

Part I – Agency Profile

Agency Overview

The Idaho Department of Water Resources (IDWR) serves the citizens of Idaho by ensuring that water is conserved and available for the sustainability of Idaho's economy, ecosystems, and the resulting quality of life. Gary Spackman, the Director of IDWR, was appointed to his position by Governor C.L. "Butch" Otter on July 11, 2012, after having served as Interim Director since July 16, 2009.

The eight-person Idaho Water Resource Board (Board) was created by constitutional amendment in 1965. The current members of the Board are Roger Chase, Chairman; Jeff Raybould; Vice Chairman; Vince Alberdi, Secretary; Peter Van Der Meulen; John "Bert" Stevenson; Albert Barker; Dale Van Stone, and Jo Ann Cole-Hansen.

The Director and the Board interact in a level working relationship. The Board sets long-term vision and policy and finances, constructs, and operates water projects on behalf of the state. IDWR administers water rights and performs other regulatory functions.

IDWR's main office is located in Boise. Four regional offices serve Idaho citizens: Northern Regional Office in Coeur d'Alene, Eastern Regional Office in Idaho Falls, Southern Regional Office in Twin Falls, and Western Regional Office in Boise. IDWR also operates a field office in Salmon.

Core Functions/Idaho Code

IDWR is comprised of three bureaus and two stand-alone sections.

- Water Allocations Bureau: One of two regulatory bureaus within the Department. Water Allocation Bureau personnel work in the state office and in all four regional offices. The Water Allocation Bureau contains three units: the Water Rights Section, the Adjudication Section, and the Safety of Dams program.
- Water Compliance Bureau: The other regulatory bureau within the Department. Water Compliance Bureau personnel are located primarily in the state office, with select positions staffed at some regional offices. The Compliance Bureau is made up of the Water Distribution Section, Ground Water Protection Section, Stream Channel Protection program, and Floodplain Management program.
- Planning Bureau: The Planning and Projects Bureau primarily supports Board programs, including the State Water Plan, Idaho Water Supply Bank, water project development and funding, minimum stream flows, natural and recreational river designations, and comprehensive basin and aquifer planning. The Bureau contains a Water Projects Section. Several adjunct staff reporting directly to the Bureau Chief.
- Geospatial Technology Section: The Geospatial Technology Section develops spatial data, analysis, and tools in support of IDWR operations. These products include Evapotranspiration data and analysis, interactive maps, and field and desktop tools that allow IDWR staff to collect the spatial component of IDWR data.
- Hydrology Section: The Hydrology Section gathers and archives scientific data, analyzes and models hydrologic data, and technically supports administrative decisions for the management, planning, and protection of the state's water resources.

In addition, Legal Services and Support Services support IDWR operations. The Legal Services staff are employees of the Office of the Attorney General and housed at IDWR. Support Services include Human Resources, Purchasing, and Fiscal.

Primary authority for the existence of the Idaho Department of Water Resources, the Idaho Water Resource Board, and their programs rests in Title 42, Idaho Code. The importance of water in Idaho was recognized even before statehood. Article XV of Idaho's Constitution contains seven sections dealing with water including Section 7 that established the Idaho Water Resource Board.

Revenue and Expenditures

Revenue	FY 2017	FY 2018	FY 2019	FY 2020
General Revenue Fund	18,530,400	19,300,500	19,502,100	19,658,700
Indirect Cost Recovery	661,500	666,000	671,300	714,600
Aquifer Planning & Mgmt.	1,276,300	1,293,800	1,415,500	1,440,800
Economic Recovery Fun	2,500,000	0	0	0
Water Admin. Fund	1,536,900	1,544,500	1,556,700	1,605,900
Technology Infrast. Stab.	0	0	88,000	322,800
N Idaho Adjudication	36,100	36,400	36,700	38,000
Federal Grant	2,278,300	2,307,000	1,700,200	1,719,800
Miscellaneous Revenue	<u>1,454,800</u>	<u>1,463,600</u>	<u>1,491,300</u>	<u>1,531,400</u>
Total	28,274,300	26,611,800	26,461,800	27,032,000
Expenditures	FY 2017	FY 2018	FY 2019	FY 2020
Personnel Costs	11,966,300	12,555,900	12,551,000	12,662,700
Operating Expenditures	5,177,100	4,945,400	5,089,700	5,264,100
Capital Outlay	678,600	779,200	417,300	59,000
Trustee/Benefit Payments	<u>582,000</u>	<u>882,000</u>	<u>882,000</u>	<u>908,500</u>
Total	18,404,000	19,162,500	18,940,000	18,894,300

