

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by June 10, 2009. This is not the due date by which *comments* must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 586-0728, or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeffrey T. Even, Deputy Solicitor General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

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The Attorney General's Office seeks public input on the following opinion request(s):

**Opinion Docket No. 09-05-03  
Request by the Honorable James Nagle  
Walla Walla County Prosecutor**

- 1. Is a water distribution district for irrigation a "special purpose district" as defined by RCW 36.96.010, or was it a state agency that no longer existed after 1971?**
- 2. Does the water distribution district for irrigation still exist even though the enabling legislation has been repealed?**
- 3. Does the fact that no new appointments to the board have been made for over seven years meet the test for an "inactive" special purpose district in RCW 36.96.010(3)?**
- 4. Is the water distribution district for irrigation reclassified as an irrigation district under RCW 87.03, or a water district under RCW 57.02?**
- 5. If the district still exists, can the county board of commissioners appoint a member to fill one of the vacancies on the water distribution district board, and then have the two members of the board fill the third vacancy pursuant to RCW 42.17.070?**
- 6. If not, how are the vacancies to be filled?**
- 7. If vacancies on the board are filled, under what statutes does the district then operate?**

TIME	10:32
DATE	09-11-09