

## 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 serving 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 Jeff Raybould, Chairman; Roger W. Chase, Vice Chairman; Jo Ann Cole-Hansen, Secretary; Dale Van Stone, Albert Barker, Dean Stevenson, Peter Van Der Meulen, and Brian Olmstead.

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 two units: the Water Rights Section and the Adjudication Section.
- Water Compliance Bureau: The other regulatory bureau within the Department. The Compliance Bureau is comprised 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 report 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 spatial components 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, the Safety of Dams program is a stand-alone unit overseen by the Deputy Director.

Finally, 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 2018           | FY 2019           | FY 2020           | FY 2021           |
|----------------------------|-------------------|-------------------|-------------------|-------------------|
| General Revenue Fund       | 19,300,500        | 19,502,100        | 19,658,700        | 18,957,600        |
| Indirect Cost Recovery     | 666,000           | 671,300           | 714,600           | 609,800           |
| Aquifer Planning & Mgmt.   | 1,293,800         | 1,415,500         | 1,440,800         | 1,453,400         |
| Economic Recovery Fun      | 0                 | 0                 | 0                 | 0                 |
| Water Admin. Fund          | 1,544,500         | 1,556,700         | 1,605,900         | 1,612,500         |
| Technology Infrast. Stab.  | 0                 | 88,000            | 322,800           | 0                 |
| Adjudications <sup>1</sup> | 36,400            | 36,700            | 38,000            | 38,000            |
| Federal Grant              | 2,307,000         | 1,700,200         | 1,719,800         | 1,725,600         |
| Miscellaneous Revenue      | <u>1,463,600</u>  | <u>1,491,300</u>  | <u>1,531,400</u>  | <u>1,542,400</u>  |
| <b>Total</b>               | <b>26,611,800</b> | <b>26,461,800</b> | <b>27,032,000</b> | <b>25,939,300</b> |
| Expenditures               | FY 2018           | FY 2019           | FY 2020           | FY 2021           |
| Personnel Costs            | 12,555,900        | 12,551,000        | 12,662,700        | 11,794,300        |
| Operating Expenditures     | 4,945,400         | 5,089,700         | 5,264,100         | 5,147,000         |
| Capital Outlay             | 779,200           | 417,300           | 59,000            | 140,000           |
| Trustee/Benefit Payments   | <u>882,000</u>    | <u>882,000</u>    | <u>908,500</u>    | <u>408,500</u>    |
| <b>Total</b>               | <b>19,162,500</b> | <b>18,940,000</b> | <b>18,894,300</b> | <b>17,459,800</b> |

Profile of Cases Managed and/or Key Services Provided:

| Planning and Projects Bureau               |                      |                      |                      |                      |
|--|----------------------|----------------------|----------------------|----------------------|
| Cases Managed and/or Key Services Provided | FY 2018              | FY 2019              | FY 2020              | FY 2021              |
| <b>Water Resource Board</b>                |                      |                      |                      |                      |
| Loans                                      | 4 for<br>\$4,341,160 | 2 for<br>\$4,600,000 | 2 for<br>\$2,190,000 | 3 for<br>\$171,000   |
| Revenue Bond Issuances                     | 0                    | 0                    | 0                    | 0                    |
| <b>Research and Project Development</b>    |                      |                      |                      |                      |
| Surface Water Storage Studies in Progress  | 3                    | 3                    | 3                    | 3                    |
| <b>ESPA Aquifer Management</b>             |                      |                      |                      |                      |
| Acre-feet Recharged into Aquifer           | 545,171 AF           | 345,124 AF           | 447,956 AF           | 130,463 AF           |
| <b>Streamflow Improvement Projects</b>     |                      |                      |                      |                      |
| Upper Salmon River Basin                   | 9 for<br>\$2,408,893 | 6 for<br>\$695,076   | 1 for<br>\$13,404    | 6 for<br>\$1,058,261 |
| <b>Water Supply Bank</b>                   |                      |                      |                      |                      |
| Rental Applications Received               | 99                   | 100                  | 94                   | 124                  |
| Rental Applications Processed              | 107                  | 108                  | 57                   | 127                  |
| Lease Applications Received                | 244                  | 283                  | 175                  | 219                  |
| Lease Applications Processed               | 295                  | 272                  | 227                  | 235                  |
| Lease Contract Release Requests            | 0                    | 3                    | 4                    | 2                    |

