

# STATE OF COLORADO

**WATER DIVISION 3**  
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**Saguache County**  
**Land Use**

**DEC 29 2009**

**PO Box 326**  
**Saguache, CO 81149**



Bill Ritter, Jr.  
Governor

James B. Martin  
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Dick Wolfe  
Director, State Engineer

Craig Cotten  
Division Engineer

December 28, 2009

Saguache County  
Land Use Department  
P.O. Box 326  
Saguache, CO 81149

Re: Tessera Solar San Luis Valley 200MW Solar Project

Dear Ms. Maez and County Commissioners;

Thank you for giving us the opportunity to address the Board of County Commissioners in regards to the application by Tessera Solar to develop a solar project in Saguache County. As you probably already know, the Division of Water Resources usually has concerns about any new development that may require large amounts of water. In the case of solar projects, some of the proposals that we have seen from other companies require a large amount of water in order for the project to function properly. The acquisition and subsequent change of use of water for these projects is not as easy as the solar companies may want to believe.

However, in the case of Tessera Solar, their plan demands a fairly small amount of water. We have been told that they will need approximately 10 acre-feet of water annually, mainly for washing of the solar 'Suncatchers'. We have had preliminary discussions about water with representatives of Tessera Solar as well as engineers that have been hired by their company. There are several options for Tessera to obtain water for their project. One of the options is to use some of the surface water that has historically irrigated the land where the solar facility is to be located. Another option is to pipe water from the Rio Grande Canal to the site. Yet another option is to truck water to the site. Some of these options may entail a water court case to change the use of water to commercial or augmentation uses.

I believe that Tessera Solar does have several viable options for obtaining water for the solar facility, as outlined above. However, at this time Tessera Solar has not formally applied for any change of water right or plan to use water through the Division of Water Resources or the Water Court. Tessera will have to have approval from the Division of Water Resources and/or the Water Court prior to using any water for their solar facility.

Please contact my office directly if you have any questions, or if you would like further clarification on these issues.

Sincerely,

Craig W. Cotten  
Division Engineer  
Division of Water Resources