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Ty Palmer
Anne Little Roberts

June 10, 2016

Mr. Jeff Peppersack, Hearing Officer
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: West Ada Area of Drilling Concern

Dear Mr. Peppersack:

Thank you for the opportunity to comment upon the proposed West Ada Area of Drilling Concern ("WAADC"). This correspondence constitutes the City of Meridian's written response to testimony taken at the June 1, 2016 hearing held at Mountain View High School in Boise on the West Ada Area of Drilling Concern.

As you are aware, the City requested the designation of the Area of Drilling Concern, and has a wealth of information regarding the issues discussed at the hearing. From an overall point of view, the City is satisfied with the result of the hearing, but believes some of the points raised therein require response as outlined below.

1. Public Notice

Much testimony at the hearing evidenced a concern that notice of the hearing was insufficient. I.C. §42-238(15) provides that "notice of the hearing shall be published in two (2) consecutive weekly issues of a newspaper of general circulation in the area prior to the date set for hearing." IDWR did meet this statutory mandate by publishing notice of the hearing in the Idaho Statesman on May 17 and May 24, 2016; in fact, both the agency and the City went much further than the legal notice requirements of I.C. §42-238(15). These efforts included notifying directly many of those raising concerns of insufficient notice at the hearing.

In addition to publishing notice in the Idaho Statesman, IDWR specifically notified the Idaho Ground Water Association ("IGWA") and discussed the same with its Board, as mentioned by both Tom Neace and Lynn Tominaga at the June 1 hearing. Moreover, IGWA discussed the potential designation of the WAADC in its spring quarterly newsletter, included a description of the WAADC and discussion of the hearing date and location authored by Mr. Neace, and placed a copy of the Notice of Hearing therein (*see Exhibit A*). IDWR specifically notified the following entities of the hearing by direct mail: Idaho Association of Realtors, Idaho

Association of Commerce and Industry, Central District Health Department, the Meridian Chamber of Commerce, the Building Contractors Association and the Ada County Commissioners; IDWR also specifically notified 39 local state legislators of the hearing by direct mail (*see Exhibit B*), including those who were concerned about a lack of notice at the hearing. Finally, Mr. Neace made a presentation regarding the WAADC at the Idaho Water Resources Board meeting of May 19, 2016 (*see Exhibit C*).

The City's efforts at notifying the public of the hearing were also extensive. City staff and its attorney and consultants met or contacted representatives of Nampa & Meridian Irrigation District, the Boise Project Board of Control, Settler's Irrigation District, Boise-Kuna Irrigation District, the City of Boise, City of Kuna, City of Caldwell, Suez, Inc., the Idaho Department of Environmental Quality, the Treasure Valley Water Users Association and the Idaho Water Users Association to discuss the WAADC and the hearing (*see Exhibit D*). Additionally, the City posted a description, date, time and location of the hearing to its website; used Facebook to inform more than 950 individuals of the hearing; used Twitter to inform more than 1,300 individuals of the hearing; included a flyer notification of the hearing in the City's weekly e-newsletter to 9,147 individuals of whom 1,341 viewed the newsletter; included hearing notification in its weekly video "This Week in Meridian" placed on YouTube (resulting in 52 views on YouTube and 78 views on Facebook); and posted an event notice of the hearing on the social network NextDoor to reach the 10,000 Meridian residents that are members of that network (*see Exhibit E*).

There was some confusion at the June 1, 2016 public hearing over those who would be affected by the designation of the Area of Drilling Concern. Some were concerned that those who own wells had not been specifically notified of the hearing. The concern is unwarranted, as under the designation, only future wells would be affected (although future modifications of existing wells would also be affected). In fact, those likely to be most affected by the designation of the Area of Drilling Concern are Idaho-licensed well drillers, whom were notified of the hearing by IGWA, and whom were well represented at the hearing by both themselves and by IGWA's Executive Director.[1] Others who will be most affected by the designation are those who might buy property outside of the City of Meridian's Impact Area in the future and who determine the need to drill a well on that property. Those future property owners are impossible to notify at this time.

Beyond the issue of public notice of the hearing required by statute, some of the well drillers at the hearing raised concerns that the request for designation of the WAADC is sudden and unexpected. However, Director Spackman, in his article to drillers placed in the Summer 2012 IGWA Bulletin, discussed the possibility of Area of Drilling Concern designations in the future, pointing out that such "could require changes in well drilling methods and thereby affect costs" (*see Exhibit F*). This, coupled with the drillers' previous desire that drilling and well construction rules be enforced on a basin-by-basin basis rather than statewide, makes it clear that

[1] At least some of the well drillers testifying at the hearing have previously contended in the 2009-2010 IDWR-sponsored negotiated rulemaking that changes to enforcement of IDWR's drilling and well construction rules should be on a basin-by-basin basis rather than pursuant to a statewide rulemaking change. The City of Meridian agrees with this contention, and thus has requested that IDWR designate the WAADC both to safeguard the public water supply, and to implement the drillers' desires with respect to the portion of the basin in which the City is located. It is curious that at least some of the drillers now oppose the position for which they have previously advocated.

IGWA and the drillers have known for some time that an Area of Drilling Concern designation was possible.

In summary, the efforts by IDWR and the City of Meridian to notify the interested public not only met the requirements of I.C. §42-238(15), but went far beyond those requirements, and in fact, did reach the population most impacted by the designation. Accordingly, there is simply no reasonable concern that the public was not adequately notified of this hearing on the potential designation of the WAADC.

2. Cost of Wells

Some testimony at the June 1 hearing addressed concern over the future added cost of wells to be drilled under the Area of Drilling Concern. While it is true that wells drilled using the mud-rotary method are more costly than those using the air-rotary method, it is also true that the resulting wells are generally of higher quality and likely to last longer with fewer problems, potentially costing the landowner less in maintenance and replacement costs over the long run. Moreover, if the increased cost of drilling wells is to be a factor in a decision over whether to designate the WAADC, the likely increased cost for water quality treatment in perpetuity due to continued use of air-rotary drilling methods should also be considered. In balancing these two factors, the possible costs of extensive treatment to rectify water quality problems for the majority of the population covered by the WAADC far outweigh additional costs to drill wells serving a much smaller population.

3. Water Supply Protection

Testimony at the June 1 hearing indicated a concern that the City of Meridian has requested designation of the WAADC to force those needing water in the future to obtain their supply from the City rather than drilling their own well. Along with this concern was some discussion of the loss of property rights that the designation might engender. The City wants to make it as clear as possible that its motivation in requesting designation is to protect the water supply for both its citizens and others who are located within or near the WAADC - including those who receive their supply from private wells both currently and in the future.[2] A clean and safe public water supply is absolutely essential for life in southwest Idaho, and the designation of the WAADC is the best method by which to ensure that supply.

Moreover, the designation of the WAADC will absolutely not prevent a private property owner from drilling and constructing their own well, thus the argument that rights are being "taken away" by the designation is illogical. However, the discussion of rights should go both ways: that is, does a private property owner's right to drill a well by whatever method they choose trump the rights of all of those who rely upon the same groundwater to a clean and safe water supply? The City of Meridian's request and supporting report clearly establish that, unless certain drilling methods are required within the proposed WAADC, contaminants will spread through the public water supply, potentially endangering the health of both the majority of the area's population who rely upon wells drilled in a responsible, safe manner, and the minority who in the future rely upon wells that they might insist be drilled in a cheaper, less responsible and ultimately unsafe manner.

---

[2] As a practical matter, the vast majority of families and homeowners within the proposed WAADC boundary receive water from a centralized, regulated, and tested water provider, and only drill a domestic well when municipal water systems do not extend to their area.

4. Summary

In addition to the issues discussed above, the City has addressed the technical issues raised at the June 1, 2016 hearing in a separate attached document entitled, *Proposed West Ada Area of Drilling Concern - City of Meridian's Responses to Technical Issues Raised in Testimony at June 1, 2016 Hearing* (*see Exhibit G*). Additionally, the City has attached letters of support for the designation of the WAADC that are in its possession, some of which likely have been previously received by IDWR (*see Exhibit H*).

It is obvious that the public notice of the potential designation of the WAADC far exceeded legal requirements and was more than adequate to notify both interested and potentially impacted persons and entities. It is also obvious, given the evidence submitted by the City and the testimony taken at the public hearing (where even some drillers testified in support), along with this response to testimony and additional attachments submitted by the City, that the Director should designate the WAADC to protect the health and welfare of the entirety of the public within the proposed boundaries.

The City has meticulously created a compelling and scientifically-defensible case for establishing the WAADC. The report contains over 100 pages of technical documentation which we have developed from over 20 years of data that scientifically substantiates the need for a West Ada Area of Drilling Concern. Once this weighing of concerns is complete, I am confident that the Director will agree that 1) the data is conclusive; 2) the requirements of I.C. §42-238(15) have been satisfied; and 3) that the merits of the request substantiate that the WAADC should be declared.

Thank you again for the opportunity to work with IDWR with respect to the City's request, and for the opportunity to submit these comments. Please contact me with any questions or concerns you may have.

Sincerely,

Thomas H. Barry, P.E.G.
Director of Public Works
City of Meridian

Attachments:

Exhibit A - Spring, 2016 IGWA Newsletter
Exhibit B - Letters of direct notice of hearing from IDWR to entities and individuals
Exhibit C - Idaho Water Resources Board May 19, 2016 Meeting Agenda
Exhibit D - Kyle Radek Memo re: Public Outreach
Exhibit E - Kaycee Emery Memo re: Social media/electronic data public outreach
Exhibit F - Summer, 2012 IGWA Newsletter
Exhibit G - Technical Issues Response
Exhibit H - Letters of Support

Exhibit A

IGWA Bulletin

A MESSAGE FROM THE EXECUTIVE DIRECTOR

LYNN TOMINAGA

This summer we will be following several state agency rulemakings and one collaborative process.

Submersible Pumps: During the 2016 legislative session, IGWA became aware of an issue with submersible pump installation that initially appeared to impact north Idaho drillers and pump installers, but it soon became apparent that this is a statewide issue. The issue arises from Idaho's incorporation by reference of the National Electric Code. Late in the session House Bill 643 was introduced, adopted in both legislative bodies, and signed into law by the governor. Going forward the Idaho Division of Building Safety (IDBS) has adopted an interim policy and undertaken a collaborative process to address the issue. ***(See pages 13-15)*** IGWA will be officially represented by Tom Richardson (north Idaho) and Legrand Baker (southern Idaho) in this process. Any driller or pump installer may participate in this public collaborative process.

