

Landowner Request to Refrain from Roadside Herbicide Applications

I, _____, Owner / Occupier of land located at:

Name: _____

Address: _____

City: _____ Zip: _____

Phone: _____

With frontage on _____ road(s), hereby request that Bannock County Noxious Weed Department refrain from spraying herbicides on the right of way at the above location and further state that:

1. I have Authority and/or permission from all owners / occupiers of the described lands to enter into this agreement; and
2. I understand Idaho Code §22-2407 states that **“it shall be the duty and responsibility of all landowners to control noxious weeds on their land and property, in accordance with this chapter and with rules promulgated by the director”** and, therefore, assume this responsibility.
3. Control of noxious weeds requires a county-wide effort and that isolated patches of weeds left untreated can undermine weed control efforts elsewhere.

Therefore, I hereby agree and covenant that in consideration of Bannock County's absence from the use of herbicides at this location, I do fully assume the role that Bannock County fulfilled in controlling the noxious weeds and assume the costs. The methods used will comply with eradication efforts found in Idaho Code §22-2402 that, by definition, **“means the elimination of a noxious weed based on absence as determined by a visual inspection by the control authority during the current growing season.”**

I further agree that I will resolve any deficiencies that exist in my failure to comply with the Noxious Weed Law within five (5) days of a written notice. If not, Bannock County will fulfill its responsibility as required by Idaho Code Title 22 and control noxious weeds at the sole discretion of the weed control authority and I agree to pay Bannock County for such services.

If Bannock County receives directive from the Highways to treat bare ground portions of the right of way, this agreement shall not be held controlling. In that event, the landowner may comply with such a directive by applying an appropriate bare ground treatment at his/her own expense, or Bannock County will apply an appropriate bare ground herbicide at its own expense.

The Landowner shall provide an appropriate sign posted in a location that will be visible to road crew personnel in order to avoid spraying along the above right of way. The landowner shall maintain the post and sign.

Signed: _____

Date: _____

Approved By: _____

Bannock County Noxious Weed Control