

Comment Report

1-7082

1. jstanton 10/29/2007 Field Report Narrative

Comment: In September of 1987, I conducted a licensing examination on this development. The environmental manager for Simplot showed me the system. Water is pumped from the Snake River into wastewater-collection ponds in order to dilute the wastewater before it flows into the Snake River. Use of the system was being scaled back, so some of the ponds shown on the FSA aerial photo were no longer in use. A flow of 698 gpm was found using a measured velocity of 1 fps in an 18" pipeline. An annual volume was determined based on system operation at that time. I recommend licensing for water quality improvement rather than for industrial use, as this is what this system is used for; the water is used to dilute wastewater from various commercial/industrial facilities in Burley and Heyburn as required to meet water-quality standards before the wastewater is discharged into the Snake River below the pump station.

The licensing exam was written up and sent to Boise in 1989, but was returned to the regional office because an SRBA claim had not been filed as required. A claim has since been filed on this permit, and claim 1-4058 was also filed for the same flow rate and usage with an earlier priority date. The latter claim will be withdrawn so that the final water right will be based on the license as issued & then decreed. The Simplot plant operating this system closed sometime after 1987, and the City of Burley took possession of the permit. The land here is owned by the City and leased to businesses. The amount of use has varied since Simplot left, and as environmental laws have changed over the years. The original source of the wastewater being treated was private wells owned by Simplot, but future uses will include both those wells and city wells providing municipal water to various businesses in Burley and Heyburn.

I spoke with both the city sanitation engineer and their attorney Randy Stone today. They anticipate that the use of this system will increase again in the future as new businesses move into the area, so want to maintain the right to use this pump. Michael Holliday of Eastern Region is working on the SRBA claim, as this pump will be under the jurisdiction of Water District 01. I am coording with him to get this permit licensed so the SRBA claim can be properly recommended.

The recommended pou includes the treatment plant SW of the pump station. This facility has been enlarged since the 1987 exam by adding an additional pond just west of the existing pond. But this will not increase the recommended rate or volume, so I have included in the shape file to simplify things. This could just be the result of more-efficient treatment technology, so I do not see any point in leaving it hanging out there as a loose end that will need to be dealt with in the future. All this water needs to be rented annually from WD01, so that should be the ultimate control on the use of this system.

2. jstanton 2/19/2008 POD
Comment: Updated shape

3. jstanton 2/21/2008 Data Update

Comment: Yesterday I met with Rod Smith, water supervisor for Burley, to discuss several questions I had on this system. Our taxlot data shows that Simplot owns the pou covered this permit, but Smith said that the City owns it. The Simplot plant closed in about 2001 according to Smith. Smith grew up in this area, and remembered that there has been some kind of diversion works at the pod for many years before the permit was obtained. All of this development is shown on the 1978 revision of the 1964 Burley SE quad map. The settling ponds were built in the old river channel that separated Hog Island from the main part of Cassia County. The ponds get wastewater from facilities on both sides of the river. While operation of this facility has changed over the years, water from this pump site has been used in both the sewage-disposal plant on the SE part of the property, and in the ponds themselves, to dilute wastewater from various sites before it is discharged into the Snake River. Smith said that this water has never been mixed with effluent and then used for land disposal on the pasture areas of this property. He said that Snake River water has been pumped directly to the pasture for sprinkler irrigation at times in the past, although this has not occurred for several years. There is no canal water for this land, but there is an irrigation well (45-2179) that can be used when the land is leased for pasture. I told him that irrigation with river water would not be covered under the proposed license. They also spoke with a former Simplot employee, who confirmed that diluted wastewater had not been used for irrigation here; so the recommended pou is only the settling ponds and the waste-treatment plant where Snake River water has been used for wastewater dillution. The 3 ponds closest to the pump are settling/evaporation ponds for wastewater that is never discharged into the river, and are not part of the pou. One large pond further west used to be part of a different treatment plant just west of this facility, so is also not part of the recommended pou. They used to used water directly from the sewage plant for irrigation, but the smell was so bad that they had to stop (it was sour wastewater from potato processing). Disallowed Claim 1-10101 covered irrigation use from the same river pump, but with a priority date after the 1971 mandatory-permit date.

Another thing we discussed was where the 40 lines were. It is clear from looking at the quad map and also at a large aerial photo at the Burley city hall that the rectification on the 2004 ArcView photo is off in both directions. The lines are both too far north and too far west. This will not change the recommended pod & pou, however.

4. jstanton 2/21/2008 POU
Comment: Updated Shape

5. jstanton 2/22/2008 Licensing Conditions

Comment: I have discussed the proposed licensing conditions with Shelley Keen and

Comment: I have discussed the proposed licensing conditions with Shelley Keen and with Joe at Water District 1, and have modified the permit conditions accordingly. With regard to Condition 031, I have modified this to reflect the availability of water for this pump. The only downstream minimum-flow requirement is at the Murphy Gauge, and there is no requirement to spill water at Milner Dam to satisfy Murphy. So this conditions does not really make sense the way it was stated in the permit. It was included at the request of the WD-1 watermaster, so I am leaving it in with modified language. WD-1 monitors this diversion monthly, calculating usage from power records rather than from the measuring device, so there is no point in requiring the installation of a totalizing meter.

6. MILLER 8/27/1991 RETURNED FIELD EXAM

Comment: THE DATE OF FILING OF PROOF OF BENEFICIAL USE UNDER THIS RIGHT REQUIRES THE FILING OF A SRBA CLAIM. A CLAIM HAS NOT BEEN FILED AS OF THIS DATE; THEREFORE, THE FIELD EXAM HAS BEEN RETURNED TO THE REGION TO 1) SEEK A CLAIM AND RESOLVE DISCREPANCIES OR 2) DISALLOW THE RIGHT.