During the session, legislation was introduced to allow irrigation districts to drill wells outside district service territories. IGWA opposed the legislation on the grounds that it could create an unfair advantage for the irrigation districts and the private sector.

The Idaho Department of Water Resources (IDWR) has received a petition from the City of Meridian to create an Area of Drilling Concern (ADC). Tom Neace outlines the requirements for drilling in an ADC. ***(See page 7).*** A public hearing on the petition will be held on June 1, 2016. IGWA member Tony Hackett is following the issue as are several local drillers and myself.

We will also be following the rulemaking process to create the Digline Board under the auspices of IDBS when House Bill 454 takes effect on July 1, 2016. And, although no IGWA members appear to be currently engaged in the oil and gas development in southwestern Idaho, IGWA will follow the Idaho Department of Lands' negotiated rulemaking to clarify and revise the rules governing the conservation of oil and natural gas in the state of Idaho.

IGWA has completed its annual series of workshops where drillers earn their Continuing Education Credits for licensure. We would like to thank our sponsors—**Baroid, Flomatic, Franklin Electric, HD Fowler, Robertson Supply, and 2M**—for helping bring these regional workshops to drillers around the state and provide affordable, quality programming to the well drilling community. We will be back next fall, starting on November 18th, in Coeur d'Alene.

As always, it is a pleasure to meet drillers around the state, hear your concerns, and represent your interests.

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June 17, 2016

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By Idaho Oil and Gas Conservation Commission
Chairman Chris Beck, Vice Chairman Margaret Chipman, Jim Classen, Ken Smith, and Sid Cellan

IDAHO OIL & GAS
CONSERVATION COMMISSION

OPINION
For Immediate Release
January 6, 2016

This past year has been a time of expansion for Idaho's oil and gas activity, but also a time of reflection for Idaho's Oil and Gas Conservation Commission. As Commissioners we have the unique opportunity to build a comprehensive framework for oil and gas regulation and development.

Idaho's oil and gas industry is still in the wildcat stage, which is the exploration of oil and natural gas wells drilled in areas with no known or historic production records. Idaho's natural gas production began in 2013. Compare that to some of our neighboring oil and gas producing states: Colorado – 1861, Montana – 1920's, Wyoming – early 1940's, and Utah – 1948.

Here are some of the highlights in Idaho over the past year:
• Alta Mesa finished its oil and gas processing facility and pipeline infrastructure to wells it had previously drilled. These are multimillion-dollar investments; the pipelines alone were a $35 million investment.
• Six wells are now producing. Five went on line between August and October of 2015 with gas and condensate going to the processing facility. Additional permitted and drilled wells may be on line in 2016.
• Just a few weeks ago Alta Mesa began drilling two new wells.

Commission members take our responsibilities seriously. We are looking to and talking with more mature oil and gas producing states. We want to use the best statutes, rules and practices while avoiding difficult lessons learned by others. As part of this process, Commissioners recently went to Utah to observe Board of Oil, Gas and Mining hearings. The delegation spent time talking with Board members and staff and will continue to use them as a resource. Idaho Department of Lands staff is discussing with the Interstate Oil and Gas Compact Commission, made up of oil and gas producing states, the potential to have a peer review of Idaho's statues and rules. Both legislators and industry are supportive of our efforts.

Senator Abby Lee (R) District 9 - "I believe oil and gas production can bring huge benefits to the people of my district and to the people of Idaho if we have the right policies in place. I am pleased the Commission and Department of Lands is concerned about developing the program the right way. It is especially encouraging to know they are reaching out to other more mature oil and gas producing states to learn what has worked and what Idaho should consider."

Continued on page 11

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PROPOSED WEST ADA AREA OF DRILLING CONCERN

BY TOM NEACE, PGE

Idaho Code 42-238(15) authorizes the Director (Director) of the Idaho Department of Water Resources (Department) to designate as he determines necessary "areas of drilling concern" (ADC) within which water well drillers must comply with additional requirements to protect public health and to prevent waste or contamination of ground water or surface water. Wells drilled or modified within an area of drilling concern must comply with additional requirements including:

1) Additional bonding requirements, as determined by the Director.
2) Additional experience and knowledge in drilling wells encountering warm water or pressurized aquifers.
3) Documentation that specialized equipment *(is)* necessary to drill wells in an ADC.
4) Provide a notice of intent to drill, deepen or modify a well, submit plans and specifications, and a description of the drilling methods that will be used in a designated ADC.

The City of Meridian (Meridian) has submitted a petition to the Department for the designation of an ADC in a portion of western Ada County. Meridian's petition for a West Ada Area of Drilling Concern (WAADC) includes a detailed report prepared by Meridian and Hydro Logic, Inc. documenting the hydrogeologic conditions and ground water contamination in the Meridian area. The report provides documentation of the ground water quality and artesian pressures of the different aquifers and sub-aquifers. The boundaries of the proposed WAADC are shown on the map.

The City of Meridian proposes the WAADC to protect the ground water resources by preventing the comingling of ground water from different aquifers and sub-aquifers (production zones). This includes additional sealing and sealing methods necessary to prevent comingling.

The Director is required to conduct a public hearing near the area to determine the public interest in the designation. The hearing will be held on June 1, 2016 at the Mountain View High School Auditorium starting at 6:30pm.

Proposed West Ada Area of Drilling Concern

Notice of Hearing is posted on page 19 and 20.
This information is also available on our website, www.igwa.info

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Water Well Drilling Exempted from Additional Regulation in Final Crystalline Silica Rule

Following comments from the National Ground Water Association and years of deliberation by the U.S. Department of Labor, the final rule governing exposure to crystalline silica was released at the end of March.

The final rule stipulates that for vehicle-mounted drilling rigs no additional measures need to be taken when wet control methods are in use. The exemption from additional respiratory controls is in line with the language suggested in NGWA's comments filed.

The rule is being challenged by several industry groups who believe the law's new restrictions on silica exposure may not be technically feasible, and battles within the court system will likely drag on for years.

The final rule will save the water well drilling industry significant money that would have been necessary if additional exposure control methods were required.

Critical Issues Discussed by NGWA Members in Pair of February Events

NGWA's 2016 Groundwater Fly-In, February 22-23 in Washington, D.C., was attended by 50 participants who attended more than 80 meetings with members of Congress and their staffs.

Attendees spent a half-day on February 22 in a workshop hearing briefings on each issue, as well as presentations from Capitol Hill staff on the legislative agenda for 2016.

More than 100 public and private sector professionals attended several events February 22-23 as part of a "Making Groundwater Sustainable" workshop at the NGWA Fly-In.

The workshop featured two panels: one focused on agriculture and energy development's impact on groundwater, and the other on groundwater scarcity. Each panel was moderated by NGWA's director of science and technology, Bill Alley, Ph.D. The event concluded with a keynote address, given by the U.S. Environmental Protection Agency's top water official, Joel Beauvais, which also served as a kick-off to the legislative conference for NGWA Fly-In attendees.

NGWA also hosted a regional conference where nearly 120 people participated in Hydrology and Water Quality in the Southwest, February 23-24 in Albuquerque, New Mexico.

Daniel B. Stephens, Ph.D., kicked off the event with a well-received keynote address on challenges facing hydrogeologists in light of increasing population pressures, academic program choices, and climate change.

NGWA continued on page 18 & 22

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UNIQUE OPPORTUNITY *continued from page 5*

President, SBS Associates Suzanne Budge - "Fully developing the resource is of benefit to all – mineral interest owners get royalties, the state gets severance fees and in some cases royalties, Idaho gets high paying jobs, and energy is homegrown, leading to state self-sufficiency and more independence as it pertains to energy."

There have been some staff changes this past year at the Idaho Department of Lands, with a new Bureau Chief in place and a hiring process underway for a new Oil & Gas program manager. With the combination of new IDL staff and the extensive research that is underway, the Commission and IDL will not bring forward any statue or rule changes this legislative session. We expect others might bring forward legislation to expedite time frames on applications and clarify informal adjudicative procedures.

Building a strong, comprehensive framework for oil and gas regulation and development will benefit the state, the industry, and local communities. What we hear from industry and citizens is the desire for predictability and consistency.

Idaho has already seen millions of dollars in oil and gas lease bonuses, and now royalties and severance taxes are being generated. Approximately $11,000 in royalties has been received on endowment lands, with about half coming in with the new well production since August. The first couple months of new production also brought in $15,000 in severance taxes, with more than $9,000 going into the Oil and Gas Conservation fund. With lack of historical data, we don't yet know how big of an industry this will be for Idaho.

As the Idaho Oil and Gas Conservation Commissions moves forward in this new frontier, we are committed to executing our statutory responsibilities regulating the oil and gas industry in a way that brings predictability for industry, mineral rights owners and the people of Idaho, while ensuring the conservation of oil and gas and the protection of surface and groundwater.
Edited under the direction of the Idaho Department of Lands, Public Information Officer

The Idaho Oil and Gas Conservation Commission ***regulates the exploration, drilling and production of oil and gas resources to ensure the conservation of oil and gas and the protection of surface and groundwater. The IDL serves the administrative arm of the Commission.***
http://www.idl.idaho.gov/oil-gas/commission/index.html

IDAPA 20.07.02: Rules Governing Conservation of Oil and Natural Gas in the State of Idaho The Idaho Department of Lands (IDL) has commenced a negotiated rulemaking. According to IDL, implementation of the rules approved in 2015 has revealed some changes that are needed for clarity of the rule. In addition, several terms are used throughout the rule that are not defined. Lastly, changes are required due to the recent statute changes enacted during the 2016 legislative session. More information is available at http://www.idl.idaho.gov/rulemaking/20.07.02/index.html

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ISSUE: THE PERMANENT INSTALLATION OF DIRECTLY CONNECTED SUBMERSIBLE WELL PUMPS FOR DOMESTIC WATER AND OR IRRIGATION USE

Warren Wing, Electrical Program Manager
Idaho Division of Building Safety

Background:

The 2016 Idaho Legislature enacted House Bill 643, and the Governor signed that bill on Tuesday, April 5, which changes the regulatory backdrop for the installation of submersible well pumps in lakes and other bodies of water in Idaho. A collaborative effort, between the Division of Building Safety, the Idaho Electrical Board, pump manufacturers, installers, end users, Department of Lands and other interested parties, began on April 15, 2016. This collaborative is tasked with coming up with rules for the safe installation of submersible well pumps within the State of Idaho. During this rules drafting period the Division of Building Safety will approve the installation of submersible well pumps utilizing the following policy.

