

RECEIVED

DEC 06 1995

Department of Water Resources

TWIN LAKES WATER DISTRICT NO. 95-C
4630 N Gunning Road - Rathdrum, ID 83858 == (208) 687 0168

December 4, 1995

Deputy Attorney General
Idaho Department of Water Resources
Statehouse
Boise, ID 83720

Board of Directors

Mildred Allen
President

Cheri Blaine
Vice President

Pat Pupo
Secretary

Advisory Committee

Ben Moore
Billie Mountain
Chet Park
Gordon Sylte

Dan Park

Watermaster

Dear Sir:

Reference is made to your telephone conversation with our secretary Mrs. Pupo on November 28 regarding payment to the watermaster.

We have not paid him because we have not received any request for payment and we have no idea what is owed him. He certainly should be paid as he has done an outstanding job maintaining the proper lake level. However, we presumed that he had been paid by Water Resources as was the case with his check number AU i19798 on August 10, authorized by Al Beardsley of Water Resources (copy enclosed).

Further, in view of the following, we believe the Water District lacks the authority to authorize cited payment from public funds.

Many months ago, Bob Haynes of Water Resources advised us that the Kootenai County Auditor would process payment of all bills for the Water District. The County Auditor recommended that we identify the watermaster as a "contract employee" in order to minimize the paperwork for services his office agreed to perform for us.

When we wrote to Dan Park, Watermaster, on April 27, 1995 asking him to review, submit comments and/or sign a proposed contract with the Water District including how and when he was to receive payment, not only for his services but also for supplies authorized at the annual meeting held on March 19. He replied by letter dated May 2: "I cannot accept any contract that the water district sends to me as I am an employee of the state of Idaho under the supervision of the Director of the Department of Water Resources (see Idaho code 42-602)...."

Deputy Attorney General letter of December 4, 1995 -- page 2

"Because of the above, Bob Haynes at the Department of Water Resources has advised me that I cannot sign any contract with you. We will be contacting the Attorney Generals office for advice in this matter and the Director of Water Resources will determine and fix my compensation....

"If you have any questions about the above, please direct them to the Department of Water Resources."

Accordingly, on May 9 Mrs. Pupo and I met with Bob Haynes and his assistant Al Beardsley in the Coeur d'Alene Office of the Department of Water Resources where a lengthy discussion took place. The final decision of Bob Haynes, as Mrs. Pupo told you in the telephone conversation, was that the Water District's only functions are to elect officers, to elect a watermaster and to approve a budget.

Shortly after August 10 we received a copy of the letter (cited in the second paragraph above) written by Al Beardsley of Water Resources to the County Auditor, requesting that payment be made to Dan Park, Watermaster, for his services.

On August 19 we wrote a letter to the Kootenai County Auditor, with copies to Water Resources, and your office, requesting clarification of payment procedure for the watermaster. Although we have sent tracers of this letter on September 30 and November 10, we have not received any reply to this correspondence. It may be that Water Resources has taken an option that is not in the best interest of the Water District, the County Auditor or the Watermaster by not designating Dan Park as a "contract employee", so that social security, unemployment compensation, etc., would be paid by the Watermaster from the checks paid to him. Otherwise, the County Auditor, Water Resources and/or the Water District would be required to maintain these records and issue several additional checks.

It is urgently requested that we be advised of the status of this situation and how it can be best be resolved. My telephone number is (509) 624-0546. Thank you for whatever assistance you are able to render.

Sincerely,

TWIN LAKES WATER DISTRICT No. 95-C


Mildred L. Allen, President

Encl:

Water Resources letter of May 10 with encl copy of check



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

cc Mullen

AUG 03 1995

PHILIP E. BATT
Governor
KARL J. DREHER
Director

August 2, 1995

Mrs. Sandy Martinson
Kootenai County Auditor's Office
PO Box 9000
Coeur d'Alene ID 83814

RE: Authorization for payment of Water Master Services

Dear Mrs. Martinson:

As per our recent phone conversation, I am sending you a copy of a request for payment of services from our Water Master, Dan Park, from Water District 95-C.

The hours appear acceptable and payment for water master duties should be issues for the amount of \$200.00 to:

Mr. Dan Park, Water Master
1900 E Sturgeon Rd
Rathdrum, ID 83858

Please forward a copy of this letter with a notice to Mildred Allen, President of Water District 95-C that these funds have been paid from their account with Kootenai County.

Thank you,
Allen Beardslee
Allen Beardslee
Sr. Water Resource Agent

Enc. - Memorandum from Park

F299
A299

*paid 8-10-95 check AU119798 \$200.00
to Dan Park*

see att

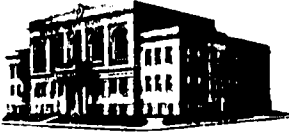
KOOTENAI COUNTY

COEUR D'ALENE, IDAHO

1241
WEST ONE BANK
COEUR D'ALENE, ID 83814

CHECK NO.
119798

*****200*****DOLLARS AND*****00*****CENTS



TO THE ORDER OF

DATE

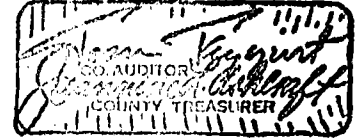
CHECK NO.

AMOUNT

DAN PARK, WATER MASTER
1900 E STURGEON RD
RATHDRUM ID 83858

AUG 10 95

AU119798 *****\$200.00*****



VOID AFTER 90 DAYS

⑈ 119798 ⑆ ⑆ 124100019⑆ 110002372533 ⑈

DETACH BEFORE DEPOSITING

8-10-95

AU119798

Fund	Amount	Memo
A299	\$200.00	Water Master duties - Twin Lakes Water District

Kootenai County
Coeur d'Alene, Idaho 83816-1932

TWIN LAKES WATER DISTRICT NO. 95-C
4630 N Gunning Road - Rathdrum, ID 83888 == (208) 887 0168

RECEIVED

NOV 29 1995

November 27, 1995

Department of Water Resources

Mr. Robert Haynes
Idaho Department of Water Resources
1910 Northwest Blvd, Suite 210
Coeur d'Alene, ID 83814

Board of Directors

Mildred Allen
President

Cheri Blaine
Vice President

Pat Pupo
Secretary

Advisory Committee

Ben Moore
Billie Mountain
Chet Park
Gordon Sylte

Dan Park
Interim
Watermaster

Dear Bob:

The enclosed correspondence exemplifies what we tried to avoid when we recommended that the watermaster for the Twin Lakes Water District be designated a "contract employee".

Insomuch as we have not heard from the Kootenai County Auditor, the Deputy Attorney General, nor your office relative to the responsibility for payment of the watermaster (our letter to the Auditor, with copies to the Attorney General and your office dated August 19 with tracers dated September 30 and November 10, 1995), these documents are forwarded for your action.

Please advise us what action you are taking in this matter.

Sincerely,

TWIN LAKES WATER DISTRICT No. 95-C

Mildred L. Allen, President

Encl:

Packet from Idaho Insurance Fund
Ltr & encls from Idaho Dept of Employment

Copy to:

Idaho State Ins Fund, P.O. Box 83720,
Boise, ID 83720-0044
Id Dept of Empl, 317 Main, Boise 83735
Auditor, P.O. Box 9000, Coeur d'Alene, 83816
→ Dep Atty Gen'l, DWR, Statehouse Boise 83720