B. **Application.** Each application for a Zone Map Amendment for establishment of a Special Use District must follow amendment procedures as stated in Section 19 of this Ordinance, must declare the proposed use, and must be accompanied by a site development plan (except for an incremental Planned Area Development that is subject to specific provisions described elsewhere in this Section) of sufficient size and scale in order to:
1. Show boundaries and topography of the property to be developed;
 2. Show the proposed size, location, use, and arrangement of all structures, signs, parking and loading areas, drainage facilities, landscaping, and traffic and pedestrian circulation routes; and compliance with Section 14 of this Ordinance; and
 3. Indicate the location, type, use, and size of structures on adjacent properties within five hundred (500) feet of the proposed Special Use District boundary.
- C. **Removal of Zones.** In the event that a use authorized as a Special Use District is permanently discontinued, the Special Use District may be cancelled and removed under the provisions for an amendment to this Ordinance. That area delineated by discontinued Special Use District shall be rezoned to the prevailing zone district as determined by the County Board following recommendation by the Zoning Commission.
- D. **Uses Allowed in Special Use Districts.** A Special Use District may be authorized only for uses designated by the County Board, including the following:
1. Asphalt and batching plant;
 2. Cemetery, mausoleum, or crematory, provided that the site shall contain at least 2 acres;
 3. Cluster Housing Development, provided that the following requirements are met:
 - a. Lot Area and Setback. The setback requirements and minimum lot size within a Cluster Housing development will be established by the Site Development Plan as approved by the County Board. In areas where any lot with an area of less than $\frac{1}{4}$ acre is proposed, a liquid waste disposal plan for such approved by the New Mexico Environment Department and deemed satisfactory by the Board of County Commissioners shall be required.
 - b. Housing Density. The total number of dwelling units per acre allowed within a Cluster Housing Development shall not exceed that which would have been allowed if the site were developed under its previous zoning designation. Special Flood Hazard Areas as mapped by the Federal Emergency Management Agency shall not be counted in determining housing density under this section.
 - c. Open Space Requirements
 1. Common Open Space Areas shall have a minimum dimension of 30 feet.
 2. Common Open Space may form one or more areas within the development, provided that at least one area is at least 60% of the total Common Open Space.
 3. Land dedicated for roadways, driveways, parking areas, and private yards cannot be counted as Common Open Space.
 4. Common Open Space shall not be divided by fences, walls, or buildings.