Policy:

Pending the results of the rulemaking process mandated in House Bill 643 the following interim provisions shall apply to the installations of submersible well pumps employed in lakes, rivers, ponds, and streams in Idaho, and shall supplement the requirements traditionally imposed on such installations:

Listed and approved submersible well pumps may continue to be installed and utilized in the lakes, rivers, streams and ponds of Idaho subject to the following restrictions:

1. All submersible well pumps must be labeled and listed in compliance with UL778 or another approved standard.

2. Article 682.10 does not apply to the specific use of submersible well pumps.

3. Article 682.11 will not apply to service equipment that is located on or at the dwelling unit and not susceptible to flooding.

4. Wiring methods such as HDPE schedule 80 Electrical conduit or its equivalent or greater, clearly marked to indicate it contains electrical conductors shall be approved. It shall be buried whenever possible and in accordance with other regulatory agency policies.

5. Any listed and approved splices required to be made at the submersible well pump itself shall be covered with a heavy duty heat shrink or other equivalent method approved by the Authority Having Jurisdiction. One acceptable method would be to install a heat shrink over the sleeve the submersible well pump is installed in and then recover the heat shrink over the HDPE and the water line. At least 6” shall be over the sleeve and at least 12” over the HDPE and water line.

continued on page 15

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130 East Victory Road ▪ Meridian, ID 83642

Toll Free: 800-235-7875

SUBMERSIBLE WELL PUMPS
continued from page 13

6. Submersible well pumps shall be considered directly connected and shall be anchored in place. Ballast is an acceptable form of anchoring.

7. A motor controller circuit in a non-conductive enclosure shall be accepted as a required disconnecting means it shall be placed no closer than five feet from but within sight of the shoreline. It shall be elevated not less than 12" above the datum plane.

8. An equipotential plane is not required on disconnects with non-conductive enclosures.

9. An equipment grounding conductor shall be sized in accordance with 250.122 but in no case shall be smaller than #12 AWG copper.

10. All circuits rated not more than 60 amperes at 120 through 250 volts, single phase, shall have Ground Fault Circuit interruption or Ground Fault Equipment Protection designed to trip at 30 milliamps or less.

11. Other articles and sections of the adopted National Electric Code not specifically addressed by House Bill 643 may apply.

The hazards associated with electrical equipment in water are very real. During the organizing of the collaborative it was apparent that all parties concerned want to ensure the safe installation of submersible well pumps. I welcome any feedback and concerns you may have with the installation of submersible well pumps in Idaho's lakes and other bodies of water.

Warren Wing
Electrical Program Manager
Idaho Division of Building Safety
Phone: (208) 332-7147
warren.wing@dbs.idaho.gov

IGWA is participating in this collaborative effort. Meetings are being held in Coeur d'Alene, Boise and Pocatello at the IDBS offices where the public may participate either in person or via video conferencing. Tom Richardson and Legrand Baker are IGWA's designated representatives, but any interested party may attend.

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COMMUNITY MILESTONES

Enjoying Rules & Regs

Six-year old Oakley
and dad Scott Tunison (Crux Subsurface)
are **obviously** enjoying IGWA's Rules & Regs at our CEC workshop in Lewiston on April 29th.
The next CEC workshop is scheduled for November 18, 2016 in Coeur d'Alene. Don't miss out on the fun!

Speedy recovery wishes

Roger Buchanan, Andrew Well
Drilling Services, is recovering from a stroke and subsequent heart surgery. His prognosis for a full recovery is excellent.

Cory James, Gregory Drilling in Redmond, WA, is recovering from a heart procedure.

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NGWA *Continued from page 9*

New Video Tool to Help with Private Well Financing Is Available for Groundwater Industry

A new video tool is available for water well contractors to help customers find smart ways to finance needed new well construction or major renovation, NGWA announced.

The video covers financing options including:

- Contractor-offered financing
- Credit cards
- Mortgage options
- Home equity improvement loans
- Line of credit
- Government long-term, low-interest loans.

Not only is the video helpful to water well contractors, it is something water well industry manufacturers and suppliers can provide to their customers—including contractors—to help stimulate domestic well construction and renovation.

Because of the size of the video file, it is recommended the video be made available using the following link via computers, smartphones, tablets, or other devices that connect with the web: *www.youtube.com/watch?v=mQK9UvHnriQ&feature=youtu.be*.

"We encourage you to link to this video from your website, share the link on social media, email the link to your customers, and click on the link while meeting with customers," says Cliff Treyens, NGWA director of general public outreach. You can learn more about well financing at *www.WellOwner.org* under "Find a Contractor".

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF THE PROPOSED CREATION OF A WEST ADA AREA OF DRILLING CONCERN	))))	NOTICE OF PUBLIC HEARING

The Director ("Director") of the Idaho Department of Water Resources ("Department") may designate, as he determines necessary, Areas of Drilling Concern ("ADC") on an aquifer-by-aquifer basis to protect public health and to prevent waste or contamination of ground or surface water. Idaho Code § 42-238(15) authorizes the Director to designate an ADC.

NOTICE IS HEREBY GIVEN, pursuant to Idaho Code § 42-238, that the Department will conduct a public hearing regarding the proposed designation of the West Ada Area of Drilling Concern ("WAADC"):

PUBLIC HEARING FOR PROPOSED CREATION OF THE WAADC

Wednesday, June 1, 2016
6:30 PM
Mountain View High School Auditorium
2000 South Millennium Way
Meridian, Idaho

The Department is considering designation of the WAADC based on a petition it received from the City of Meridian ("Meridian"). Meridian has completed a detailed ground investigation resulting in the following conclusions:

1. Some aquifers underlying the Meridian area are contaminated by naturally occurring arsenic and uranium, as well as anthropogenic contamination including nitrate, pesticides, herbicides, chlorinated solvents, bacteria and other pathogens.
2. Current well industry practices are insufficient to protect the ground water quality. Specific drilling and well construction methods and well sealing requirements are necessary to protect ground water resources.
3. The designation of the ADC is necessary to protect the deeper aquifers used for municipal water supplies.

Wells drilled or modified in a designated ADC may be subject to specific bonding and well construction requirements.

The Department will present information at the hearing regarding statutory authority for designation of an ADC and requirements for drilling or modifying wells within an ADC. The City of Meridian will present information concerning the proposed boundaries of the WAADC, existing contamination, potential for spreading contamination between aquifers and recommendations for constructing wells to prevent spreading contaminants to the deeper aquifers. The hearing will be held in accordance with the Department's Rules of Procedures (IDAPA 37.01.01). These rules may be viewed at the Idaho Department of Administration's website as follows:
http://adminrules.idaho.gov/rules/current/37/0101.pdf

Notice of Public Hearing—Page 1 *continued on page 20*

NOTICE OF PUBLIC HEARING, *continued from page 19*

Information regarding the proposed WAADC, including a map showing the boundaries, the City of Meridian petition for the WAADC and the Department Staff Memorandum evaluation of the petition can be viewed on the Department's website at: (http://idwr.idaho.gov/wells/areas-of-drilling-concern.html)

Information and testimony presented at the hearing on June 1, 2016, will create a record upon which the Director will rely to determine whether designation of the WAADC is appropriate. It is important that well drillers, realtors, well owners and the general public understand the proposed action and participate in the hearing process. Jeff Peppersack, Department Water Allocation Bureau Chief, will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to make an oral presentation regarding the proposed action. Written comments may be submitted to the hearing officer at the hearing or at any time prior to the close of the written comment period on June 15, 2016. Written comments not presented at the hearing should be sent to the Director, Department of Water Resources, PO Box 83720, Boise, Idaho, 83720-0098.

The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. Should you require special accommodations in order to attend, participate in or understand the hearing, please contact the Department at least five days prior to the hearing.

Questions concerning this notice may be directed to the Department's state office at (208) 287-4800 or Regional office at (208) 334-2190.

DATED this 9th day of May, 2016

Gary Spackman
Director

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Idaho Ground Water Association
P.O. Box 2624 Boise, ID 83701-2624
4477 W Emerald, Ste C-250 Boise, ID 83706-2000
P: (208) 381-0294 E: www.igwa.info

NGWA *continued from page 18*

Variety of Products to Keep You Safe at Job Site Offered by NGWA

An assortment of products from NGWA are available for you to consider to stay safe at the job site, including:

- Produced in collaboration with the video production company Training Without Boredom, *Drill Safe, Drill Smart* is a 30-minute DVD produced in an informative but fun fashion that keeps viewers alert to the important details. Suitable to the drilling of both domestic water supply and environmental wells because many of the same hazards apply, the video is not just for new drill crew employees, but also seasoned workers who may need a refresher on safe practices.
  Drill Safe, Drill Smart covers the most common causes of drill site accidents: slips, trips, and falls; materials handling; chemicals; machine guarding; and electrocution. In addition to the video, the DVD includes printable documents—a job safety analysis form, lighting guidelines, pre-trip inspection form, and safety assessment plan.

- *Drill Safe, Drill Smart* and a similar DVD, *Pump Safe, Pump Smart,* are both available in Spanish. The two items are an ideal way to train Spanish-speaking crew members to assure they always practice safe habits when at job sites.

- Detailed discussions on safety are now easy to have with *Safety Meetings for the Groundwater Industry*. A set of 52 sheets printed on two-part carbonless paper, the safety sheets are designed to enable companies to have weekly safety meetings on a different industry-specific subject each week of the year. Each sheet contains talking points, areas to write down related topics and employee recommendations, and employee and manager signatures. Among the topics covered are heat-related illnesses, eye protection, excavation safety, slips and falls, confined spaces, and safe footwear.