<sup>1</sup> This revenue source was previously called 'N. Idaho Adjudication'. Beginning in FY22, it has been renamed 'Adjudications' to reflect all adjudication activity in the State.

| Water Allocation Bureau  |         |         |         |         |
|--|---------|---------|---------|---------|
| Cases Managed and/or Key Services Provided                                   | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| <b>Adjudications (State Law Based Claims)</b>                                |         |         |         |         |
| New Claims Filed   | 117     | 1,209   | 1,085   | 322     |
| Recommendations Submitted to the Court <sup>2</sup>                          | 5       | 7,926   | 51      | 112     |
| Number of Active Claims Awaiting the Director's Report                       | N/A     | 1115    | 1931    | 2135    |
| <b>Applications for Permit</b>   |         |         |         |         |
| Number of Applications Received  | 423     | 547     | 468     | 523     |
| Number of Unprotested Applications Pending                                   | 278     | 288     | 194     | 208     |
| Number of Protested Applications Pending                                     | 214     | 197     | 179     | 155     |
| Total Applications in Progress   | 492     | 485     | 373     | 363     |
| Total Applications Completed   | 349     | 489     | 487     | 509     |
| Applications on Moratorium Hold  | 748     | 745     | 782     | 705     |
| <b>Water Right Transfers</b>   |         |         |         |         |
| Number of Applications Received  | 238     | 278     | 245     | 279     |
| Number of Applications Resolved  | 275     | 277     | 262     | 291     |
| Number of Unprotested Applications Pending                                   | 102     | 93      | 80      | 90      |
| Number of Protested Applications Pending                                     | 38      | 43      | 46      | 27      |
| Total Number Applications Pending  | 140     | 136     | 126     | 117     |
| <b>Water Right Licenses</b>  |         |         |         |         |
| Number of Licenses Issued  | 367     | 259     | 421     | 412     |
| Number of Licenses Pending   | 836     | 795     | 650     | 581     |
| <b>Water Right Ownership Changes</b>   |         |         |         |         |
| Number of Ownership Changes Processed  | 2,895   | 2,785   | 2,545   | 2,581   |
| Number of Ownership Changes Pending  | 308     | 312     | 412     | 645     |
| <b>Safety of Dams Program</b>  |         |         |         |         |
| Inspections of Existing Dams   | 24      | 110     | 60      | 93      |
| Design Review & Approval - New Const. or Repair                              | 2       | 10      | 2       | 11      |
| Percentage of High Hazard Dams with Up-to-Date Operation/Emergency Plans     | 47%     | 42%     | 42%     | 63%     |
| Number of Dam Failures and Uncontrolled Release of Stored Water <sup>3</sup> | 2       | 1       | 0       | 0       |

<sup>2</sup> During 2017 and 2018, IDWR prepared 5,500 recommendations included in the Director's Report that was filed with the court in July 2018 (FY19).

<sup>3</sup> The "Number of Dam Failures and Uncontrolled Release of Stored Water" metric has been added to the Performance Report for FY21. Dam failures and uncontrolled releases of water indicate the level of success or failure of the State's dam safety program.

| Water Compliance Bureau  |         |                 |         |         |
|--|---------|-----------------|---------|---------|
| Cases Managed and/or Key Services Provided   | FY 2018 | FY 2019         | FY 2020 | FY 2021 |
| <b>Water Distribution</b>  |         |                 |         |         |
| Water Districts Created, Expanded, or Modified   | 3       | 2               | 0       | 0       |
| Measurement Orders Issued (comprehensive only)   | 3       | 3               | 0       | 0       |
| <b>Ground Water Protection</b>   |         |                 |         |         |
| Well Permits Issued  | 3255    | 3,380           | 4,096   | 4739    |
| Driller Licenses Issued <sup>4</sup>   | 195     | 235             | 223     | 283     |
| Injection Well Apps Processed  | 247     | 271             | 260     | 525     |
| Geothermal Well Apps Processed   | 0       | 1               | 0       | 0       |
| Percentage of Wells Inspected <sup>5</sup>   | 18.6%   | 22.5%           | 23.5%   | 23.4%   |
| <b>Enforcement/Compliance (Water Rights, Well Construction, and Stream Channel)</b>              |         |                 |         |         |
| Notices of Violation Issued  | 15      | 14              | 13      | 12      |
| <b>Stream Channel Alterations (SCA) Program</b>  |         |                 |         |         |
| SCA Apps Received  | 482     | 402             | 402     | 324     |
| SCA Permits Issued <sup>6</sup>  | 269     | 319             | 288     | 234     |
| Percentage of SCA applications processed within 60 days of receipt (Min. Standard Projects only) | N/A     | 63%             | 71.3%   | 88.6%   |
| Percentage of permitted SCA activities receiving pre or post inspection                          | 50.9%   | 31.6%           | 29.8%   | 42.7%   |
| <b>Recreational Mining Letter</b>  |         |                 |         |         |
| Permits Issued   | 475     | 362             | 376     | 343     |
| <b>Flood Plain Management Program</b>  |         |                 |         |         |
| Community Asst. Visits (CAVs) Opened or Ongoing  | 18      | 25              | 23      | 24      |
| CAVs Closed  | 5       | 1               | 10      | 4       |
| Comm. Asst. Contacts (CACs) Completed  | 77      | 11 <sup>7</sup> | 25      | 25      |
| Training, Outreach, & Presentations Given  | 17      | 24              | 13      | 13      |

