

## STATEMENT OF PURPOSE

### RS26431

In calendar year 2019, the Idaho Department of Water Resources (IDWR) will be activating initiatives in at least two hydrologic basins to repair or plug flowing artesian wells. Idaho Code 42-1607 establishes that the owners of flowing artesian wells that waste water without beneficial use are responsible to prevent the waste of water through repair or, if necessary, plugging the wells. Outdated language in Idaho Code 42-1607 instructs: "For the period of July 1, 1987 to June 30, 1992, the director of the department of water resources shall promulgate rules to implement a cost-sharing program to assist owners of wells which have been ordered repaired or plugged ..." IDWR never promulgated the rules, and funds were not appropriated to pay for state cost sharing of flowing artesian well repair or plugging. The proposed amendment to Idaho Code 42-1607 removes the requirement for IDWR to promulgate cost-sharing rules during a now-expired period of time. The amendment eliminates language that created an expectation of a cost share from the State of Idaho. The amendment will establish that the owners of the flowing artesian wells have the responsibility for repairing or plugging the wells.

### FISCAL NOTE

The proposed legislative amendment will have no financial impact because it is limited to clarifying or correcting language in the statute.

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**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**