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DEPARTMENT OF  
WATER RESOURCES

**NOTICE OF INTENT (NOD): Docket No. C-RWM-2016-001**

Submitted by:

October 21, 2016

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It is my understanding that the Watermaster, a part of the Water District 95C, is responsible for administering Twin Lakes water rights, both recreational storage and downstream rights and works under the direction of the Idaho Department of Water Resources (The Department). I further understand that the Department is charged with overseeing the Watermaster's work and ensuring that the water rights are administered according to the decree (1<sup>st</sup> Judicial Dist. Crt. April, 1989). During my 8-year tenure as Commissioner for the Twin Lakes Flood Control District, the Watermaster would contact the gate keeper at the dam at the outlet of lower Twin Lake to release water according to the Watermaster's determination to satisfy downstream water rights. The gatekeeper is an employee of the Flood Control District. Prior to the time of the current filing of the complaint against the Watermaster, I do not recall any communication or oversight of the Watermaster by the Department related to the administration of water rights. In fact, as far back as 1994 the Watermaster requested answers to certain questions and scenarios related to the administration of water rights in Water District 95C from the North Region office of the Department (see attached). There is no record of the Department replying to this request

From this brief discussion history indicates that the Department has been negligent for years in providing adequate oversight and communication of the Watermaster's activities as the Department is charged to do. By the same token, instead of requesting removal the Complainant, being aware of the Department's oversight responsibilities, could have filed a formal request with examples asking the Department to review the Watermaster's activities, according to their oversight responsibilities. If the Watermaster's actions proved to be negligent after a formal review, a formal reprimand should have been issued. Removal action should occur only after this review process. All concerned would have been best served had proper protocol been followed.

*In all fairness, I believe the recently appointed Director of the North Idaho Region of the Department is making an effort to communicate better with the Watermaster and provide improved oversight.*

cc: Idaho Department of Water Resources  
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