



# Oregon

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## Water Resources Department

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### MEMORANDUM

**TO:** Water Resources Commission

**FROM:** Dwight French, Water Right Services Division Administrator

**SUBJECT:** Agenda Item E, February 7, 2013  
Water Resources Commission Meeting

#### **Process Improvement Update**

#### **I. Introduction**

Staff will update the Commission on the recent activities that have taken place related to process improvement within the Water Right Services Division.

Major Process Improvement efforts in the recent past include: internal “Lean” effort in late 2009 and early 2010, which included the hiring of a “Lean” facilitator (Detailed report to the WRC in February of 2010) and the development and work of the external Efficiency Review Group of 2009/2010 (Detailed report to the Commission in November of 2010).

This staff report discusses process improvement efforts undertaken in 2011 and 2012.

#### **II. Discussion**

The Water Right Services Division would like to highlight following recent process improvement initiatives.

##### ***Implementing House Bill 2133 (2011) and House Bill 2135 (2011)***

The Commission adopted rules to implement the legislative changes in January of 2012.

HB 2133 allows the Department to save time and money by using email to distribute processing documents when the applicants volunteer to do so. A recent survey of transfer and water right application files shows that 85 percent of applicants have chosen to take advantage of this service offering. As a result, Department staff spend less time copying and mailing hard copies of our processing documents.

HB 2135 reduced the requirements to publish notices in the newspaper for seven different processes. This change did not reduce the amount of hours or minutes it takes for staff to

complete any of our processes but it did cut a week or more off of our processing time, while saving the applicant the cost of paying for additional notices in the newspaper. The idea for this bill came out of the work of the external 2009/2010 *Efficiency Review Group*.

### ***Lean***

Division staff have been using lessons learned from the prior “Lean” exercises to seek similar type improvements in two processing areas that did not receive attention during the “Lean” efforts in 2009 and 2010.

Beginning in January of 2012, Department staff had several meetings to review the Instream Lease program and took several actions to streamline the processing of these documents, such as redesigning application forms. By the end of the summer of 2012, these efforts resulted in a quicker turnaround of lease applications. We look forward to continued efficiency savings in 2013 as a result of this review and work. Based on recent filing trends, the Department expects to receive approximately 90 instream lease applications in 2013.

In December of 2012, Department staff conducted several “Lean” meetings aimed at improving the efficiency of the Allocation of Conserved Water application process. The Department has received 75 Conserved Water since the program began in 1996. The filing rate is expected to increase in the years ahead.

In both exercises, Instream Leases and the Allocation of Conserved Water, staff made several changes to the process including:

1. Improved application materials.
2. Enhanced process tracking on our web site to better inform the public and staff.
3. New and improved document template generation.
4. Process (step by step) documentation to improve consistency.

### ***Office of Administrative Hearings***

We scheduled a meeting with the leadership of the Office of Administrative Hearings (OAH) in August of 2012 to brainstorm steps the Department could take to improve how it operates in the hearings arena. We learned that there are a few things that we can and should be doing to make our hearings-related work load be more efficient. To this end, the Department adopted four hearings-related strategies that lead to a more cost efficient method.

1. Refer hearing matters to the OAH using an organized and consistent method regardless of which Department work group refers the matter for hearing.
2. Do not refer matters to OAH until WRD is ready for Oregon Administrative Hearings to schedule a pre-hearing conference.
3. Consider using the OAH as a pre-Rules Advisory Committee resource for procedure or hearing related rulemakings.

4. Conduct a water rights hearing rules review and perform a follow-up rulemaking as deemed necessary.

### ***Other Process Improvement Efforts***

Listed above are three particular process improvement efforts. Two additional process improvement efforts are worth special mention:

1. Addressing the problem of water right layering (Primary and Supplemental Water Rights) within Irrigation Districts: In 2012, staff of the Department had several meetings with the Oregon Water Resources Congress (Congress) to gain a better understanding of the water right layering issues and what could be done by the Department and irrigation districts to reduce or eliminate unnecessary or costly issues. Water right layering occurs when a supplemental water right is approved. If the primary water right is moved to another location without also moving the supplemental water right, the result can lead to enlargement. After several meetings the Department and the Congress agreed to a suite of changes and enhancements generally centered around educating all parties associated with district water rights on the issues associated with the nuances and limitations of water rights within district boundaries.
2. Annual Certified Water Right Examiners (CWRE) Training: Starting in 2000, Department staff have prepared and conducted training each fall for CWREs. These trainings, offered in four separate communities each year, allow CWREs to become increasingly familiar with Department staff, processes and programs. The Department has found that the maps and other work prepared by CWREs that have attended our training sessions have fewer issues or errors than those that do not receive the training.

### **III. Conclusion**

The Department has used a variety of tools to generate efficiencies in our water right transaction programs. We remain committed to finding even more efficiencies through continued process improvement efforts and will continue to reduce backlogs during current and future biennia.

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