<sup>4</sup> The annual number of driller licenses issued includes Driller Licenses and Class I and II Operator Permits.

<sup>5</sup> IDWR adopted this benchmark in FY2019. It is the percent of permitted wells inspected during construction, including well seal placement, well modification, and well decommissioning.

<sup>6</sup> Some permits issued in the current fiscal year were received in the previous fiscal year

<sup>7</sup> 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 2018          | FY 2019          | FY 2020      | FY 2021      |
| <b>Surface and Ground Water Investigations</b>                |                  |                  |              |              |
| Initiated   | 2                | 2                | 2            | 1            |
| Ongoing   | 3                | 1                | 3            | 5            |
| Completed   | N/A              | 2                | N/A          | N/A          |
| <b>Ground Water Model Revisions and Recalibration efforts</b> |                  |                  |              |              |
| Initiated   | N/A              | N/A              | N/A          | N/A          |
| Ongoing   | 3                | 2                | 2            | 1            |
| Completed   | N/A              | 1                | N/A          | 1            |
| <b>Water Rights Accounting Program Modernization efforts</b>  |                  |                  |              |              |
| Initiated   | N/A              | N/A              | 1            | 2            |
| Ongoing   | 2                | N/A              | N/A          | 1            |
| Completed   | 2                | 2                | N/A          | N/A          |
| <b>Water Measurement Sites</b>                                |                  |                  |              |              |
| <b>Total Water Measurement Sites</b>                          | <b>1,429</b>     | <b>1,503</b>     | <b>1,522</b> | <b>1,508</b> |
| <b>Total Ground Water Measurement Sites</b>                   | <b>1,195</b>     | <b>1,270</b>     | <b>1,288</b> | <b>1,256</b> |
| Managed Recharge  | 47               | 63               | 93           | 87           |
| Geothermal  | 38               | 37               | 37           | 37           |
| Ground Water Quality  | 204              | 238              | 255          | 303          |
| Water Level Monitoring only                                   | 906 <sup>8</sup> | 932 <sup>9</sup> | 903          | 829          |
| <b>Total Surface Water Sites</b>                              | <b>237</b>       | <b>233</b>       | <b>234</b>   | <b>252</b>   |
| Surface Water Quality   | 3                | 10               | 8            | 16           |
| Surface Water Gaging <sup>10</sup>                            | 234              | 223              | 226          | 236          |
| <b>Equipment Deployment</b>                                   |                  |                  |              |              |
| New Pressure Transducers Deployed in Wells                    | 36               | 90               | 37           | 25           |
| New Telemetry Systems at Stream Gages                         | 22               | 4                | 5            | 1            |

| Geospatial Technology Section                                    |         |         |         |         |
|--|---------|---------|---------|---------|
| Cases Managed and/or Key Services Provided                       | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| <b>GIS Database Large Development &amp; Integration projects</b> |         |         |         |         |
| Initiated  | 2       | 3       | 4       | 2       |
| Ongoing  | 4       | 4       | 2       | 6       |
| Completed  | 2       | 2       | 2       | 1       |
| Target GIS projects and requests completed                       | 132     | 102     | 156     | 89      |

<sup>8</sup> Plus 713 additional wells during the spring 2018 ESPA Mass Measurement

<sup>9</sup> Plus 58 additional wells during the FY2019 Wood River Valley Mass Measurement

