

STATEMENT OF PURPOSE

RS21866

This Legislation is a correction to the Department of Water Resources rules for sealing water wells, returning the minimum standard for well seals to 18 feet. This was the standard that worked very satisfactorily for Idahoans for over 40 years. It is freely admitted by all concerned that this standard is sufficient to protect most new water wells. The new rule adopted by the Water Department is placing an unwarranted economic hardship on the consuming public.

The new rule that is to be replaced sets the minimum standard to 38 feet for the seal. Drillers have found this to be unnecessarily arbitrary, difficult and time consuming, which in many cases almost doubles the cost of a domestic well to the consuming public.

The ability of the Director to require deeper seals to protect the resource remains the same as he has full latitude in his discretion and in the Rules to protect the ground waters of Idaho.

Because Rules cannot be amended by striking and inserting in the language of departmental rules, the new language is being inserted into the Code.

This bill, in order to clean up the rules for sealing artesian wells, makes a geologically correct redefinition to the definition of "artesian water" in the code. It also modifies a notice requirement to be given by the driller to the department.

FISCAL NOTE

There will be no fiscal impact, as the operation of the Department of Water Resources remains the same.

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