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JUL 09 2019

DEPARTMENT OF
WATER RESOURCES



July 9, 2019

Gary Spackman, Director IDWR
322 E. Front St.
PO Box 83720
Boise, ID 83720

RE: Comment on the Proposed Idaho Rules, Regulations and Fees IDAPA 37

Dear Sir:

The Bottle Bay Recreational Water & Sewer District is taking advantage of the comment period, expiring July 10, 2019 to express its concern about an oversight in IDAPA 37.03.09 Section 040 Areas of Drilling Concern AND/OR Section 045 Drilling Permit Requirements.

Specifically there is no requirement for notification of adjacent property owners that there is a current well permit application. There is a necessity for this, especially when the adjacent property owner is a public agency engaged in wastewater treatment such as our District.

An irrigation area used for land application is not permitted within 500 feet of a well. There is nothing stopping an adjacent property owner from seeking and obtaining a well permit that causes the well's buffer zone to restrict land application that is currently in use.

This happened to our District recently and resulted in our losing multiple acres of premium land application forested area. Costly engineering studies were required to partially mitigate the loss of land application area that we were actively using.

All this could have been avoided if IDWR well permitting required notification of adjacent property owners so that any potential negative impact could have been discussed and some sort of accommodation worked out between the parties.

We are not asking for rules against new wells being permitted within areas adjacent to wastewater treatment land application areas. We are asking for notification of the well permit application such as done by our county whenever there are zoning, or variances

requested. This requirement may fit better elsewhere in IDAPA 37 than the sections mentioned above.

If you would like more information on this subject, please feel free to contact us as it is of great concern to the District, based on the recent experience.

Regards,

Will Valentine
Secretary/Treasurer BBRWSD
PO Box 304
Sagle, ID 83860
info@bottlebaydistrict.org