<sup>10</sup> 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 2018 | FY 2019 | FY 2020 | FY 2021 |
|--|---------|---------|---------|---------|
| <b>Class I Operator Permit</b>                         |         |         |         |         |
| Total Number of Licenses                               | 65      | 63      | 76      | 85      |
| 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                 | 1       | 1       | 0       | 0       |
| Number of Final Disciplinary Actions Against Licensees | 0       | 1       | 0       | 0       |
| <b>Class II Operator Permit</b>                        |         |         |         |         |
| Total Number of Licenses                               | 20      | 37      | 29      | 33      |
| 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       |
| <b>Licensed Driller</b>                                |         |         |         |         |
| Total Number of Licenses                               | 107     | 134     | 118     | 165     |
| 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                 | 2       | 5       | 5       | 3       |
| Number of Final Disciplinary Actions Against Licensees | 11      | 3       | 2       | 2       |

**Part II – Performance Measures**

| Goal 1<br>Manage and allocate water resources as required by statute to optimize economic activity and protect public safety.                         |        |         |         |         |         |         |
|---|--------|---------|---------|---------|---------|---------|
| Performance Measure   |        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| 1. <b>Water Right Licenses</b><br>Number of Pending Water Right Licenses  | actual | 836     | 795     | 650     | 581     |         |
|   | target | 750     | 650     | 600     | 550     | 450     |
| 2. <b>Water Right Transfers</b><br>Number of Pending Transfer Applications <sup>11</sup>  | actual | 140     | 136     | 126     | 117     |         |
|   | target | 130     | 120     | 110     | 100     | 100     |
| 3. <b>Water Supply Bank</b> <sup>12</sup><br>Median number of days to receive, process, and recommend water supply bank leases and rentals            | actual | N/A     | N/A     | 35      | 48      |         |
|   | target | N/A     | N/A     | 30      | 30      | 30      |
| 4. <b>Ground Water Protection</b><br>Percentage of wells inspected during construction, modification, or decommissioning                              | actual | 18.6%   | 22.5%   | 23.5%   | 23.4%   |         |
|   | target | 25-30%  | 25%     | 25%     | 25%     | 28%     |
| 5. <b>Adjudications (State Based Claims)</b><br>Total Claims Taken and Recommendations Submitted to the Idaho Water Adjudications Court <sup>13</sup> | actual | N/A     | 8973    | 970     | 434     |         |
|   | target | N/A     | N/A     | N/A     | N/A     | 5,500   |

| Goal 2<br>Administer and regulate water rights, protect senior water rights, and conserve Idaho's water for future use. |        |         |         |         |         |         |
|---|--------|---------|---------|---------|---------|---------|
| Performance Measure   |        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| 6. <b>Water Distribution</b><br>Water Districts created or modified   | actual | 3       | 2       | 0       | 0       |         |
|   | target | 1-2     | 1-2     | 1-2     | 1-2     | 1-2     |
| 7. <b>Ground Water Measurement Sites</b><br>New Pressure transducers in monitoring wells                                | actual | 36      | 90      | 37      | 25      |         |
|   | target | 25      | 25      | 25      | 25      | 25      |
| 8. New telemetry systems deployed at stream gages   | actual | 22      | 4       | 5       | 1       |         |
|   | target | 10      | 10      | 10      | 5       | 5       |

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<sup>11</sup> Pending transfer applications represent the backlog of incomplete transfer applications at the end of the fiscal year.

<sup>12</sup> Effective FY20, IDWR changed the Water Supply Bank performance measure. The previous measure tracked the number of applications received, over which IDWR has no control. The new measure going forward tracks the mean number of days to process applications. Number of applications received and processed are still available in Part I of this report.

<sup>13</sup> The previous adjudication performance measure, "Percent of Recommendations filed in the CSRBA and the PRBA by basin", does not account for early years of basin-wide adjudication when IDWR is taking claims rather than completing recommendations. Beginning in FY21, IDWR will report on the sum of claims-taking and recommendation activities.

| Goal 3<br>Promote and finance projects that will advance the sustainability of water resources into the foreseeable future and that will optimize the use of water of the State of Idaho. |        |            |            |            |            |            |
|---|--------|------------|------------|------------|------------|------------|
| Performance Measure   |        | FY 2018    | FY 2019    | FY 2020    | FY 2021    | FY 2022    |
| 9. Water Resource Board<br>Eastern Snake Plain Aquifer acre-feet recharged into aquifer   | actual | 545,000 AF | 345,124 AF | 447,956 AF | 130,463 AF |            |
|   | target | 250,000 AF | 250,000 AF | 250,000 AF | 250,000 AF | 250,000 AF |

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