

Utah Department of Natural Resources

Division of Water Rights



MISSION

Water Rights puts use of water in the hands of people. The mission of the Division of Water Rights is to promote order, certainty, and safety in the beneficial use of Utah's water.

PRIMARY SERVICES

- Water right applications
- Water right proposed determinations
- Water right priority distribution
- Water right enforcement
- Water right records/public assistance
- Water well driller licensing
- Safety of dams
- Stream Alteration permits

FY 16 & 17 ACCOMPLISHMENTS

- On schedule to complete statewide canal inventory by July 2017.
- Special Master functioning in ULJR Adjudication.
 - 16 objections dismissed. 37 reports submitted to court.
- Accelerated adjudication process implemented.
 - 17,020 000 claimants individually noticed in calendar year 2016.
- Implemented review visits for public water supplier use reports. 115 system visits.
- 5,522 Water right applications processed.
- Safe Yield of Cedar City groundwater basin presented to public, critical management area.
- Navajo water right settlement legislation introduced in Congress.
- Bryce National Park water right settlement negotiated.
- Initiated discussion with USBR for a Flaming Gorge water contract which will allow the state to also fulfill flow protection requirements of Upper Colorado River Endangered fish program.
- Water commissioner employment and fund changes implemented.
- Cooperative automated water diversion monitoring on Weber River initiated.
- Digital distribution models introduced on three major water systems.

ISSUES AND CHALLENGES

Major Policy Issues & Challenges

- Growing competition for water and need for improved management to stretch supplies.
- Agricultural incentives and flexibility for water use improvement.
- Preparing for priority distribution on fully allocated Colorado River.
- Maximizing agency staff resource use in decision making.
- Making significant progress on outstanding general adjudications.
- Resolving Native American, Forest, and National Park federal reserved water rights.
- Groundwater level declines and their relation to declining surface flows.
- Improving quality of water right records to support market transactions.
- Improvements in water measurement and delivery aimed at better water utilization.

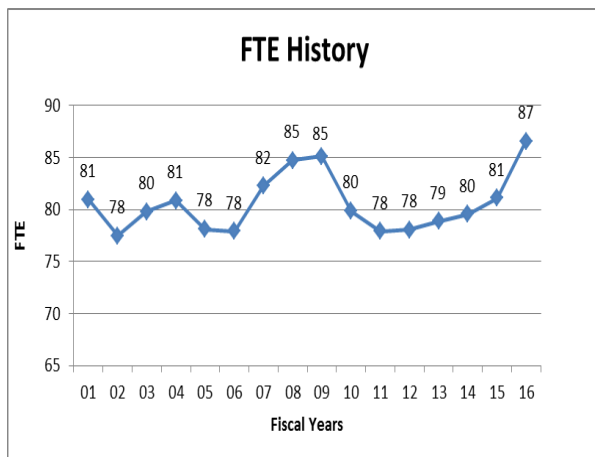




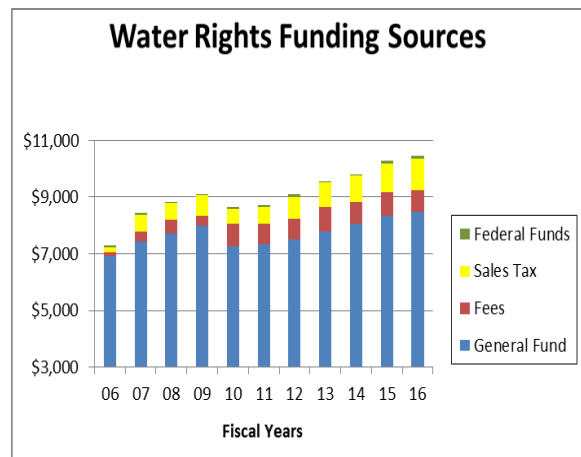
Plan of Action

- Define duty by rule with greater flexibility for agriculture use.
- Introduce online applications (protest, nonuse).
- Goal of average processing time for change applications of less than 80 days.
- Continue process improvements focusing all excess resources on ULJR adjudication.
- Continue automation of Weber and Provo rivers.
- Improvement of public water supplier use reporting using online reporting process.
- Complete review visits of all public water suppliers within three years.

FTE History



Water Rights Funding Sources (in Thousands)



Utah Department of Natural Resources

Division of Water Rights



Department of Natural Resources – Water Rights

Services

1. What do you do?

- a. How does your entity serve the public (mission, objectives)? Who specifically are your customers?
Water Rights puts the use of water in the hands of the people. The mission of the Division of Water Rights is to promote order, certainty, and safety in the beneficial use of Utah's Water. Every person and entity in Utah is impacted by an orderly system to make use of public water.
- b. What values does your agency add to society? What is the return you bring on the tax payers' investments?
It provides a stable framework for access to a limited public resource.
- c. Why should the public continue to pay for these services?
The alternative is chaos which will stifle economic growth.

2. How well do you do it?

- a. How do you define and measure success? What are your performance measures? Why have you chosen them? How do they help you accomplish your mission?
The Division defines success in our business in terms of a stable water market where those seeking water for new development are able to secure reliable use of the resource through a reasonable and understandable process. That process respects and does not injure other existing rights of use and clearly lays out obligations relative to use of the public resource that are understood and observed.

We measure success in a number of ways. The most important measure is water user satisfaction. Since demand for the resource exceeds supply satisfaction cannot be measured just in terms of whether everyone thinks they have what they want but the Division asks those interacting with it for comment on their experience and addresses issues identified in comments. We also participate annually in an executive water task force which is a forum for water users and the Division to bring forward issues of concern and find better solutions. Feedback from that group helps us identify what is working and what is not.