Profile of Cases Managed and/or Key Services Provided

Water Allocation Bureau				
Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
Northern Idaho Adjudications				
New Claims Filed	80	117	1,209	1085
Recommendations Submitted to the Court ¹	15	5	7,926	51
Percentage of Recommendations Filed by Basin	Basin 95 Begun	Basin 95 75%	Basin 95 100%	Basin 94-95 Late Claims 100% ²
Applications for Permit				
Number of Applications Received	407	423	547	468
Number of Unprotected Applications Pending ³	N/A	278	288	194
Number of Protested Applications Pending ³	N/A	214	197	179
Total Applications in Progress	542	492	485	373
Total Applications Completed	379	349	489	487
Applications on Moratorium Hold	657	748	745	782
Water Right Transfers				
Number of Applications Received	263	238	278	245
Number of Applications Resolved	278	275	277	262
Number of Unprotected Applications Pending	110	102	93	80
Number of Protested Applications Pending	39	38	43	46
Total Number Applications Pending	149	140	136	126

¹ During 2017 and 2018 IDWR prepared 5,500 Director's Report Recommendations that were filed with the court in July 2018 (FY2019).

² Late claims completed include Motions to File and Late Notices of Claim granted by March 31 each year.

³ IDWR did not collect data on pending applications for permit prior to FY2018.

Water Allocation Bureau (Cont'd)				
Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
Water Right Licenses				
Number of Licenses Issued	410	363	259	421
Number of Licenses Pending	992	836	795	650
Water Right Ownership Changes				
Number of Ownership Changes Processed	2,633	3,253	3,329	2,545
Number of Ownership Changes Pending	485	242	302	466
Safety of Dams Program				
Inspections of Existing Dams	161	24	110	60
Design Review & Approval - New Const. or Repair	6	2	10	2
Percentage of High Hazard Dams with Up-to-Date Operation/Emergency Plans	54%	47%	42%	42%

Water Compliance Bureau				
Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
Water Distribution				
Water Districts Created, Expanded, or Modified	2 ⁴	3	2	0
Measurement Orders Issued (comprehensive only)	3	3	3	0
Ground Water Protection				
Well Permits Issued	3,035	3,258	3,380	4,096
Driller Licenses	224	195	235	223
Injection Well Apps Processed	204	248	271	254
Geothermal Well Apps Processed	0	0	1	0
Percentage of Wells Inspected ⁵	N/A	18.6%	22.5%	23.5%
Well Seal Inspections Completed	114	188	N/A	N/A
Drilling Companies Contacted (field site visits)	42	N/A	N/A	N/A
Enforcement/Compliance (Water Rights, Well Construction, and Stream Channel)				
Notices of Violation Issued	21	15	14	13
Stream Channel Alterations (SCA) Program				
SCA Apps Received	394	482	402	402
SCA Permits Issued	272	269	319 ⁶	288 ⁶
Recreational Mining Letter				
Permits Issued	410	475	362	376

⁴ Plus one district activated.

⁵ IDWR adopted this benchmark in FY2019. It is the % of permitted wells inspected during construction, modification, or decommissioning.

⁶ Includes permits issued for applications received in FY2018.