- NGWA's *Model Environmental Health and Safety (EHS) Manual–CD* provides a complete safety program manual for those working in the groundwater industry. It can be viewed on a computer or printed and stored in a three-ring binder. It also contains a version you can edit so you can add specific company information. NGWA's 18-page *Employee Safety Manual* handbook is a companion to the *Model Environmental Health and Safety (EHS) Manual–CD* and covers 30 safety-related topics.

To learn more or to purchase these products, visit the NGWA bookstore at *www.NGWA.org*, or call (800) 551-7379 (614-898-7791).

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For more information about how your company can participate in our 2016-2017 programs, please contact our office at (208) 381-0294

Exhibit B

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Idaho Association of Realtors
10116 W. Overland Road
Boise ID 83709

Re: Proposed West Ada Area of Drilling Concern

The City of Meridian (Meridian) has submitted a request to the Idaho Department of Water Resources (Department) for the designation of an "Area of Drilling Concern" (ADC) in a portion of western Ada County. Meridian's request for a West Ada Area of Drilling Concern (WAADC) includes a detailed report prepared by Meridian and Hydro Logic, Inc. documenting the hydrogeologic conditions and ground water contamination in the Meridian area. The report provides documentation of the ground water quality and artesian pressures of the different aquifers and sub-aquifers. The boundaries of the proposed WAADC are shown on the attached map.

Meridian proposes the WAADC to protect the ground water resources by preventing the comingling of ground water from different aquifers and sub-aquifers (production zones). This includes additional sealing and sealing methods necessary to prevent commingling of aquifers of different temperature, water quality or pressure as required by Rule.

Idaho Code 42-238(15) authorizes the Director (Director) of the Department to designate as he determines necessary ADCs within which water well drillers must comply with additional requirements to protect public health and to prevent waste or contamination of ground water or surface water. The Director is required to conduct a public hearing near the area to determine the public interest in the designation of the WAADC. A hearing has been scheduled:

Wednesday, June 1, 2016
6:30 PM
Mountain View High School Auditorium
2000 South Millennium Way
Meridian, Idaho

Information regarding the proposed WAADC, including a map showing the boundaries, the City of Meridian petition for the WAADC and the Department Staff Memorandum evaluation of the petition can be viewed on the Department's website at: (http://idwr.idaho.gov/wells/areas-of-drilling-concern.html). If you have any questions, feel free to call me at 208-287-4935.

Sincerely,

Thomas F. Neace, P.G.
Manager, Ground Water Protection Section

Exhibit B

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Idaho Association of Commerce and Industry
816 W. Bannock Street, Suite B5
P.O. Box 389
Boise, Idaho 83701

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Central District Health Department
Attn: Mike Reno
707 N. Armstrong Place
Boise, Idaho 83704

Re: Proposed West Ada Area of Drilling Concern

The City of Meridian (Meridian) has submitted a request to the Idaho Department of Water Resources (Department) for the designation of an "Area of Drilling Concern" (ADC) in a portion of western Ada County. Meridian's request for a West Ada Area of Drilling Concern (WAADC) includes a detailed report prepared by Meridian and Hydro Logic, Inc. documenting the hydrogeologic conditions and ground water contamination in the Meridian area. The report provides documentation of the ground water quality and artesian pressures of the different aquifers and sub-aquifers. The boundaries of the proposed WAADC are shown on the attached map.

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Building Contractors Association
of Southwestern Idaho
6206 N. Discovery Way, Suite A
Boise, Idaho 83713

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The City of Meridian (Meridian) has submitted a request to the Idaho Department of Water Resources (Department) for the designation of an "Area of Drilling Concern" (ADC) in a portion of western Ada County. Meridian's request for a West Ada Area of Drilling Concern (WAADC) includes a detailed report prepared by Meridian and Hydro Logic, Inc. documenting the hydrogeologic conditions and ground water contamination in the Meridian area. The report provides documentation of the ground water quality and artesian pressures of the different aquifers and sub-aquifers. The boundaries of the proposed WAADC are shown on the attached map.

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Jim Tibbs
Ada County Commission
200 West Front Street
Boise, Idaho 83702

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

David Case
Ada County Commission
200 West Front Street
Boise, Idaho 83702

Re: Proposed West Ada Area of Drilling Concern

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Sincerely,

Thomas F. Neace

Thomas F. Neace, P.G.
Manager, Ground Water Protection Section

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Rick Yzaguirre
Ada County Commission
200 West Front Street
Boise, Idaho 83702

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Meridian Chamber of Commerce
215 E. Franklin Road
Meridian, Idaho 83642

Re: Proposed West Ada Area of Drilling Concern

The City of Meridian (Meridian) has submitted a request to the Idaho Department of Water Resources (Department) for the designation of an "Area of Drilling Concern" (ADC) in a portion of western Ada County. Meridian's request for a West Ada Area of Drilling Concern (WAADC) includes a detailed report prepared by Meridian and Hydro Logic, Inc. documenting the hydrogeologic conditions and ground water contamination in the Meridian area. The report provides documentation of the ground water quality and artesian pressures of the different aquifers and sub-aquifers. The boundaries of the proposed WAADC are shown on the attached map.

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Idaho Code 42-238(15) authorizes the Director (Director) of the Department to designate as he determines necessary ADCs within which water well drillers must comply with additional requirements to protect public health and to prevent waste or contamination of ground water or surface water. The Director is required to conduct a public hearing near the area to determine the public interest in the designation of the WAADC. A hearing has been scheduled:

Wednesday, June 1, 2016
6:30 PM
Mountain View High School Auditorium
2000 South Millennium Way
Meridian, Idaho

Information regarding the proposed WAADC, including a map showing the boundaries, the City of Meridian petition for the WAADC and the Department Staff Memorandum evaluation of the petition can be viewed on the Department's website at: (http://idwr.idaho.gov/wells/areas-of-drilling-concern.html). If you have any questions, feel free to call me at 208-287-4935.

Sincerely,

Thomas F. Neace, P.G.
Manager, Ground Water Protection Section

Exhibit B

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Jim Rice
District 10, Caldwell
1011 Teton Ave
Caldwell, Idaho 83605

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Brandon A. Hixon
District 10, Caldwell
House Seat A
910 N. Plateau Ave.
Caldwell, Idaho 83605

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Greg Chaney
District 10, Caldwell
House Seat B
11968 Colonial Drive
Caldwell, Idaho 83605

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Patti Anne Lodge
District 11, Huston
P.O. Box 96,
Huston, Idaho 83630

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Gayle L. Batt
District 11, Wilder
House Seat A
25253 Graphic Lane
Wilder, Idaho 83676

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Christy Perry
District 11, Nampa
House Seat B
8791 Elkhorn Lane,
Nampa, Idaho 83686

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Todd M. Lakey
District 12, Nampa
34 S. Bingham St.,
Nampa, Idaho 83651

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Robert Anderst
District 12, Nampa
House Seat A
7401 E. Grey Lag Dr.,
Nampa, Idaho 83687

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Rick D. Youngblood
District 12, Nampa
House Seat B
12612 Smith Ave.
Nampa, Idaho 83651

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Curt McKenzie
District 13, Nampa
412 W. Franklin St.
Boise, Idaho 83702

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
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May 20, 2016

Representative Brent J. Crane
District 13, Nampa
House Seat A
P.O. Box 86
Nampa, Idaho 83653

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Gary E. Collins
District 13, Nampa
House Seat B
2019 E. Massachusetts
Nampa, Idaho 83686

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Marv Hagedorn
District 14, Meridian
5285 W. Ridgeside St.
Meridian, Idaho 83646

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Wednesday, June 1, 2016
6:30 PM
Mountain View High School Auditorium
2000 South Millennium Way
Meridian, Idaho

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Sincerely,

Thomas F. Neace, P.G.
Manager, Ground Water Protection Section

Exhibit B

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Mike Moyle
District 14, Star
House Seat A
480 N. Plummer Rd.
Star, Idaho 83669

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Reed DeMordaunt
District 14, Eagle
House Seat B
1017 S. Arbor Island Way
Eagle, Idaho 83616

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Fred S. Martin
District 15, Boise
3672 Tumbleweed Pl.
Boise, Idaho 83713

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Lynn M. Luker
District 15, Boise
House Seat A
514 S. El Blanco Dr.
Boise, Idaho 83709

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Patrick McDonald
District 15, Boise
House Seat B
13359 West Annabrook Dr.
Boise, Idaho 83713

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Grant Burgoyne
District 16, Boise
2203 Mountain View Dr.
Boise , Idaho 83706

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative John McCrostie
District 16, Garden City
House Seat A
7820 W. Riverside Drive
Garden City, Idaho 83714

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Hy Kloc
District 16, Boise
House Seat B
3932 Oak Park Pl
Boise, Idaho 83703

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
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May 20, 2016

Senator Maryanne Jordan
District 17, Boise
312 N. Atlantic St.
Boise, Idaho 83706

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative John Gannon
District 17, Boise
House Seat A
2104 S. Pond Street
Boise, Idaho 83705

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Sue Chew
District 17, Boise
House Seat B
1304 Lincoln Ave.
Boise, Idaho 83706

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C.L. "BUTCH" OTTER
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GARY SPACKMAN
Director

May 20, 2016

Senator Janie Ward-Engelking
District 18, Boise
3578 S. Crosspoint Ave.
Boise, Idaho 83706

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Ilana Rubel
District 18, Boise
House Seat A
2750 Migratory Dr.
Boise, Idaho 83706

Re: Proposed West Ada Area of Drilling Concern

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Wednesday, June 1, 2016
6:30 PM
Mountain View High School Auditorium
2000 South Millennium Way
Meridian, Idaho

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Sincerely,

Thomas F. Neace, P.G.
Manager, Ground Water Protection Section

Exhibit B

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Phylis K. King
District 18, Boise
House Seat B
2107 Palouse
Boise, Idaho 83705

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Cherie Buckner-Webb
District 19, Boise
2304 W. Bella St.
Boise, Idaho 83702

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Mathew W. Erpelding
District 19, Boise
House Seat A
P.O. Box 1697
Boise, Idaho 83701

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Melissa Wintrow
District 19, Boise
House Seat B
1711 Ridenbaugh
Boise, Idaho 83702

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Chuck Winder
District 20, Boise
5528 N. Ebbetts Ave.
Boise, Idaho 83713

