

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

IN THE MATTER OF WATER DISTRICT) NO. 71'S PETITION TO APPOINT) WATERMASTER AND TREASURER) AND TO FIX COMPENSATION FOR 2020)	ORDER APPOINTING WATER DISTRICT 71 WATERMASTER AND TREASURER, AND FIXING COMPENSATION
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On March 30, 2020 the Idaho Department of Water Resources (“Department”) received a letter from Cliff Hansen, Acting Chairman of Water District No. 71 (“WD71”), Stanley Basin, stating that WD71 did not hold its 2020 annual meeting due to the COVID-19 crisis, that a watermaster and treasurer were not elected, and that a budget was not adopted. Mr. Hansen’s letter requests, on behalf of WD71, that the Director of the Department re-appoint the incumbent watermaster and treasurer of WD71, and fix their compensation based on WD71’s 2020 proposed budget. Further, WD71 requests that a special meeting be scheduled at a later date “to address the full 2020 budget and resolutions.”

Idaho Code § 42-605(8) states that if a water district meeting is not held, or a watermaster is not elected or the watermaster’s compensation is not adopted, “...then the director is authorized to appoint a watermaster and fix the watermaster’s compensation.” Further, Idaho Code § 42-619(6) authorizes the Director to appoint a treasurer and fix the treasurer’s compensation if one is not elected.

Idaho Code § 42-605(11) authorizes the Director to call a special meeting of the water users in a water district upon “...a written request from water users representing thirty percent (30%) or more of the votes cast at the last regular annual meeting, a written request from the watermaster or on the director’s own motion if the director determines a meeting is necessary to address matters that cannot be delayed until the next regular annual meeting.”

Local water districts play a vital role in the proper distribution of water in Idaho. WD71 cancelled its March 16, 2020 meeting due to unprecedented circumstances caused by the COVID-19 crises. WD71 will not be able to reschedule the meeting and conduct all necessary business until after the irrigation season has already begun. Distribution of water within state water districts created by the Department pursuant to Idaho Code Chapter 6, Title 42, is considered an “Essential Government Function” as described in the *Order to Self-Isolate for the State of Idaho* (Order), issued through the Idaho Department of Health and Welfare on March 25, 2020. Order at 8.d. Accordingly, watermasters and water district treasurers are deemed essential during the term of the Order. The Department should appoint the watermaster and treasurer as requested by the WD71 Chairman, and fix their compensation based on the budget which has been recommended by the WD71 Advisory Committee.

ORDER

IT IS HEREBY ORDERED that Morgan Miller be appointed watermaster, and Melodie Baker be appointed treasurer of WD71, from this day until the 2021 annual meeting, or until successors are appointed and qualified.

IT IS FURTHER ORDERED that the WD71 watermaster compensation be set at \$9,700 (nine thousand seven hundred dollars) and the WD71 treasurer compensation be set at \$2,500 (two thousand five hundred dollars) for the same term.

IT IS FURTHER ORDERED that WD71 shall request and hold a special meeting during 2020 as soon as public health risks have returned to safe levels, to conduct all remaining WD71 business including but not limited to adopting a full budget and resolutions for the ensuing year.

Dated this 7th day of April, 2020.



GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2020 I mailed a true and correct copy of the foregoing *Order Appointing Water District 71 Watermaster and Treasurer, and Fixing Compensation*, postage prepaid and properly addressed to the following:

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