- d. Site Development Plan Approval. Future development within a Cluster Housing Development shall be in conformance with the Site Development Plan as approved by the County Board. This shall include the location, extent, and purpose of all Common Open Space as well as the location of proposed lots and roadways.
- e. Maintenance of Common Open Space. The maintenance of Common Open Space shall be guaranteed via a mechanism approved by the County Board. The instrument guaranteeing such maintenance shall be recorded in the Office of the County Clerk simultaneously with the final plat of the subdivision. The Common Open Space shall be set aside in perpetuity by deed restrictions. If the maintenance of the Common Open Space is abandoned to the extent that the County Board determines that a threat to public health and safety exists, the County may utilize any means at its disposal to ensure that such a threat is abated.
- f. Ownership of Common Open Space. The Common Open Space in a Cluster Housing Development shall be owned in one of the following ways:
 - 1. The property owners may establish a homeowner's association organized as a non-profit corporation or trust carrying covenants that run with the land and that are recorded with the Office of the County Clerk; OR
 - 2. The Common Open Space may be owned by a public entity or non-profit corporation granted an exemption from Federal Income Tax as described in Section 501 (c) (3) of the United States Internal Revenue Code. Any proposal to transfer the Common Space to such an entity must be approved by the County Board.
- g. Special Considerations. The following factors, where applicable, will be considered by the County Board when reviewing a proposal for a Cluster Housing Development:
 - 1. Inclusion of agricultural uses.
 - 2. Preservation of acequia irrigation systems.
 - 3. Preservation of wildlife habitat and wildlife corridors.
 - 4. Protection of the natural environment.
 - 5. Variation of residential lot sizes and shapes.
 - 6. The visibility of the Common Open Space both from within and without the Cluster Housing Development.
 - 7. The preservation of important views.
 - 8. The furtherance of the goals and policies of any adopted Area Plan for an area within which a Cluster Housing Development is proposed.
 - 9. Reduction of road mileage within a development.
- 4. Commercial feedlot, dairy, or animal slaughter house provided it complies with the following requirements:
 - a. All animal excrement is properly disposed of,
 - b. Associated pests are eradicated by chemical or scientific means,
 - c. Storm water drainage is controlled to avoid pollution of water resources,
 - d. Mechanical means is available for scraping and cleaning feedlot premises at all times, and
 - e. A review is conducted by appropriate local, State, and Federal agencies for feedlot design and location;
- 5. Landfill operation for disposal of refuse, solid waste, liquid waste, septage, chemicals, or hazardous waste;
- 6. Mining, excavating, removing, processing, stockpiling, or distribution of rock, sand, gravel, clay, pumice, scoria, decomposed granite, or similar materials, or batching plant, provided such uses comply with the requirements of Section 10 (1) of this Ordinance:
- 7. Mobile Home Park, subject to the following requirements:
 - a. The maximum density of the Mobile Home Park shall be subject to the approval of the New Mexico Environment Department however, if public water and sewer systems are available, then maximum density of the Mobile Home Park shall be six (6) mobile homes per acre,
 - b. Each mobile home space shall be required to maintain the following yard areas: Side to side spacing between mobile homes shall be at least twenty (20) feet, and back to back spacing shall

- be at least fifteen (15) feet. The distance between any mobile home and any building shall be at least twenty (20) feet,
- c. Any mobile home shall be located at least thirty (30) feet from the right-of-way line of any roadway and at least thirty (30) feet from any property line of the Mobile Home Park,
 - d. All interior roadways shall be at least thirty (30) feet wide, and shall be either paved or graveled to a standard acceptable to the County,
 - e. Sites shall be kept graded, drained, and free of rubbish and litter, and
 - f. Mobile homes shall be skirted with materials compatible with the siding of the mobile home.
8. Power plant or transformer yard of a public utility;
 9. Adult Bookstore, adult theater, and adult live entertainment establishments provided that none of the above listed uses may be located within one-thousand (1,000) feet of a public or private school, church or any residential district, as measured from the building containing the adult establishment to the closest point of the residential district, public or private parcel, or church parcel.
 10. Massage parlor, provided the establishment is not conducted on the same premises where there is a cocktail lounge, photo studio, model studio, art studio, telephone answering service, motion picture theater, or bookstore.
 11. Shopping Centers, subject to the following requirements:
 - a. The shopping center site shall be located with direct access to a State or Federal arterial highway, or a designated County arterial road,
 - b. All buildings must be placed at least thirty (30) feet from any property line of the shopping center land,
 - c. At least ten percent (10%) of the site shall be landscaped and maintained in a clean and healthy condition,
 - d. Outdoor light fixtures installed after the effective date of this Ordinance shall comply with the following:
 1. Fixtures shall be shielded such that light rays emitted by the fixture are projected at 45 degrees from a point on the fixture where light is emitted.
 2. Where used for security purposes, or to illuminate walkways, equipment yards and parking lots, only shielded outdoor light fixtures shall be utilized.
 3. Fixtures shall be required to have all light focused downward.
 4. Exterior lighting shall be shielded in such a manner so that it does not shine onto any adjoining residential properties.
 5. Outdoor light fixtures shall be limited to sixteen (16) feet in height.
 6. Any illuminated on-premise advertising sign shall be turned off between 11:00 P.M. and sunrise except that on-premise signs may remain illuminated while a business is open to the public.
 - e. Loading docks and outside storage areas shall be screened from public roadways and abutting residential properties, and
 - f. Any shopping center proposal for an ultimate development containing more than one hundred thousand (100,000) square feet of floor area shall include a traffic impact analysis of traffic generated by the shopping center as it affects the surrounding roadway system;
 12. Travel trailer or Recreational Vehicle Park provided it complies with the following requirements:
 - a. The park site shall be graded, drained, and free of rubbish,
 - b. The park site shall have a wall, fence, or planted area, six (6) feet in height, that screens the site from adjoining areas, and
 - c. The park shall contain individual campgrounds and each campground shall be at least one thousand five hundred (1,500) square feet in area with adequate parking such that no portion of any vehicle extends into a roadway within the park; and
 13. Oil and gas exploration and production, and the structures and facilities associated with that use.
 14. Other uses not included herein, provided that:

- a. The proposed use or combination of uses is not adequately allowed and controlled in any other zone; and
- b. The proposed use is not detrimental to the area in which it is proposed to be located; and
- d. The proposed use is in conformance with the Sandoval County Comprehensive Plan and other applicable land use plans adopted by the County.

SECTION 10 (1). SAND AND GRAVEL MINING

This Section shall be known and may be cited as the Sandoval County Sand and Gravel Mining Ordinance, and is created pursuant to the enabling authority set forth in Section 3-21-14 N MSA (1965).

A. PURPOSE. This Section is adopted to provide for and protect the public health, safety and general welfare of the county.

B. JURISDICTION. This Section shall apply to all portions of Sandoval County that are subject to the County’s land use jurisdiction.

C. EXEMPTIONS. This Ordinance shall not apply to:

- 1. Persons who mine sand and gravel on their own properties for their own personal use to the extent that disturbance shall not consist of more than half (.05) acre in any five (5) continuous years;
- 2. Off-site processing activities; and
- 3. Exploratory activities which do not result in mining and/or removal from the property of more than ten (10) cubic years of material;
- 4. Exemptions may be approved administratively by the Director of County Development.

CI. INTERPRETATION.

The provisions of this Section are held to be minimum requirements. Whenever any provisions of this Section conflict with other laws, rules, regulations, covenants or ordinances, the more restrictive shall govern. This Section shall be construed broadly to promote the purposes for which it was adopted. Whenever the County Board or its delegate is required by this Section to make a decision, the decision shall be in writing and supported by the Findings of Fact which are sufficient for meaningful review.

CII. DEFINITIONS

- 1. **A-Weighted** - Specific weighting of the sound pressure level for the purpose of determining human response to sound as described in American National Standard Institute (ANSI) S1.4-1983.
- 2. **Background Sound Level** - The A-weighted sound level which is exceeded ninety percent (90%) of the time during the period of observation, during which times sounds from routine motor vehicular traffic and other transient sources is inaudible. The period of observation need not necessarily be contiguous; however, the period of observation must be at least 10 minutes of duration.
- 3. **Basal Cover** - The vegetative cover or extent of cover found at the crown or base of a plant.
- 4. **dB(A)** - Unit of sound level expressed in decibels (dB) as measured on the A-weighted scale.
- 5. **Discharges** - Any measurable, natural or man-made, release of water, sediment or other particulates into the environment.
- 6. **Disturbed Area** - The area within the property which is altered by the mining and related activities, including but not limited to road, utility and facilities construction, and materials stockpiling areas.
- 7. **Existing Mine** - Any sand or gravel extraction operation lawfully existing and in operation on the effective date of this Ordinance.
- 8. **Exploration Operation** – Any mine development exploration operation existing prior to the effective date of this Ordinance and related to the determination of the geologic and economic extent of a sand and gravel resources.
- 9. **Foliar Cover** - The percentage of ground cover covered by the vertical projection of the aerial portion of plants and excluding small openings in the canopy.
- 10. **Fugitive Dust** - Particulate matter not emitted from a duct or stack which becomes airborne during operations or windy conditions.
- 11. **Ground Cover** - The amount (measured as a percentage) of rock, litter, and vegetative basal cover covering the ground. This is further broken down into the components; such as percent litter, percent rock and percent basal cover.