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Joe Palmer
District 20, Meridian
House Seat A
1524 N. Meridian Rd.
Meridian, Idaho 83642

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative James Holtzclaw
District 20, Meridian
House Seat B
3720 N. Heritage View Ave.
Meridian, Idaho 83646

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Manager, Ground Water Protection Section

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Clifford R. Bayer
District 21, Meridian
592 E. St. Kitts Dr
Meridian, Idaho 83642

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Steven Harris
District 21, Meridian
House Seat A
851 E. Martinique Dr.
Meridian, 83642

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Thomas Dayley
District 21, Boise
House Seat B
4892 S. Willandra Way
Boise, Idaho 83709

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Senator Lori Den Hartog
District 22, Meridian
P.O. Box 267
Meridian, Idaho 83680

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative Jason A. Monks
District 22, Meridian
House Seat B
1280 W. Clarinda
Meridian, Idaho 83642

Re: Proposed West Ada Area of Drilling Concern

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 20, 2016

Representative John Vander Woude
District 22, Nampa
House Seat A
5311 Ridgewood Rd.
Nampa, Idaho 83687

Re: Proposed West Ada Area of Drilling Concern

The City of Meridian (Meridian) has submitted a request to the Idaho Department of Water Resources (Department) for the designation of an "Area of Drilling Concern" (ADC) in a portion of western Ada County. Meridian's request for a West Ada Area of Drilling Concern (WAADC) includes a detailed report prepared by Meridian and Hydro Logic, Inc. documenting the hydrogeologic conditions and ground water contamination in the Meridian area. The report provides documentation of the ground water quality and artesian pressures of the different aquifers and sub-aquifers. The boundaries of the proposed WAADC are shown on the attached map.

Meridian proposes the WAADC to protect the ground water resources by preventing the comingling of ground water from different aquifers and sub-aquifers (production zones). This includes additional sealing and sealing methods necessary to prevent commingling of aquifers of different temperature, water quality or pressure as required by Rule.

Idaho Code 42-238(15) authorizes the Director (Director) of the Department to designate as he determines necessary ADCs within which water well drillers must comply with additional requirements to protect public health and to prevent waste or contamination of ground water or surface water. The Director is required to conduct a public hearing near the area to determine the public interest in the designation of the WAADC. A hearing has been scheduled:

Wednesday, June 1, 2016
6:30 PM
Mountain View High School Auditorium
2000 South Millennium Way
Meridian, Idaho

Information regarding the proposed WAADC, including a map showing the boundaries, the City of Meridian petition for the WAADC and the Department Staff Memorandum evaluation of the petition can be viewed on the Department's website at: (http://idwr.idaho.gov/wells/areas-of-drilling-concern.html). If you have any questions, feel free to call me at 208-287-4935.

Sincerely,

Thomas F. Neace

Thomas F. Neace, P.G.
Manager, Ground Water Protection Section

Exhibit C

Proposed West Ada Area of Drilling Concern

Presented by Thomas Neace, P.G.

Manager, Ground Water Protection Section - Idaho Department of Water Resources

Exhibit C

Regulatory Authority

- Idaho Code 42-238 (15)
  - Authorizes the Director to designate, “Areas of Drilling Concern” (ADC) to protect the ground water resources
  - ADC provides for additional requirements to protect public health and prevent waste of water when drilling and completing a well
  - ADC defines how wells are completed and can include specific drilling methods
  - Applies to both new wells and wells deepened or modified within the ADC

Exhibit C

Regulatory Authority

- Specific Requirements in Idaho Code Include:
  - Additional Bonding Requirements - the driller must have at least a $10,000 bond posted with their drilling company license.
  - Additional Experience and Knowledge in drilling wells encountering warm water or pressurized aquifers as required by the rules.
  - Document that any specialized equipment needed or required is available to the driller.

Exhibit C

Regulatory Authority

- Long form permit only - subject to conditions
- Requires a notice of intent to drill, deepen or modify a well.
- Submit plans and specifications
- Submit drilling methods that will be used
- Receive written approval of the Director before commencing to drill, deepen or modify any well in a designated ADC.

Exhibit C

Regulatory Authority

- Prior to designating an ADC, the Director must
  - Conduct a Public Hearing in the area to determine public interest
  - Publish notice in two consecutive weekly issues of a newspaper of general circulation in the area prior to the hearing. May 19th and 26th.
  - In addition to the above requirements, the Department has posted the notice and related documents on the Department Website.

Exhibit C

Public Outreach

The Department notified:

- Building Contractors Association
- Association of Idaho Realtors
- Idaho Association of Commerce and Industry
- Local elected officials
- Idaho Ground Water Association
- Department Website provides all of the documents including the staff memorandum, and the full Meridian report.

Exhibit C

Public Outreach

- IGWA sent the public notice to all email addresses they have for the drilling industry
- Meridian provided public outreach through social media sites including Facebook, Twitter and Nextdoor.
- Meridian has also notified other major water providers, Suez (formerly United Water) and City of Kuna.

Exhibit C

Areas of Drilling Concern

- Currently Idaho has two (2) designated areas of drilling concern:
  - Bunker Hill Superfund Site near Kellogg, Idaho. Ground water is contaminated with Heavy Metals
  - West Boise Area of Drilling Concern. Ground water contamination from a perchlorethylene (Perc) plume

Exhibit C

City of Meridian Request

- Meridian has proposed a West Ada Area of Drilling Concern to protect ground water quality
- Meridian has conducted a detailed hydrogeologic study regarding the aquifers beneath and near Meridian
- The study has identified both naturally occurring and human caused ground water contamination and poor well construction

Proposed West Ada Area of Drilling Concern

Exhibit C

Exhibit C

Contamination in the Aquifers

- Anthropogenic contamination is present generally in the upper aquifers.
  - DEQ has designated a Nitrate Priority Area in portions of the proposed WAADC
  - A perchlorethylene (PERC) plume as a result of a leaking chemical tank is present on the eastern portion of the WAADC. (Boise Mall)
  - Shallow ground water generally is susceptible to surface contamination including bacteria, septic tank effluent, leaking underground storage tanks, fertilizers, pesticides and other chemicals

Exhibit C

Contamination in the Aquifers

- Meridian hydrogeologic study has identified naturally occurring contamination in the subsurface.
- Arsenic and uranium were detected in certain aquifers or production zones
- Depth discrete sampling has shown that different aquifers have different pressures and chemistries
- Sampling also defined a zone between approximately 200 and 300 feet that is contaminated with uranium above drinking water standards.

Exhibit C

Contamination in the Aquifers

- The deeper aquifer (below 500 feet) generally has better water quality
- The City of Meridian wants to protect the deeper aquifer where their municipal wells are constructed to obtain water
- An ADC in the Meridian area could help provide source water protection for current and future water needs

Exhibit C

Drilling Methods

- Most wells in the area are drilled with either air rotary or cable-tool drilling methods
- Both of these methods can cause large voids to form around the well casing during drilling
- These voids allow for comingling of aquifers of different pressures and chemistries to be mixed
- Contaminated water from one aquifer can contaminate other aquifers and production zones

Exhibit C

Proposed Management Practices

- Require a long form drilling permit, eliminate the use of start-cards
- Require a drilling prospectus with each permit application regarding drilling methods and well completion
- Require approved drilling contractors
- Require mud-rotary drilling methods
- Require additional documentation and reporting forms

Exhibit C

Proposed Management Practices

- Require full depth casing seals to the production zone
- Require pumped grout annual seals
- Require PVC plastic or high-strength/low-alloy steel well casing
- Require installation of stainless steel well screens
- Require water quality sampling of new wells
- Require special well decommissioning procedures

Exhibit C

Proposed Management Practices

- Recommend borehole geophysical logging of new wells
- Recommend hydraulic testing of all new wells
- Recommended camera inspection of all new wells
- Recommended installation of monitoring tubes on each new well
- Recommended well head security

Exhibit C

Summary

- City of Meridian has submitted a request to the Department for an ADC
- The purpose of the ADC is to protect ground water quality by requiring better well construction
- Department prepared a staff memorandum which found sufficient technical data to consider an ADC in the Meridian area

Exhibit C

Summary

- The Department is requesting any verbal or written testimony from stakeholders and the public regarding the proposed ADC
- The Public hearing tonight provides an opportunity to provide testimony regarding the proposed ADC
- The Department will accept written comments until June 15, 2016

Exhibit C

Exhibit D

Mayor Tammy de Weerd
City Council Members:
Keith Bird Joe Borton
Luke Cavener Genesis Milam
Charlie Rountree David Zaremba

MEMORANDUM

DATE: June 7, 2016

TO: West Ada Area of Drilling Concern File

FROM: Kyle Radek, PE, Assistant City Engineer

RE: West Ada Area of Drilling Concern- City Public Notification Efforts

The purpose of this memorandum is to document the City's efforts at public notification regarding the public hearing for the West Ada Area of Drilling Concern (WAADC) on June 1, 2016.

I was personally involved in outreach to several stakeholder groups in the weeks preceding the hearing. In addition, the City has outreached to some stakeholders multiple times over time spans of over 3 years. Also involved in the outreach process were: Mayor Tammy deWeerd, the City's hydrogeologist, Ed Squires, project attorney Charlie Honsinger, Public Works Director Tom Barry, and City Engineer Warren Stewart. The following table summarizes the contacts made by whom and when.

Stakeholder Group	Forum	City Representatives	Date
Idaho Department of Environmental Quality	Meeting with various staff including Ed Hagan, Amy Williams, Julia Achabal, Todd Crutcher, and Kevin Ryan	Radek, Squires	4/12/16
County Commissioners / Ada County Development Services Director	Meeting with Commissioner Tibbs / Phone Conversation and emails with Planning Director Megan Leatherman	Radek, DeWeerd	Various
Meridian City Council and general public	City Council Presentation	Radek	5/10/16
Idaho Water Resources Board	Board Meeting	Radek, Squires, Honsinger	5/19/16

Idaho Water Users Association and Boise Project Board of Control, Boise-Kuna Irrigation District	Meeting with Norm Semanko and Al Barker	Radek, Squires, Honsinger	5/16/16
Nampa & Meridian Irrigation District and Settlers Irrigation District	Meeting with district legal counsel and staff	Radek, Squires, Honsinger	5/10/16
Suez (United Water)	Several regular meetings with president and key staff	Radek, Barry, Stewart	Various
City of Boise	Phone conversation and emails with Steve Burgos	Radek	Various
Treasure Valley Water Users Association	Regular Meeting	Radek	5/11/16
City of Caldwell	Phone conversations and Meetings with Public Works Director Brent Orton	Squires	Various
City of Kuna	Phone Conversations and Meetings with Public Works Director/City Engineer Gordon Law	Squires	Various

Exhibit E

Mayor Tammy de Weerd
City Council Members:
Keith Bird
Joe Borton
Luke Cavener
Genesis Milam
Ty Palmer
Anne Little Roberts

June 6, 2016

MEMORANDUM

TO: Kyle Radek, City of Meridian Public Works Dept.

