

Conference Notes

Application for Permit #63-33321

From: J. Westra, Manager

Date : 12/17/10

Location: Western Regional Office

The conference began with introductions of parties. The purpose of the conference and agenda were reviewed.

Protestant Concerns

-Interference with city supply of surface water—water rights

The applicant's well would be upstream of the City P/Ds

-Public Interest:

Conflicts with Idaho City code regarding private wells

Applicant's removal from City system—cannot discontinue water and sewer or opt out of one service.

Threaten water supply be going off sewer system

Duplication of municipal system and trailer park system.

City has plans to improve infrastructure/water mains/fire service.

Property should be annexed to the City.

Financial resource concerns about the Applicants ability to construct the project.

Applicant

Plans to continue with sewer service to the trailer park—discontinue water 2 hookups (residence) will remain with the city, 14 trailers will be on private water. Do not have to meet DEQ requirements with 14 trailers.

Trailer park is not profitable with city services . Rent for a trailer is \$200/month with \$100 just for utilities. Trailers are rented by low income folks.

A fire water source is not needed. Can pump directly out of Elk Creek. Fire 2 years ago they pumped from the creek—runs thru park.

The trailer park is not in the City limits so the City Code regarding private wells is not applicable.

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Department Concerns

Our agency would not be able to address issues that are not outlined by IC 42-203A(5). The hearing process could not hear arguments on the application of the City Code regarding private wells. Non-water issues would need to be settled between the parties or under the jurisdiction of the proper entity.

List of Narrowed Issues

- Interference with City's water rights
- Water sufficiency & availability
- Public Interest
 - Competing municipal water supplies
 - Sewer service/water quality
 - Reduction in existing municipal supply
 - Intensive residential use
 - DEQ Compliance
- Applicant's financial resources.

Parties were asked what the next step should be. The applicant desired that a hearing be scheduled. Parties could negotiate in the mean time. Months of June, July, or August were named a possibilities. Calendars would be sent out.

Discovery could commence immediately if all parties agreed. If not a motion/petition would have to be submitted to the Department to facilitate the process.

Move forward with a hearing.