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legend

- San Felipe Pueblo Boundary

Attachment 2

Scale: 0 105 210 420 Feet

UTM Zone 13 NAD 83

Map Usage Constraints: DRAFT
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Office of the Governor

July 16, 2025

Algodones Distillery, LLC
Attn: Greg McAllister
15 Calle Alfredo
Algodones, NM 87001

Dear Mr. McAllister,

Thank you for your letter and request. The Pueblo's Land Committee has considered your request to use Pueblo land for overflow parking and has made the decision to respectfully decline your request.

We must remind you that your fence is encroaching onto Pueblo land, as show in the attached documents. We ask you to remedy this encroachment.

As you may know, the land you currently own, and all of Algodones, is both ancestral Pueblo land and part of San Felipe's original grant. The land was excepted from the grant in the 1920's when the federal government allowed our land to be claimed by non-tribal members.

Despite this history, we value good neighborly relations with yourselves and others. We have had much discussion with our Tribal Council and the Department of Interior regarding these encroachments. At this time, we are beginning to send notices to all those who are encroaching onto Pueblo land, providing a timeframe to either remedy the encroachment or pay an annual fee.

If you would like to meet, we make our Natural Resources Director and Land Management Specialist available to you. Please contact Pinu'u Stout, Natural Resources Director at pstout@sfpueblo.com or (505) 771-9963.

