



PUBLIC WORKS DEPARTMENT

MAYOR: David H. Bieter | DIRECTOR: Stephan Burgos

April 4, 2019

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WATER RESOURCES
WESTERN REGION

Mr. Nick Miller, P.E.
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Re: Applications for Permit No. 63-34614 and 63-34615 – Micron Technology, Inc.

Dear Mr. Miller,

The City of Boise (City) appreciates the opportunity to provide comments on the subject applications for Micron Technology, Inc. (Micron). The City is aware of Micron's existing water rights and their current efforts to use these rights in a responsible and sustainable fashion. Micron's innovative water management approaches are setting a new standard in the industry and within the Boise community. As local water supply concerns increase into the future, other entities will likely follow Micron's lead in pursuing innovative water use practices. As a result, it will be important that expectations be clearly established so that other entities manage these resources to the high standard established by Micron. It is under this premise of looking towards the future that the City offers the following feedback on Micron's applications.

As a fellow member of the Southeast Boise Groundwater Management Area (SEBGWMA) Advisory Committee, the City has a vested interest in ensuring water in the area is used wisely. To this end, the City assumes Micron will continue to closely monitor their surface water withdrawals from the Boise River, injections into the aquifer, and subsequent groundwater withdrawals to prevent and reverse any negative impacts through corrective water management actions. Based on review of the subject applications and the Rule 40 Additional Information for Application for Permit 63-34614, the City offers the following comments and questions. The City reserves the right to provide additional comments and looks forward to reviewing the Rule 40 Additional Information for Application for Permit 63-34615 when it becomes available.

1. Micron has stated that pumping under 63-34614 would only occur during flood control releases and would cease upon notice from the Water District 63 watermaster that the permit is not in priority. It is the City's understanding that Micron's existing water right 63-12420, specifically Condition Nos. 5 and 8, have not been fully integrated into the Idaho Department of Water Resource (IDWR) accounting model. Is this expected to be completed prior to issuing this permit to assist in determining when this permit would be in and out of priority?

2. The City's understanding of the diversion rates proposed under Application for Permit 63-34614 is the maximum combined diversion for industrial and groundwater recharge use is 12 cubic feet per second (cfs) (i.e. if Micron diverts 5 cfs for industrial use then only 7 cfs could be diverted for groundwater recharge). Please confirm that this is the intent of the application.
3. Micron has also stated that a portion of the Boise River water diverted under 63-34614 would be injected and stored in the aquifer, and recovered under 63-34615 in accordance with the same accounting procedure used for water right 63-31183 (9.13 cfs of groundwater for industrial use). If a permit is issued, the City suggests conditions similar to Nos. 1, 3 and 4 from water right 63-31183 be included in permit 63-34615. The City is not entirely clear how these conditions are being implemented for 63-31183 and therefore suggests the following language be incorporated into these conditions for 63-34615 to ensure the SEBGWMA Advisory Committee is fully informed of the status of the recharge activities and the mitigation account.
 - a. The monitoring protocol for industrial and groundwater recharge diversions, groundwater recharge injections, and observation and production well levels should be subject to review and approval by the SEBGWMA Advisory Committee.
 - b. The accounting of volume injected into the SEBGWMA aquifer for mitigation purposes should include the timing and amount of the injections from each surface water right and storage contract and the volume available for recovery after adjusting for the annual 10 percent reductions and any withdrawals pursuant to 63-31183 and 63-34615. This accounting should be made available annually for review by the SEBGWMA Advisory Committee.
4. The City is aware the annual reporting requirement was removed at the licensing of 63-31183. In a memorandum dated March 28, 2017, IDWR documented their decision to continue accepting these annual reports. The City suggests that a permit issued for 63-34615 include a condition similar to No. 9 from the original water right permit 63-31183 to analyze the effectiveness of the recharge and mitigation activities during the permit development period and at the time of license issuance, and that the annual reporting requirement of this proposed condition carry forward from the permit into any subsequently issued license.
5. The City operates a sewer collection system that conveys used water to the City's water renewal facilities for treatment. These facilities have defined treatment and conveyance capacities. The City understands Micron reuses much of its water supply, but respectfully requests an estimate of the anticipated increase in used flows resulting from 63-34614 and 63-34615 that must be conveyed and treated at the water renewal facilities. It would also be helpful to understand any anticipated changes in the nature and composition of the used flows that may require additional treatment.



6. The City noted that we were not included in the requests for comment sent out by IDWR to the SEBGWMA Advisory Committee. For future reference, this notice should be sent to John Roldan, Strategic Water Resources Manager at jroldan@cityofboise.org.
7. Finally, the City requests courtesy copies of all documents filed in regard to applications for permits 63-34614 and 63-34615, and application for transfer 82710.

The City appreciates the consideration of our comments by IDWR and Micron.

Sincerely,



John Roldan, P.E.
Strategic Water Resources Manager

cc: Ann Dickey, Micron Technology, Inc.
Terry Scanlan, SPF Water Engineering
Steve Burgos, City of Boise
Haley Falconer, City of Boise
Abigail Germaine, City of Boise

