From:	S W
To:	Mary Anne Nelson
Subject:	Recycled Water: Docket No. 58-0117-2601
Date:	Thursday, October 1, 2026 2:03:51 PM

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Dear Idaho Department of Environmental Quality (DEQ):

I strongly oppose Eagle Sewer District's (ESD) proposal to discharge treated municipal wastewater into the Farmers Union canal system.

Farmers Union Ditch (FUD) has served this community for well over a century. It was built to deliver irrigation water - not to become an outhouse for municipal wastewater.

Several fundamental issues remain unresolved.

FUD, its shareholders, and consent: Farmers Union Ditch Co., Ltd. is a nonprofit irrigation company established to procure and distribute irrigation water to its shareholders. Shareholders and affected property owners have not consented to this wastewater project, and FUD itself has requested on multiple occasions that its contract with ESD be terminated. Serious questions remain as to whether that agreement protects shareholder rights and whether it would withstand judicial review.

Accuracy of ESD's application: There are serious concerns regarding the accuracy and truthfulness of representations made by ESD in its DEQ application. Any materially false, misleading, or incomplete statement should be investigated before DEQ relies upon the application.

Class A and PFAS: "Class A" does not mean wastewater is free of PFAS, pharmaceuticals, hormones, or other known emerging contaminants. Regulations establish minimum requirements. **We know more today, we can test for more today, and we should do better than the minimum** when protecting human health, land, canal water, agricultural soils, groundwater, aquifers, and downstream users.

Our neighborhood: ESD proposes placing the 'outfall' in the middle of the neighborhood where I live. Property owners have repeatedly denied ESD the easement it seeks. There has been no consent to place this outfall through our properties or neighborhood, yet the project continues to hang over our community, creating continuing uncertainty and fear.

Property and financial impacts: Locating a municipal wastewater outfall in our neighborhood also raises serious concerns about reduced property values, future real-estate disclosure obligations, marketability, and possible insurance impacts. Even the perception of wastewater

contamination can stigmatize neighboring properties. Residents should not be forced to bear these potential financial consequences for a project they did not consent to.

The biggest question is WHY?:

Where is the demonstrated long-term water shortage that supposedly justifies permanently introducing municipal wastewater into this century-old irrigation system?
FUD's own records show that it has historically had storage water available for rental.

- **In 2009, FUD placed 2,000 acre-feet into the Water District 63 rental pool.**
- **In 2012, 1,865 acre-feet.**
- **In 2020, 2,500 acre-feet, for which FUD reported receiving $42,500.** FUD's own meeting minutes further state that storage water had been sold for multiple years to help reduce shareholder fees.

More recent IDWR records also show substantial storage remaining at the end of the irrigation year.

- In **2023, FUD began with 17,148.6 acre-feet, used 10,606.3, and ended with 6,542.3 acre-feet.**
- **In 2024, it began with 17,085 acre-feet, used 12,948.9, and ended with 4,136.1 acre-feet.**

Although FUD announced a possible 20% reduction in canal flows in May 2026, I am not aware that this reduction was ever implemented. An announced conservation measure should not be treated as evidence that an actual shortage occurred.

What is the demonstrated need if FUD has historically rented thousands of acre-feet of storage water and carried substantial storage balances.

Before fundamentally changing the character of Farmers Union Canal, the public and FUD shareholders deserve an answer to the most basic question: WHY?

This proposal also appears contrary to the principles our public institutions have committed themselves to uphold.

- DEQ's mission is to protect human health and Idaho's air, land, and water.
- ESD states that it is committed to serving the community, protecting the environment, and safely returning treated water to the environment.

> The City of Eagle Comprehensive Plan specifically states that its purpose is to promote the “health, safety, and general welfare” of Eagle residents. It further calls for protecting property rights, enhancing property values, and protecting important environmental features.

A municipal wastewater outfall comingling with historical canal shareholder rights, heavily opposed by affected property owners, dependent upon an agreement FUD has repeatedly sought to terminate, and carrying unresolved questions about health & safety, consent, contaminants, groundwater, property rights, and the accuracy of the application should never have reached this point.

The burden should be on ESD to demonstrate that this project is safe, legally viable, and capable of being constructed - not on Farmers Union shareholders, neighboring residents & communities (Eagle, as well as Star & Middleton) to prove harm after the fact. This project would inflict intentional harm, in my opinion.

We can and should do better for our water, our health, our families, our homes, our property, our food source, our wildlife, and future generations. This ill-conceived project has created enough uncertainty and concern. It is time to put it to rest.

For the love of Idaho, your task of protecting human health, Idaho's air, land, and water, concern for the residents' well-being and safety, please do the right thing & stop this proposal from moving forward.

Please include these comments in the administrative record.

Sincerely,

Susan Wendt
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