Water Compliance Bureau (Cont'd)				
Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
Flood Plain Management Program				
Community Asst. Visits (CAVs) Opened or Ongoing	21	18	25	23
CAVs Closed	4	5	1	10
Comm. Asst. Contacts (CACs) Initiated or Opened	98	77	11 ⁷	25
CACs Closed	98	77	11	25
Training, Outreach, & Presentations Given	19	17	24	13

Planning and Projects Bureau				
Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
Water Resource Board				
Loans	3 for \$11,038,099	4 for \$4,341,160	2 for \$4,600,000	2 for \$2,190,000
Revenue Bond Issuances	0	0	0	0
Surface Water Storage Studies in Progress				
Weiser-Galloway, Boise River, and Henry's Fork-Teton	3	3	3	3
ESPA Aquifer Management				
Acre-feet Recharged into Aquifer	317,7144 AF	545,171 AF	345,124 AF	447,956 AF
Upper Salmon River Basin				
Streamflow Improvement Projects	3 for \$1,658,312	9 for \$2,408,893	6 for \$695,076	1 for \$13,404
Water Supply Bank				
Rental Applications Received	103	99	100	94
Rental Applications Processed	118	107	108	57
Lease Applications Received	246	244	283	175
Lease Applications Processed	283	295	272	227
Lease Contract Release Requests	37	0	3	4

⁷ On July 1, 2018, the Federal Emergency Management Administration (FEMA) Region X office issued a directive revising the definition of what constitutes a Community Assistance Contact (CAC). FEMA's revised definition entails significantly more work to complete a CAC, including a complete review of a community's flood management ordinances, which can take six months or longer. Because of the new CAC directive, without dedicating additional resources to its Flood Management Program, IDWR completes significantly fewer CACs in a single year.

Hydrology Section				
Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
Surface and Ground Water Investigations				
Initiated	2	2	2	2
Ongoing	3	3	1	3
Completed	N/A	N/A	2	N/A
Ground Water Model Revisions and Recalibration efforts				
Initiated	N/A	N/A	N/A	N/A
Ongoing	3	3	2	2
Completed	N/A	N/A	1	N/A
Water Rights Accounting Program Modernization efforts				
Initiated	4	N/A	N/A	1
Ongoing	N/A	2	N/A	N/A
Completed	2	2	2	N/A
Water Measurement Sites				
Total Water Measurement Sites	1,376	1,429	1,503	1,522
Total Ground Water Measurement Sites	1,149	1,195	1,270	1,288
Managed Recharge	42	47	63	93
Geothermal	35	38	37	37
Ground Water Quality	227	204	238	255
Water Level Monitoring only	845	906 ⁸	932 ⁹	903
Total Surface Water Sites	227	237	233	234
Surface Water Quality	2	3	10	8
Surface Water Gaging ¹⁰	225	234	223	226
Equipment Deployment				
New Pressure Transducers Deployed in Wells	69	36	90	37
New Telemetry Systems at Stream Gages	N/A	22	4	5

Geospatial Technology Section				
Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
GIS Database Large Development & Integration projects				
Initiated	2	2	3	4
Ongoing	2	4	4	2
Completed	3	2	2	2
Target GIS projects and requests completed	198	132	102	156

⁸ Plus 713 additional wells during the spring 2018 ESPA Mass Measurement

⁹ Plus 58 additional wells during the FY2019 Wood River Valley Mass Measurement

¹⁰ USGS gages + return flow sites

Licensing Freedom Act

Agencies who participate in licensure must report on the number of applicants denied licensure or license renewal and the number of disciplinary actions taken against license holders.

	FY 2017	FY 2018	FY 2019	FY 2020
Class I Operator Permit				
Total Number of Licenses	67	65	63	76
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	0	1	1	0
Number of Final Disciplinary Actions Against Licensees	0	0	1	0
Class II Operator Permit				
Total Number of Licenses	29	20	37	29
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	0	0	0	0
Number of Final Disciplinary Actions Against Licensees	0	0	0	0
Licensed Driller				
Total Number of Licenses	128	107	134	118
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	4	2	5	5
Number of Final Disciplinary Actions Against Licensees	2	11	3	2

Red Tape Reduction Act

Each agency shall incorporate into its strategic plan a summary of how it will implement the Red Tape Reduction Act, including any associated goals, objectives, tasks, or performance targets. This information may be included as an addendum.