FROM: Kaycee Emery, City of Meridian Communications Manager

RE: Area of Drilling Concern Public Hearing Outreach

Working with Kyle Radek, City of Meridian Public Works Department, we utilized the City's communications channels to reach residents including social media, our website, and the e-newsletter we produce every two weeks. Communication efforts began two weeks prior to the Public Hearing on June 1, 2016.

Facebook

May 31 Evening Post- 107 Reach (viewed in timelines)

May 31 Afternoon Post - 456 Reach (viewed in timelines) and 1 Share

May 27 Post - 400 Reach (viewed in timelines)

Twitter

May 31 post- 579 Impressions (times people saw this post), 16 Total Engagements (times people interacted with post)

May 27 post - 3 link clicks (clicked on the link to the website), 2 retweets (shared post with their followers), 763 Impressions (times people saw this post), 16 Total Engagements (times people interacted with post)

City of Meridian Website

Posted to Community Calendar and CityNews Page on May 17, 2016, included Flyer and Report

City of Meridian e-newsletter

Included Flyer in e-newsletter and link to website in calendar - 9,147 received it, 1,341 viewed it

Included in This Week in Meridian Video:

https://www.youtube.com/watch?v=HDSZ3BBkRdA&index=1&list=PL2i_hVahWFbDS-IDnuR9AuhoyUSWgO0dT

52 Views on YouTube, 650 People Reached on Facebook with 78 views

NextDoor

Posted as event for all City of Meridian residents to see: https://nextdoor.com/events/669130/

There are over 10,000 people on NextDoor and the events show up on their timeline

Sample FB and Twitter Posts:

Exhibit F

IGWA Bulletin

IGWA & IDWR: A cooperative, progressive, and professional relationship.... furthering our mutual interests

Gary Spackman, IDWR Director

Years ago when I was a boy scout, we used to sing a camp fire song about a guy named Eddie who fell into a well. Eddie's full name was "Eddie Cutchie Catcha Camma Terra Nerra Toka Noka Samma Camma Whacky Brown." (These are real lyrics, you can google them on the internet.) The story of the song is that Susie Brown (presumably a relative) saw Eddie fall in. Susie Brown frantically told her mother about the fall down the borehole, repeating Eddie's full name. Susie's mother told another person, again repeating Eddie's full name. By the time the information was relayed through three or four people who repeated his name in full, Eddie drowned.

This is not an article about proper capping of a well casing. Instead, two other analogies can be drawn from the song. First, there is risk of failure when processes to accomplish something good are long and difficult. Second, extended name calling never benefitted anyone.

In the last few years, I have been very happy with the relationship between the Idaho Ground Water Association, the larger well drilling community, and the Idaho Department of Water Resources ("IDWR"). The degree of understanding and cooperation has increased. The licensed well drillers of Idaho should be recognized for a large share of the credit in this cooperative relationship.

Hopefully, IDWR staff has been more responsive and timely in issuing permits, tags, licensing drillers, and in timely and regularly visiting well construction sites. I hope, in all of these interactions, that IDWR has gone beyond the regulatory functions of the job, and has also offered technical knowledge and assistance.

As IDWR's partner, I know the Idaho Ground Water Association has been keenly interested in improving the construction of wells in Idaho and protecting the ground water resource upon which we all rely. I'm aware that many drillers have employed and even pioneered innovative changes to their methods of construction. Having clean, uncontaminated ground water for drinking and other uses is critical for everyone in the state of Idaho.

As demands for a limited supply of water increase, there are challenges ahead of us. Right now, questions are being raised about the threshold temperature of 85° F between cold water and low temperature geothermal water. Some think the statutes that establish any ground water over 85° F as low temperature geothermal water should be amended to raise the temperature threshold. There would likely be resistance to any attempt to change the statutes because of vested water rights and uses that could be impacted. In addition, some would like the director to quickly allow use of low temperature geothermal water for uses other than the heat value.

Some have recently advocated the creation by IDWR of additional areas of drilling concern. Although IDWR has not received a formal petition, any future area of drilling concern designations by IDWR could require changes in methods of well drilling and thereby affect associated costs.

continued on page 5

FROM OUR EXECUTIVE DIRECTOR

Not wanting to tempt fate, I hesitate to report that **so far** all is quiet on the home front. The word on the street is that business is picking up; some well-drillers are reporting a busy, productive summer; so maybe the economy may be turning around. Let's hope that is true!

Charlie Fox, Crisis Fund Chairman, is planning a fundraiser for September 22nd at the Boise Gun Club in Kuna, Idaho. Be sure to check out the *Community Milestones (page 13)* for more information.

Here in the office, we are beginning to think about the fall membership drive, winter conference, and the 2013 legislative session.

Legislatively, we have been working with other stakeholders and IDWR to update the rules for Class V and Class II injection wells. The rules were adopted 20 years ago so it is time for some revisions and retaining state primacy for the program remains a top priority. Brian Ragan, IDWR, provided some excellent background information on the rulemaking in the Spring newsletter. And I have provided a summary about some of the issues at the table (*page 7*).

The Idaho Water Resource Board also completed a lengthy process to update the State Water Plan. The public comment period is open through September 21, 2012 and IWRB is also holding a series of information meetings and public hearings around the state. The schedule is listed in *Community Milestones* (*See page 13*) If adopted by IWRB, the Plan is expected to be presented to the legislature in 2013.

As of now we are aware of two other issues that may interest IGWA members. Idaho Association of Commerce & Industry (IACI) wants to eliminate the personal property tax and the Idaho Damage Prevention Coalition may propose changes to the "Dig Law". The upcoming session will be interesting in that a 25 to 40% turnover is expected among legislators depending on the November elections.

We are pleased to introduce our new Continuing Education Chairman, David Baker, in this issue. David replaces Tom Richardson whose term as IGWA's President started in January. Be sure to check out David's article (*page 15*).

Brenda and I will soon finish our first full year on the job. We hope the membership remembers it as a success. Any feedback you may have for us is welcome, especially when it comes to topics and/or speakers for the winter conference or CEC workshops. Enjoy the rest of your summer!

Lynn Tominaga

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continued from page 1 ***IGWA & IDWR...the path forward:***

Finally, there will probably be public pressure to change laws related to use of water for domestic use. These pressures could be exerted in the areas of water rights, regulation of water use, or in the area of well construction.

All of the issues discussed above are matters of public policy where the public interest is paramount. The process to address them could be long and difficult. It is important for me and IDWR staff to be able to count on the Idaho Ground Water Association as an active, cooperative partner when we are confronted with these and other issues. As these issues arise, I commit that IDWR will engage the Idaho Ground Water Association in any discussions and formal proceedings. I also commit that IDWR values your input and professional expertise. As in almost any issue where there may be differing points of view, the outcomes may not completely please everyone. Nonetheless, if we can maintain the cooperative, progressive, and professional relationship I've observed between the Idaho Ground Water Association and IDWR, I'm optimistic we can find a path forward that will be acceptable to all. Thanks again for your help in furthering our mutual interests in Idaho's ground water resources.

On July 11th, Governor Otter appointed Gary Spackman as the permanent Director of the Idaho Department of Water Resources. Spackman was the interim director for the past three years. A 26-year veteran of the Department, he also served as the manager of the Western Regional Office and administrator of the Water-Management Division. He is a registered civil engineer and practiced law in southeastern Idaho prior to his employment with the state.

Exhibit G

Proposed West Ada Area of Drilling Concern

City of Meridian's Responses to Technical Issues Raised in Testimony at June 1, 2016 Hearing

1. The Area of Drilling Concern Prevents Future Contamination – Individuals at the hearing asserted that IDWR should wait until there is a contamination problem with the aquifer to designate the Area of Drilling Concern. What these individuals fail to recognize is that there already are several existing contamination problems (as documented by the City's report) that will spread unless enhanced drilling and well construction practices are put in place to prevent cross contamination between stratigraphic layers of the aquifer system. The mention of recent water contamination problems in Flint, Michigan's drinking water at the hearing was entirely apropos, but is in fact a diminishment of the contamination problems that could occur here absent well drilling and construction improvements to pro-actively prevent the spread of contaminants throughout the entire aquifer system comprising the water supply for many, many people in the Treasure Valley. In Flint, the infrastructure causing the contamination problem can be replaced – contrariwise, in the Treasure Valley, once the sub-surface aquifer system is contaminated, it cannot be "uncontaminated." The only method of addressing such a problem is through expensive and permanent water treatment solutions that create a very toxic waste by-product.

2. Sand Cannot Seal Wells – An assertion was made in testimony that unconsolidated sands collapsing against well casing during the air-rotary drilling/construction process results in the sealing of that well. That assertion is patently false. Sand layers are entirely water-permeable. Many productive aquifer layers in the Treasure Valley are composed primarily of sands. The assertion that collapsed sands can seal a well is clearly not supported by the evidence.

A companion statement that the driller knows when a "well casing is sealed because he can't pull back the drive-shoe" likewise has no basis in fact. For example, a six-inch diameter casing could be telescoped inside of a 6-foot diameter borehole and the drive-shoe would still be locked in place by physics. The inability to extract an oversized drive-shoe welded to the end of a well casing is completely unrelated to whether the casing is sealed. However, this situation does illustrate the superiority, in terms of the customer's final product and cost, of direct mud-rotary drilling over air-rotary drilling because under mud-rotary methodology, many options to complete the well remain open, not just the singular option of drilling deeper to which air rotary methodology is limited (which coincidentally will also result in additional costs to the customer).