Sincerely,
Pueblo of San Felipe

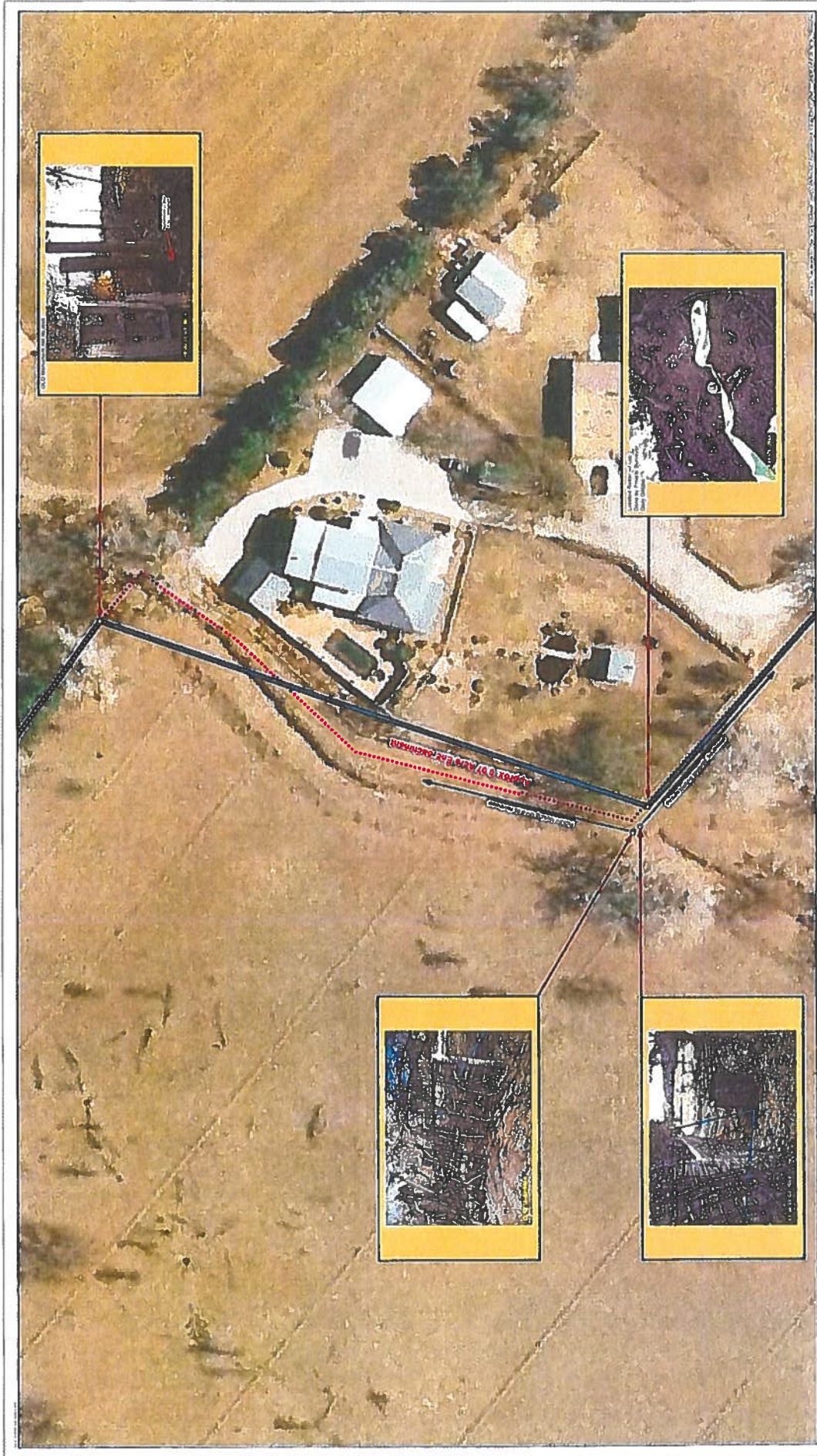

Governor Anthony Ortiz


Lt. Governor James Tenorio

(505) 867-3381/3382

127 Hagen Road, San Felipe Pueblo, NM 87001

FAX: (505) 867-3383



- Legend**
- BLM Monuments
 - Existing Footprints
 - Damage Property
 - San Felipe Reservation

Figure A



Department of Natural Resources

March 31, 2026

Office of the State Engineer
Albuquerque District
5550 San Antonio Dr NE
Albuquerque, NM 87109-4127

Dear Office of the State Engineer,

Please find enclosed a water use complaint and a map. We are concerned with the level of water use from the shared well that the Algodones Distillery is using, which is directly adjacent to San Felipe Pueblo land, and within the exterior boundaries of the Pueblo.

The Algodones Distillery, owned by Gregory R. McAllister, is seeking a significant zoning change with Sandoval County to "accommodate the growth of a Business that started as a Home Occupation in 2014...in recent years, the business grew to include Craft Distillery related Special Events, Tours & Tastings" (from the Sandoval County Planning and Zoning summary).

Please let us know if there is any additional information we can provide to you, and we look forward to working with you to understand the ramifications of this business operating from a residential shared well on the Pueblo's water supply and rights, and the larger community.

Please feel free to contact me at pstout@sfpueblo.com if you have any questions or require additional information.

Respectfully,

A handwritten signature in black ink, appearing to be "Pinu'u Stout", written over a horizontal line.

Pinu'u Stout, Director

(505) 867-3381/3382

127 Haaen Road, San Felipe Pueblo, NM 87001

FAX: (505) 867-3383



New Mexico Office of the State Engineer
Water Rights Division

FILE A WATER USE/WELL DRILLER COMPLAINT

Mail or fax the completed form to the District Office serving your area listed on the back page.
Incomplete claims or unsigned forms will not be investigated.