The Division is aware that delay in application processing is a prime concern in the water community and maintains measures relative to filing and processing of water right applications as key indicators of changes in workload and agency success accomplishing statutory duties.

The Division also tracks other key indicators of success such as unique users who access the agency website to obtain information. The website has been developed as an information portal for doing water right research and to provide assistance in preparing water right applications. More recently the agency has initiated projects supported by the Governor's office for water use reporting improvement and accelerating adjudication. Both projects operate under the Success Framework introduced to executive state agencies by the Governor's office and are being tracked using ratios of performance divided by cost to demonstrate they are making appropriate efficiency improvements.

- b. What are your goals? How well are you achieving your goals?
The Division has the following goals:

- 1) No loss of life or property damage due to failure of water structures.



Utah Department of Natural Resources

Division of Water Rights



2) A publically accessible water right record for every water right in the state which contains current ownership information and enough detail on actual water use that those involved in water transactions can make informed decisions from the record.

3) A modern system of priority distribution which makes real time information on water supply available for water users to make efficient water use choices and includes a flexible and timely distribution of the water among priority users leading to best use practices.

c. What are your efforts to be efficient and effective?

These goals are challenging and will require consistent effort to achieve. We tend to track failures rather than successes with water infrastructure safety. Three major events have been experienced in the last decade. The Division has introduced automation to collect and analyze structure operating data. Automation has also been introduced into inspections to maximize productivity of assigned inspectors.

A water right records system has been assembled with major tools for water research. The system has helped the Division to become more efficient in tracking actions with records and automating application processes to minimize clerical activities. The record will not be complete until adjudications statewide are accomplished. The current push for adjudication is intended to jump start that process and bring to conclusion all pending general adjudication actions. Present efforts to improve water use reporting for public water suppliers represent an experiment to bring reliable water use data into the public record. Successes from that program will be adapted to expand the collection of actual water use data for all water rights in the record.

The Division in the last two decades has worked cooperatively with water users to introduce real time monitoring into water distribution systems. The Division in the last 5 years has developed a distribution modelling infrastructure and implemented it on 4 major water systems in the state.

3. What do you see in the future?

a. What are the major issues and challenges in the next 3-5 years for your agency?

- a. Growing competition for water and need for improved management to stretch supplies.
- b. Agricultural incentives and flexibility for water use improvement.
- c. Preparing for priority distribution on fully allocated Colorado River.
- d. Maximizing agency staff resource use in decision making.
- e. Making significant progress on outstanding general adjudications.
- f. Resolving Native American, Forest, and National Park federal reserved water rights.
- g. Groundwater level declines and their relation to declining surface flows.
- h. Improving quality of water right records to support market transactions.
- i. Improvements in water measurement and delivery aimed at better water utilization.

b. What are you doing/going to do about it?

- a. Define duty by rule with greater flexibility for agriculture use.
- b. Introduce online applications (protest, nonuse).
- c. Goal of average processing time for change applications of less than 80 days.
- d. Continue process improvements focusing all excess resources on ULJR adjudication.
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c. Discuss FTE trends and anticipated FTE levels for FY 2017 and a 5 year outlook.



Utah Department of Natural Resources

Division of Water Rights



FTEs have increased due to resources being made available for adjudication and canal inventory recently, FTE counts are expected to approximate the current level within current resources.

Funding

What is your funding structure?

- a. What is the nature and sources for your base budget?
The main revenue source is general fund, with some additional funding from fees for services provided, sales tax, and federal funds.
- b. Provide specifics for developing new funding sources.
- c. Provide a description of your non-lapsing (carry-forward) balances and explain how you are using them.

These amounts are generally collected near year end of the fiscal year from sources which are difficult to forecast. Non-lapsing authority has provided the agency the stability necessary to use these funds in existing agency operations without the concern of exceeding actual funding available due to inaccuracies in forecasts.

- d. What is your justification to request “non-lapsing” intent language (where applicable)?
By allowing a small non-lapsing balance it provides for better allocation of resources as needed in the division and allows planning to be continuous for efficiency without operational starts and stops due to budget constraints.

Expenditures

Is the organization run as efficiently as possible?

1. Which expenditure categories had the biggest changes over time? Why?
The largest are in personnel costs, motor pool and Information Technology. Due to increases in personal for adjudication and canal inventory costs have increased. Increases in motor pool and Information Technology are primarily from increased operating costs passed on by the internal service funds and due to increase in personnel for adjudication and canal inventory.
2. Is the workload seasonal? Do you really need full-time staff?
The workload is not seasonal.
3. Are travel expenditures reasonable? Do staff need to travel as much out of state? Can Skype and other video conferencing tools be implemented and used more frequently?
The division is using technology tools where possible to reduce the need for travel.
4. Can operating costs be reduced with updated technology/equipment?
Technology is being used that has reduced the need to increase operating costs. New processes are being implemented as resources allow to continue efficiency gains from technology resources currently available.

Re-allocation of base budgets

Are we funding the highest priorities?

1. What areas within your base budget could be considered for reallocation in order to fund higher priority programs or building blocks?
Currently all programs are stressed for funding in order to meet their requirements and fulfill the mission of Water Rights.



Utah Department of Natural Resources

Division of Water Rights



2. What programs would you reduce or eliminate if you were required to cut 2% of your base budget?
Why did you choose these programs/services?
 - 1) Stream Alteration – It is not critical to the mission of the agency and overlaps with existing federal programs. The division was authorized to collect fees for the program 8 years ago but the program continues to require general funds to sustain its activities.
 - 2) Dam Safety – Initiate fees to cover a portion of the cost of dam safety activities and reduce general funds by a commensurate amount.