Finally, a drilling contractor testified that although air rotary methodology produces "a pot load of sand" at land surface (that is in fact the byproduct of the creation of voids in the aquifer that permit cross contamination of stratigraphic layers), mud rotary drilling similarly produces large volumes of sand. Apparently this testimony was calculated to introduce the idea that mud rotary drilling causes the same voids as does air rotary drilling. Based upon the City's and Hydro Logic, Inc.'s extensive experience drilling mud rotary wells, it is extremely rare for the technology to produce large volumes of sand at the

surface, and likewise extremely rare that the borehole caliper logs show voids or enlargements in a mud-rotary drilled well bore completed by an experienced mud-rotary driller.

3. Results Using Mud Rotary Drilling Are Certain – Testimony was given by a driller that it is completely unknown whether a well drilled using mud rotary methodology will be productive in any way until it is completed. This statement is simply untrue. In fact, the City of Meridian has never had a failure obtaining an adequate supply of water from its mud rotary-drilled wells.

4. Drilling Domestic Wells – Concerns were raised about the possibility of drilling a domestic well to the 200 foot level using air-rotary methods and then being forced to stop in the event that a productive water-bearing layer is not reached. There are two very simple answers to this concern: (1) drill the well using mud rotary methodology to begin with (the mud rotary-drilled well will be of better construct, will be sealed against potential contaminants, will likely last longer, will be more likely to be productive as discussed above, and will result in better long-term customer satisfaction); or (2) drill an 8-inch hole using the air rotary method to 200 feet – if it is unproductive, mud rotary methodology can be used to drill the well deeper than 200 feet.

Of the two options, the preferred would be to begin drilling the well using mud rotary technology that seals it to ensure that the voids created using air rotary methodology do not damage the protective stratigraphic layering of the upper 200 feet of the aquifer system. (The City of Meridian believes that the upper 200 feet of the system should be drilled using only direct mud-rotary methodology and that every well should have a full depth grout seal outside its casing to ensure that no further spread of contaminants occurs into deeper aquifer layers). The simple fact is that, by using borehole geophysical logs (that are not the "crap" they were alleged to be at the hearing), drillers of virtually any experience will be able to avoid the concerning scenarios raised at the hearing, and will be able to construct a well that provides far more than the 18 gallons per minute of water that is permitted for domestic water wells under Idaho law.

5. Cement Grout Does Not Contaminate the Water Supply – A drilling contractor testified about his concerns that the cement grout used to seal wells during mud-rotary drilling would contaminate the aquifer. The fact is that there is no risk of ground water contamination from any constituent or byproduct of Portland cement. As the City of Meridian has found during its extensive experience using mud-rotary drilling methodology, the grout is not forced "out into the aquifer formation" despite testimony to the contrary. It is true that inexperienced drilling contractors using cement can cause problems to the individual well they are constructing, but this is in no way an aquifer or contamination issue.

6. Mud-Rotary Drilling Is Appropriate in the Kuna Area – The Kuna area was used in testimony as an example of an area that allegedly has no monitoring wells similar to those Meridian used to document the need for the WAADC, and as an area for which mud rotary drilling would have not applicability. Both assertions are erroneous. In fact, Kuna has many such monitoring wells as it seeks to

avoid unsuitable water quality and certain contaminants in the aquifer system in exactly the same manner as Meridian. Additionally, the City of Kuna and others regularly use mud-rotary drilling with better results than air-rotary drilling. In fact, air-rotary drilling is absolutely the wrong method for drilling the sedimentary aquifer section near Kuna as it causes loose river cobbles under the basalt cap prevalent in the area to cave and void out under those basalt flows. This results in a plethora of problems to well construction and ultimate ground water quality which are well documented in water well projects in the area.

7. Damage to the Aquifer System Is Already Being Caused by Air Rotary Drilling – One drilling contractor raised the concern that "if the wrong people are using mud-rotary drilling, it can cause a lot of damage." The problem with this statement is that we don't know who the "wrong people" are or what problems they may cause. Moreover, every air-rotary well drilled is causing irreparable damage to the aquifer system. It is time to stop the inescapable damage caused by every air-rotary drilled well (there are many thousands of these within the area), even at the expense of a few mud-rotary drilled wells that may cause damage (although such damage is extremely unlikely).

Another comment made at the hearing was "if these wells are being contaminated, then they should be sealed." This comment entirely misses the point of the requested WAADC designation. The fact is that contamination is being spread through aquifer levels by unsealed wells. It is not that "just" certain wells are being contaminated; it is that all air rotary-drilled wells are conduits for the spread of contaminants. Thus, all wells should be sealed to prevent further contamination, not just those "thought" to be contaminated.

There appeared to be a sense from some of those testifying and commenting at the hearing that designation of the WAADC has merit only if there is existing clear and defined contamination within the aquifer. The City has clearly shown that the threat of contamination is present across the entire aquifer system, and has requested designation of the WAADC to prevent the otherwise inevitable spread of that contamination caused by air-rotary drilled wells with unsealed casings.

8. Current Shallow Wells Are Not Commingling Aquifer Pressures – One drilling contractor asked "if these air-rotary drilled wells comingle aquifer pressures as much as asserted by the City, why hasn't there been a big decline in water levels in existing wells?" The answer is that the preponderance of domestic wells in the proposed WAADC are shallow (as explained in the City's report). Thus, most of these domestic air-rotary drilled wells have similar depths and similar aquifer pressures. However, in deeper air-rotary drilled domestic wells, this pressure transfer and waste of artesian pressure is definitely occurring. Moreover, if air-rotary drilled wells are completed deeper than the shallow aquifer (200 feet and above), further pressure transfer and waste of artesian pressure will occur (along with the transfer of cross contaminants between stratigraphic aquifer layers). The City hopes this damage is prevented by designation of the WAADC.

9. Mud-Rotary Wells Will Cost Only 2 to 3 Times as Much as Air-Rotary Wells – There was an assertion at the hearing that a mud-rotary drilled well would cost the well owner 4 to 5 times as much as an air-rotary drilled well. This is untrue and inaccurate. The City has fairly presented current drilling cost information establishing that mud rotary-drilled wells will cost only 2 to 3 times as much as air rotary-drilled wells (see Table 6, to the City of Meridian Request for Designation of WAADC). These costs can be expected to become lower over time with as more drillers become familiar and experienced with mud-rotary drilling methodology.

10. IDWR's Planned Computer Modeling Will Not Resolve Contamination Issues – A commenter testified that the legislature had appropriated money for a project designed to model groundwater flow and that designation of the WAADC should wait for results from that model. The problems with this position are twofold: first, existing data conclusively establishes that dangerous cross contamination of aquifer layers is occurring now and will increase dramatically if air-rotary wells are drilled deeper than is the current general practice – thus the WAADC needs to be designated now to prevent further contamination; second, it is unclear exactly for what purpose the model is to be constructed; however, even if it is constructed specifically to show the flow of contaminants through the aquifer system (very unlikely), it simply cannot overcome the data showing that such contamination is already occurring. Accordingly, there is no excuse to "wait for a model" to show the need for WAADC designation. The need is existing and real.

11. Groundwater Management Area Designation Does Not Address Water Quality Issues – An individual at the hearing mentioned that perhaps IDWR should consider designation of the WAADC as a groundwater management area instead of as an Area of Drilling Concern. I.C. §42-233b – the statute authorizing the director's designation of a groundwater management area – is inapplicable to this situation. That statute's purpose is to address situations involving insufficient quantities of groundwater for uses in the basin. That is not the situation here. There is an excellent and robust supply of water within the WAADC – so long as it is protected from future contamination. Designation of a ground water management area is completely inappropriate both because there have been no assertions (and no data showing) that the supply is insufficient, and because such designation will not provide the protection from contaminants that is needed to ensure this robust supply remains a viable culinary source for those living within the WAADC.

Exhibit H

Mayor
Stan Ridgeway

CITY OF EAGLE
Water Department
660 E Civic Lane
PO Box 1520
Eagle, Idaho 83616
P: 208-489-8777
F: 208-939-6827

Council Members
Jeff Kunz, Council President
Stan Bastian
Naomi Preston
Craig Soelberg

June 7, 2016

Mr. Jeff Peppersack
Hearing Officer
Idaho Department of Water Resources
322 E Front Street
Boise, ID 83702

RE: City of Eagle Support for a West Ada County Area of Drilling Concern

Dear Mr. Peppersack:

As the Department is aware, the City of Eagle has been involved in several large administrative hearings relative to its future ground water supply and Reasonably Anticipated Future Needs water right. This water right is intended to cover the very large expansion of the City's land area in recent years. Those proceedings centered around the controversy of domestic wells and the hydraulic interconnection with the City's municipal water wells. Eagle, by the nature of the way it developed with larger home sites on acreages, may well have the most dense domestic well field within city limits of any city in Idaho. As such, we share many of the same concerns that have been expressed and documented by the City of Meridian in its petition to IDWR to designate an Area of Drilling Concern. Eagle also shares the same general list of subsurface ground water contaminants that we are fearful of being spread by new future domestic wells constructed without annular casing seals and drilled deeper into the aquifer system. Even now we see this trend toward deeper drilling happening in our city. Incidentally, Eagle has a large percentage of wells that exhibit flowing artesian conditions (above ground flow) that makes sealing of well casings even more important.

For these reasons, the City of Eagle stands in support of Meridian's efforts to protect its aquifer system through the designation of an Area of Drilling Concern.

Thank you for the ability to comment on this important issue for our valley.

Respectfully,

City of Eagle
Ken Acuff
Water Superintendent

KA/kr

Exhibit H

Post Drilling Inc
PO Box 588
Weiser, ID 83672
office@postdrilling.com

Office: (208) 585-3411
Fax: (208) 549-8112
Email:

ww.postdrilling.com

April 8, 2016

Director Gary Spackman
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720

Subject: Proposed West Ada Area of Drilling Concern

Dear Director Spackman:

My name is George Post, President of Post Drilling Inc. of Weiser, Idaho. I have been in the drilling industry for 26 years in Idaho and have personally drilled hundreds of domestic wells and also municipal, irrigation, and commercial wells. My company does a lot of work in Ada County and I have drilled, constructed, developed, and tested many wells for the Cities of Kuna and Meridian Idaho and for other customers in the surrounding areas. As a result, I have been made aware of a request by the City of Meridian to IDWR for enhanced drilling and well sealing techniques called an Area of Drilling Concern in western Ada County.