Name of Complainant: <u>Pueblo of San Felipe through its Dept. of Natural Resources</u>	
Address: <u>127 Hagen Road</u>	
City: <u>San Felipe Pueblo</u>	State: <u>NM</u> Zip Code: <u>87001</u>
Phone: <u>505-771-9963</u>	Email: <u>pstout@sfpueblo.com</u> Pinu'u Stout, Director
Name of Alleged Violator: <u>Gregory R. McAllister</u> Phone: <u>(505) 301-9992</u>	

1. Water right(s) affected (if known), include file number: (see OSE records for your water right numbers.)
This is a private parcel within the Pueblo of San Felipe grant. Concerned about impacts to Pue
2. Source of water: Indian Ditch and well #RG-A2931
(Well, USGS named stream, unnamed tributary to a USGS named stream, spring, or name of acequia or ditch)
3. Location of your diversion or use: (Attach a map or photo showing the location of your diversion or use if applicable)
 - a. 1/4 1/4 SE 1/4 Section 2 Township 13 N S Range 5 E W
 - b. Longitude 35 22 54.05 N Latitude 106 29 13 W County Sandoval
4. Location of the alleged violators diversion or use: (Attach a map or photo showing the location of the alleged violators diversion or use if applicable)
 - a. 1/4 1/4 SE 1/4 Section 2 Township 13 N S Range 5 E W
 - b. Longitude 35 22 56.46 N Latitude 106 29 9.13 W County Sandoval
 - c. Physical location/address: 15 Calle Alfredo Algodones, NM 87001
5. Describe the alleged violation (Attach additional pages if necessary):


Gregory McAllister owns a 1.22 acre parcel at 15 Calle Alfredo in Algodones, NM which is a private parcel within the Pueblo of San Felipe grant, and adjacent to Pueblo of San Felipe land. Mr. McAllister shares well #RG-A2931 with his neighbor Peter Pacheco. To our knowledge this is a shared residential well with 1 ac-ft diversion permitted. Mr. McAllister has been running the Algodones Distillery and an event center in this location since approximately 2016, and is seeking Sandoval County permission to greatly expand his operation. We are concerned about the impacts to our water rights and supply, and overuse in the system.

FOR OSE INTERNAL USE

Page 1 of 2

Complaint Form Rev 12/30/2021

File No.:	Trn. No.:
Trans Description (optional):	Sub-Basin:

6. Are you on an Acequia or Community Ditch? Yes No
 a. (name) San Felipe Indian Ditch aka Santa Ana Acequia
 b. If yes, have you contacted the Mayordomo or Ditch Rider? Yes No
 Name and phone number _____
7. Have you contacted the alleged violator? Yes No
8. If you have contacted a Mayordomo or alleged violator, what was their response?
 (Or attach a copy of your written correspondence)
9. To your knowledge, has this been reported previously? Yes No
 If yes, provide date: unknown
10. Do you have any suggestion for a mediated resolution?
 We would like Mr. McAllister to file any needed Purpose of Use requests for the existing business and refrain from exceeding what the well and area can hold in this rural agricultural / residential area by increasing his business and event calendar. We ask for ongoing communication from the OSE regarding this matter.
11. Signature of Complainant:  Date: 3/31/26

WATER RIGHTS DISTRICT OFFICES

DISTRICT - ALBUQUERQUE
 5550 San Antonio Dr NE
 Albuquerque, NM 87109-4127
 Phone: (505) 383-4000
 Fax: (505) 383-4030

DISTRICT 4 - LAS CRUCES
 1680 Hickory Loop, Suite J
 Las Cruces, NM 88005-6598
 Phone: (575) 524-6161
 Fax: (575) 524-6160

DISTRICT 7 - CIMARRON
 PO Box 481
 301 East 9th Street
 Cimarron, NM 87714
 Phone: (575) 376-2918
 Fax: (575) 376-4565

DISTRICT 2 - ROSWELL
 1900 West Second St.
 Roswell, NM 88201
 Phone: (575) 622-6521
 Fax: (575) 623-8559

DISTRICT 5 - AZTEC
 100 Gossett Drive, Suite A
 Aztec, NM 87410
 Phone: (505) 383-4571

