



Rio Grande Water Conservation District
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Protecting & Conserving San Luis Valley Water

August 18, 2009

Solar Energy PEIS
Argonne National Lab
9700 S. Cass Ave.-EVS/900
Argonne, IL 60439

Re: Comments on BLM Solar Power Environmental Assessment

To Whom It May Concern:

The Rio Grande Water Conservation District is organized pursuant to C.R.S. 37-48-101, *et seq.* The conservation and development of the water resources of the Rio Grande and its tributaries is one of the paramount purposes for the District. One specific aspect of your proposal concerning potential solar power opportunities in the San Luis Valley concerns the availability of water resources necessary to permit a solar power initiative to succeed. The District Board of Directors does not have a policy of opposition to solar power. However, we are very aware that some types of solar generation can use significant amounts of water. In fact, we are lead to believe that some solar generation techniques use almost the same amount of water as a coal-fired generation system.

As you know, the State of Colorado is a prior appropriation state. The Federal Government and its agencies have been joined in the State water rights process pursuant to the McCarran Amendment. And, pursuant to that joinder, the Bureau of Land Management has sought and obtained any reserved water rights to which it is entitled. Any water required for solar generation must therefore be acquired pursuant to Colorado law and will be governed by the doctrine of prior appropriation.

The record should be clear that the State of Colorado and its citizens currently fully consume all of the water to which Colorado is entitled under the Rio Grande Compact. Any new depletions, for any

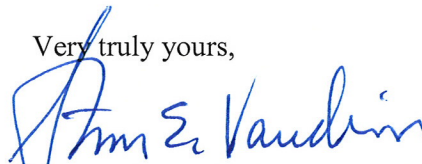
purpose, whether located on private or public land, will require full replacement. In other words, any solar facility requiring a water supply to operate will have to secure that water through purchase of existing water rights and the retirement of existing consumptive uses.

The development of new uses of water in the Rio Grande Basin of Colorado is a zero-sum game. For every acre-foot of new consumption that may occur in the future, an acre-foot of existing consumption will have to be retired. That is true for both surface water sources and groundwater sources. The people of the San Luis Valley, in cooperation with the State of Colorado and the Federal Government, have fought long and hard to protect the water resources of the San Luis Valley and the agricultural economy dependant upon them. If the Bureau of Land Management intends to utilize its properties, which have no water rights associated with them, for the development of solar power facilities it must do so with the clear understanding that it will potentially require the retirement of significant irrigated agricultural acreage in order to provide the necessary water supply. In any analysis you may undertake concerning the impacts of solar power generation you must specifically acknowledge and address that reality.

The Rio Grande Water Conservation District stands ready to work with you as you proceed through this process. However, we cannot provide you assurance that we will automatically be receptive to a federal solar power plan which has the impact of dislocating a significant portion of the Valley's economy.

Please contact me if you would like to discuss this further.

Very truly yours,



Steven E. Vandiver
General Manager

cc: Rio Grande Water Conservation District, Board of Directors
David W. Robbins, Esq.