

Josephine P. Beeman #1806
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, ID 83702
(208) 331-0950
(208) 331-0954 (Facsimile)
office@beemanlaw.com

RECEIVED
DEC 11 2009
DEPARTMENT OF
WATER RESOURCES

Attorney for Lawrence and Kay Hansen

**BEFORE THE DEPARTMENT OF WATER RESOURCES
FOR THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION	)	AMENDED DECEMBER 10, 2009
FOR PERMIT NO. 63-33064,	)	SUBMITTAL OF 2,4-D
IN THE NAME OF LAWRENCE	)	INFORMATION BY APPLICANTS
HANSEN AND KAY HANSEN	)	LARRY AND KAY HANSEN
_____	)	

Counsel for Applicants Larry and Kay Hansen requests IDWR to accept an Amended December 10, 2009, Submittal of 2,4-D Information to include the Statement of Larry Hansen (item 6 below) which was the cover letter (via email to Beeman & Associates) for items 2 through 5 below.

1. December 10, 2009, ERO Resources' letter to Josephine Beeman (no data or monitoring program that considers the amount of 2,4-D in the irrigation water or any wastewater in the Boise-Kuna Irrigation District service area).
2. December 2000, information on 2,4-D from the State of Wisconsin.
3. July 2004, *chemicalWATCH* Factsheet on 2,4-D, (published by Beyond Pesticides, Washington, DC).
4. Two-page label for use of 2,4-D Amine Weed Killer (active ingredient is 2,4-D).
5. October 1999, Oregon State University Extension Service: Preventing Phenoxy Herbicide. Damage to Grape Vineyards (phenoxy herbicides include 2,4-D).
6. Cover letter for items 2-5 from Larry Hansen for Windy Ridge Vineyard.

The information relates to herbicide 2,4-D and surface irrigation water from the Boise Kuna Irrigation District. The irrigation component of ground water application 63-33064 will be used for 6 acres of vineyard; the commercial component of ground water application 63-33064 is for a winery whose bottled product will be consumed by the public.

DATED this 11TH day of December 2009.

BEEMAN & ASSOCIATES, P.C.

By Josephine P. Beeman
Josephine P. Beeman

CERTIFICATE OF SERVICE

I certify that on this 11th day of December 2009, I caused to be served a true and correct copy of the foregoing document to be served on IDWR by hand delivery and to the other parties by U.S. mail.

Original to:

IDWR Hearing Officer Shelley W. Keen
P. O. Box 83720
Boise, ID 83720-0098

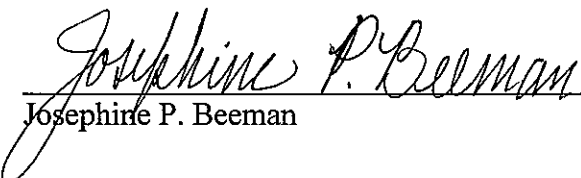
Steve Hannula
ERO Resources
3314 Grace Street
Boise, ID 83703

John Jobe
5945 S. Locust Grove Road
Meridian, ID 83642

Herbert Lloyd
1360 E. Tanya Lane
Meridian, ID 83642

Fred Nitz
5325 S. Locust Grove Road
Meridian, ID 83642

Herb Nitz
5445 S. Locust Grove Road
Meridian, ID 83642



Josephine P. Beeman

STATEMENT OF LARRY HANSEN

The concern regarding harmful levels of 2-4-D in surface water available for supply to Windy Ridge Vineyard was voiced in the hearing of Dec 03, 2009. Supporting documents are included with this cover letter.

As evidenced by supporting documents, grapevines are particularly sensitive to 2-4-D. 2-4-D causes significant and devastating damage to grapevines. This damage may render them unproductive and potentially kill the vines altogether. Grapevines may absorb 2-4-D through leaves, vines, and roots.

Also evidenced in the supporting documents, 2-4-D may be captured and transported in both soil and water. 2-4-D may be trapped in soils leaving those soils toxic for extended periods of time. 2-4-D may also be rinsed off of treated farmland and ditch-banks and contaminate both drainage and irrigation supply water.

In the hearing of Dec. 03 2009, it was stated that the potential surface water supply ditch also acts as a drainage ditch. One may conclude that the water in the ditch could be contaminated with 2-4-D due to both runoff from treated pasture and direct application to ditch-banks.

We have observed the frequent application of 2-4-D on neighboring properties. The runoff from these properties would likely contaminate both the surface water supply and the water captured in the pond on property to the East of Windy Ridge Vineyard.

Using the local surface water for irrigation would be a questionable practice considering the severe and devastating effects of 2-4-D on grapevines and the potential consequences, not only to the yield of Windy Ridge Vineyard, but also to the production capability of the 2 Wineries that depend on Windy Ridge for their Tempranillo grapes. Not to mention the possible health threat of consuming fermented grape juice containing trace levels of 2-4-D.

Sincerely,

Larry Hansen
Windy Ridge Vineyard