DISTRICT 3 - DEMING
 321 West Spruce Street
 Deming, NM 88031
 Phone: (575) 546-2851
 Fax: (575) 546-2290

DISTRICT 6 - SANTA FE
 407 Galisteo St. Suite #102
 Bataan Memorial Bldg.
 PO Box 25102
 Santa Fe, NM 87504-5102
 Phone: (505) 827-6120
 Fax: (505) 827-6682

Feel free to attach additional documentation to help us understand your complaint

File No.:	Trn. No.:	
Trans Description (optional):		Sub-Basin:



Legend

San Felipe Pueblo Boundary

Map of Well Complaint

0 62.5 125 250 Feet 1 inch = 125 feet

U1M/Range 11NA12X1
 Map Group Copyright © 2011
 This is a copy of the map, including the engineering notes, it is legally neither a certification nor a guarantee for either its accuracy or its use. It is intended for use as a reference only and does not constitute a warranty by the Pueblo of San Felipe Department of Natural Resources Geographic Information System.

PUEBLO OF SAN FELIPE

 Department of Natural Resources
 Geographic Information System

From: [Laura Escarcida](#)
To: [Doraida Arias](#)
Cc: [John Escarcida](#); [Laura Escarcida](#)
Subject: Opposition to Zoning Change Request - Algodones Distillery #ZNCH-25-006
Date: Thursday, June 4, 2026 11:21:38 PM

Re: Opposition to Zoning Change Request - Algodones Distillery #ZNCH-25-006

Dear Chair and Commission Members:

We respectfully submit this correspondence in opposition to the request to rezone a residence in a currently designated Rural Residential Agricultural (RRA) area to a Special Use, as requested by the Algodones Distillery.

We support responsible economic development, local entrepreneurship, and small business growth. However, this application is not simply a request to continue a small home-based business. The proposed use has evolved far beyond what is appropriate for a residential neighborhood and would establish a large event venue open to the public, together with ongoing commercial operations, creating impacts that are inconsistent with both the character and infrastructure of our community.

Algodones is a small rural community of approximately 1,200 residents. We do not have traffic signals, extensive commercial infrastructure, or a local police department. The prospect of hundreds of visitors attending events involving alcohol service presents legitimate concerns regarding traffic management, emergency response, and public safety.

The proposed commercial event venue appears inconsistent with the intent and goals of the Algodones Area Development Policy and the Sandoval County Comprehensive Plan. The Algodones Area Development Policy states: *"The Algodones Community District shall be preserved as a predominantly residential community, with necessary commercial, business, and other non-residential activities existing primarily to serve local residents."*

With the application submittal is a petition containing 581 signatures from patrons of the business. This number is nearly half the population of our entire village. Of these signatures, approximately 88 percent are from individuals who reside outside Sandoval County, while only less than two percent are from Algodones community members (ten signatures, three of which are from individuals who reside on the distillery property). While customer support for a business is understandable, land-use decisions should primarily consider the impacts on the surrounding community and the residents who must live with the consequences every day.

Equally concerning is the applicant's history of noncompliance. Despite the County establishing reasonable conditions and limitations, the applicant chose to operate beyond the scope of previously authorized activities, including hosting events after permits were denied and conducting operations inconsistent with County requirements. These activities appear to have occurred for years. During this same period, evidence suggests the applicant operated without required state permits that were established to protect water resources and our environment. This history should weigh heavily when evaluating whether expanded operational authority should be granted.

Simply put, the application raises significant concerns regarding neighborhood

compatibility, traffic and infrastructure capacity, public safety, environmental violations, the applicant's history of noncompliance, and consistency with adopted planning policies.

For these reasons, we respectfully urge the Planning and Zoning Commission to deny the requested zoning change and preserve the rural residential character, safety, and quality of life that we the residents of Algodones have long valued.

Thank you for your consideration.

Respectfully submitted,

John & Laura Escarcida (Algodones Residents)

This message is originated from an external organization