I recognize the need for proper sealing of water wells which, in my opinion, often exceed the requirements of the current Idaho drilling rules. I typically seal my wells over the entire depth of the casing (hundreds of feet in most situations) and not just the required 38 feet. In many areas where I work, including the Meridian-Kuna-Boise area, IDWR's 38-foot surface seal rule is not sufficient to adequately seal all the layers and protect the aquifer system. Post Drilling offers auger, air-rotary, direct mud-rotary, and cable-tool well drilling and each method has its place and usefulness. I can tell you that the Boise Valley artesian sediment aquifers are not a place for drill-and-drive well drilling practices because, in my opinion, it is not possible to seal cable-tool and/or air-rotary drilled wells where the drilled layers will not stand open during drilling without casing in the borehole.

I have always supported the IDWR's rules and I have found even my domestic well customers are willing to pay more to obtain a better protected well and that is documented in the IDWR's Well Driller's Reports data base. I wrote to Chairman Denny, of the House Resources and Conservation Committee previously in March of 2013 to support the

Department by asking that House Bill No. 277, asking for reduced sealing procedures, be denied at the legislature. I now write in support of the City of Meridian's efforts to implement more stringent well sealing practices in the Boise Valley because I feel more stringent methods are needed.

I feel that the drilling profession itself is in jeopardy under current practices because domestic well drilling will eventually be discontinued if aquifers are contaminated because of unsealed domestic wells and because homeowners would likely not be able to afford expensive water treatment technologies in addition to well costs. As drilling professionals, I believe we need to drill and construct wells that protect the water resource for all of us for the future.

Thank you for the opportunity to comment on this issue as I may not hear about, or be able to attend, any meetings held on the matter. Please feel free to call me with any questions.

Respectfully,

George Post
Post Drilling Inc.
Weiser, Idaho

Exhibit H

Kyle Radek

From: Gordon Law <Gordon@cityofkuna.com>
Sent: Thursday, February 28, 2013 8:29 AM
To: Tom Barry; Ed Squires
Cc: Gordon Law; Mayor Nelson
Subject: Area of Drilling Concern

Tom and Ed;
Both Mayor Nelson and I have reviewed the supporting information for your proposed area of drilling concern. We are both persuaded your concerns and proposed drilling standards for the area have considerable merit. You may rely on us to NOT OBJECT to your proposal. If the Department of Water Resources concludes that the boundary of the area of drilling concern should be extended beyond the established Meridian Area of City Impact and into Kuna's traditional planning area – we would not object to that either. The City of Kuna already meets the proposed standards in its drilling activities and are reasonably concerned the less rigorous standards relied on by some drillers, threatens the City's existing and future groundwater sources for potable water.

Thank you for keeping us in mind.

Gordon N. Law
Kuna City Engineer

Exhibit H

BOISE STATE UNIVERSITY
DEPARTMENT OF GEOSCIENCES

Mr. Gary Spackman. Director
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720-0098
Boise, Idaho 83720-0098

May 28, 2016

Dear Director Spackman,

My name is Shawn Benner and I am a professor in the Department of Geosciences at Boise State University. I received my PhD from the University of Waterloo, the premier groundwater graduate program in North America, and I conducted my post-doctoral studies at Stanford University. My area of expertise is in groundwater contamination and water quality. I have over 20 years of experience and have published more than 40 publications in the field. Many of those publications have been cited 100's of times by the researchers from around the world.

While much of my research focuses on locations internationally, I have also conducted studies on Treasure Valley water issues. This research has included supervising graduate theses on water quality of the Boise River, groundwater recharge, and assessments of uranium and arsenic contamination of the Treasure Valley aquifer. In fact, this research was generously supported by funding and datasets provided by Idaho's Departments of Water Resources and Environmental Quality.

I am writing to express my support of the City of Meridian's request for a designation of a West Ada Area of Drilling Concern.

As you and your staff are acutely aware, an adequate water supply is necessary to support the economic vitality of our state and is key to maintaining our rich natural resources. Of course, clean drinking water is also essential to the health of our citizens. In Ada and Canyon County, home to a large fraction of our state's population, the primary source of that water are the aquifers underlying the Treasure Valley. The Treasure Valley aquifer is primarily recharged from the overlying surface. This is an important observation, because this recharge has produced widespread contamination of the shallow aquifer throughout the Treasure Valley. The primary contaminants include nitrate, uranium and arsenic. In fact, the groundwater produced from 100's of shallower wells across the Treasure Valley is not suitable for drinking.

I would like to particularly note the profound risk that arsenic poses to our water supply. Arsenic is a known carcinogen and is highly toxic, even at parts per billion levels. The drinking water standard of 10 parts per billion is currently exceeded for many wells in the Treasure Valley, with some shallower wells exhibiting concentrations greater than 50 parts per billion. At that level, one in 100 lifelong consumers of that water will die from arsenic-related diseases, many more will suffer negative health consequences. Clearly, we are not talking about an abstract, poorly-defined threat, but rather a real

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This letter is an electronic communication from Boise State University

documented risk that demands our attention. It is worth noting that the cost of municipal treatment for arsenic is quite high. In fact, communities faced with arsenic contamination in their groundwater supplies will typically switch to a surface water source if possible because the cost of arsenic removal is so high. Thus, not only does arsenic contamination of our groundwater represent a significant health risk, it also represents a substantial fiscal risk to our community.

Due to widespread contamination of the shallow aquifers in the Treasure Valley, municipalities primarily draw their water supplies from the deeper aquifers, which are currently much less impacted by contamination. When we pull this water from the deeper aquifer, we necessarily create a gradient, or driving force, that wants to pull water from the overlying shallow aquifers. This driving force is greatest at the pumping well but can extend across an entire aquifer. Under natural conditions, and assuming the municipal well is fully sealed, the layers of low permeability materials in the overlying sediments prevent vertical flow and water is pulled to the well horizontally, ultimately from more distal areas of recharge, like the Boise Front.

However, when we drill additional wells nearby, and do not seal the well hole correctly, a conduit is created through the natural protective clay layers. Because the downward driving force is still present, water is rapidly pulled from the shallow to the deeper aquifer were the municipal well is located. When the overlying aquifer contains high levels of nitrate, arsenic, and uranium, this means the deeper well will become contaminated. Importantly, a surface seal of the well will not limit flow from the shallow to the deep aquifer; only fully sealing along the entire casing will prevent this flow.

I understand that requiring this level of well protection will have a real fiscal impact on some groundwater well drillers and I would encourage consideration of mechanisms to assist these drillers to transition to more modern drilling methods.

However, the health and fiscal risks associated with not protecting our deep aquifers cannot be ignored. The proposed West Ada Area of Drilling of Concern is an important and necessary first step to lower that risk and ensure we have an abundant and sustainable supply of clean drinking water for our community.

Thank you,

Dr. Shawn Benner
Professor, Department of Geosciences
Boise State University

Exhibit H

CITY OF
Caldwell, Idaho

GARRET NANCOLAS
Mayor

208.455.3011
(f) 208.455.3003

City Hall
411 Blaine Street
Caldwell, Idaho 83605

Post Office Box
P.O. Box 1179
Caldwell, Idaho 83606

For a list of the City Council members, visit:
Website
www.cityofcaldwell.com

June 9, 2016

Subject: Support Letter for the Requested West Ada County Area of Drilling Concern

Dear Mr. Peppersack:

I write in my capacity as the Public Works Director for the City of Caldwell, and also in my capacity as a domestic well owner in the Treasure Valley of Idaho, to support the City of Meridian's Request for Designation of a West Ada Area of Drilling Concern.

I have been aware of Meridian's efforts to characterize and protect its aquifer system for some time now as the two Cities often share notes at common municipal gatherings and meetings. Indeed, Caldwell has been similarly characterizing its ground water source of water supply in earnest beginning in about 1998. As such, our City has developed very much the same types of sub-surface information presented by the City of Meridian. From that accumulated data, we concur with the conclusions of the Meridian studies documenting the differing aquifer pressures and wide variation in ground water geochemistry with depth below land surface. Accordingly, Caldwell has developed its own technical specifications for its Public Drinking Water System wells that always include full-depth annular casing seals and the other details of well construction and drilling methods detailed in Meridian's request to IDWR. Because all wells drilling into the aquifer have a potential to commingle pressures and ground water chemistry, and to allow natural and man-made contaminants to migrate, the sealing of domestic wells is of great importance to the City of Caldwell.

The City of Caldwell stands in strong support of Meridian's efforts to improve drilling methods and well construction practices in the Treasure Valley where air-rotary-drilled domestic wells constitute the single largest threat to a safe and secure, good-quality ground water supply without treatment.

Finally, I would like to comment in my capacity as a homeowner and domestic well owner. Owing to my developing understanding of the aquifer system and wells in the Treasure Valley, when it came time for me to drill and construct a domestic well for my property outside the Caldwell city limits (and outside the City's water service area), I had to face the tradeoffs between the cost of various well drilling methods and details of well construction first hand. While a direct mud-rotary-drilled well and PVC plastic cased well with full-depth surface seal costs significantly more than the status-quo air-rotary domestic well with thin-wall steel casing and 38-ft surface seal (which we stood by the Department to defend a few years ago), I with my wife made the choice for the more expensive mud rotary drilled, full depth sealed well and I continue to feel very good about that decision. Indeed, my domestic well is essentially equal to the well that is recommended in the City of Meridian's request including the ground water chemistry tests. My experience with this well is that I have no corrosion, no iron-staining, no sand production, consistent water quality, and I feel satisfied my family has a safe drinking water supply without concern for nitrate intrusion or other comingling aquifers issues. In the grand scheme of things, the extra money for a quality product was definitely worth it to my family and it is my expectation that the extra life and reliability of this well will ultimately be the lower cost option.

Thank you for the ability to comment on this important issue for our Valley.

Sincerely,

Brent Orton. P.E, MSCE
Public Works Director
City of Caldwell Idaho

CC: Ed Squires
Tom Barry
Mayor Nancolas