	As of July 1, 2019	As of July 1, 2020
Number of Chapters Modified or Eliminated	10	8
Number of Words Eliminated	27,278	23,900
Number of Restrictions Eliminated	476	433

As part of the Governor’s Red Tape Reduction Act, IDWR and the Board performed a comprehensive review of all fee and non-fee rule chapters and ultimately published pending rules in November of 2019 with modifications and eliminations summarized in the table above. IDWR submitted the pending rules to the 2020 Idaho Legislature for review and approval. The 2020 Idaho Legislative Session concluded without the legislature taking action to approve IDWR’s and the Board’s fee rule chapters as final and effective. As a result, IDWR and the Board published their fee rules at temporary rules effective through *sine die* of the 2021 Legislative Session.

In continuation of the Governor’s Red Tape Reduction Act, IDWR and the Board will again publish their fee rules as pending rules in the fall of 2020, for submittal to the 2021 Idaho Legislature for review and approval, with all of the modified and eliminated fee rules from the previous year. The table above summarizes all proposed modifications and eliminations to the fee rule chapters.

Part II – Performance Measures

Goal 1 Manage and administer water resources as required by statute to optimize economic activity and protect public safety.						
Performance Measure		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
1. Water Right Transfers Number of Pending Transfer Applications ¹¹	actual	149	140	136	126	-----
	target	150	130	120	110	100
2. Water Right Licenses Water Right Licenses Pending	actual	992	836	795	650	-----
	target	950	750	600	650	550
3. Ground Water Protection Percentage of wells inspected during construction, modification, or decommissioning	actual	N/A	18.6%	22.5%	23.5%	-----
	target	N/A	25-30%	25%	25%	25%
4. Water Supply Bank¹² Rental applications processed	actual	118	107	107	N/A	-----
	target	145	145	145	N/A	N/A
Median number of days to receive, process, and recommend water supply bank leases and rentals	actual	N/A	N/A	N/A	35	-----
	target	N/A	N/A	N/A	30	30
5. Ground Water Measurement Sites New Pressure transducers in monitoring wells	actual	69	36	90	37	-----
	target	N/A	25	25	25	25
New telemetry systems deployed at stream gages	actual	N/A	22	4	5	-----
	target	N/A	10	10	10	5
6. Northern Idaho Adjudications Percentage of Recommendations filed in the CSRBA and the PRBA by basin ^{13, 14}	actual	Basin 95 Begun	Basin 95 75%	Basin 95 100%	N/A	-----
	target	Basin 95 Begin	Basin 95 50%	Basin 95 100%	N/A ¹⁵	N/A

¹¹ Pending transfer applications represent the backlog of incomplete transfer applications at the end of the FY2020.

¹² Effective FY2020, IDWR changed the Water Supply Bank performance measure. The previous benchmark tracked the number of applications received, over which IDWR has no control. The new benchmark going forward tracks how long it takes staff to process applications. Number of applications received is still available in Part I of this report.

¹³ The Coeur d'Alene Spokane River Basin (CSRBA) includes Basins 91-95. The Palouse River Basin (PRB) includes Basin 87.

¹⁴ This performance measure does not account for early years of basin-wide adjudication when IDWR is taking claims rather than completing recommendations. Beginning with the FY2021 Performance Report, IDWR will report on the sum of claims-taking and recommendation activities.

¹⁵ The FY2020-23 IDW Strategic Plan does not identify a benchmark for filing recommendations in FY2020.

Goal 2 Administer and regulate water rights, protect senior water rights, and conserve Idaho’s water for future use.						
Performance Measure		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
1. Water Distribution Water Districts – Created, Expanded, or Modified	actual	2 ¹⁶	3	2	0	-----
	target	1	1-2	1-2	1-2	1-2

Goal 3 Promote and finance projects that will ensure sustainability of water sources into the foreseeable future and that will optimize the use of water of the State of Idaho.						
Performance Measure		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
1. Water Resource Board Eastern Snake Plain Aquifer acre-feet recharged into aquifer	actual	317,714 AF	545,000 AF	345,124 AF	447,956 AF	-----
	target	250,000 AF	250,000 AF	250,000 AF	250,000 AF	250,000 AF

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¹⁶ Plus one district activated.