

ADMINISTRATOR'S MEMORANDUM

Amended Records No. 7

To: IDWR Staff
From: Mathew Weaver
Date: January 11, 2025



RE: Fees for Research, Computer Data Services, Copies & Labor

This memorandum supersedes and replaces the Second Amended Records Memorandum No. 4, dated July 8, 2008, and Amended Records Memorandum No. 7, dated August 19, 2011

Records Memo No. 4 addressed fees for Department staff labor costs associated with research and computer data services. Records Memo No. 7 addressed the charges for copies and staff labor costs associated with researching and compiling Public Records Requests (PRR). This memorandum describes services for which the Department may charge a fee and establishes the fee for those services.

The fees for research services and copies outlined in this memo apply to all Department programs and services. The customer shall be informed of the fee schedule, and the estimated total charge before staff begin their research or computer data service. As an alternative, the customer should also be referred to the Department's website if the research can be completed through the Department's public search capabilities. The procedure for notifying a PRR requestor of the fee associated with their request is outlined below in the Public Records Request section.

The fee charged for research or computer data services will be periodically reviewed to determine whether the fees should be adjusted because of changes in hourly pay, benefits costs, or indirect costs. Any changes in the fees outlined in this memorandum shall be reviewed and approved by the Director.

When the need to charge a fee for research services or copies is in question, the regional manager or section manager is responsible for the decision. If the fee in question is related to PRR, the PRR Coordinator is responsible for the decision, contingent on the Director's approval.

Research and Computer Data Services

Pursuant to Idaho Code § 42-221(J), the Department is authorized to collect a fee for "tasks requiring in excess of one (1) hour research or for computerized data provided for public use." The Department may charge individuals, companies, or corporations for any records research or computer data services if the task exceeds one (1) hour per project. Computer data services may include data queries, analysis, or other data services if fees for the task are not already covered under Idaho Code § 42-221 or other statutory provisions pertaining to Department responsibilities.

The Department will not charge a fee for research or computer data services under the following circumstances:

- (1) When the Department has executed a reciprocal agreement with a city, county, state, or federal government entity to provide similar information;

- (2) When the Department has an express obligation created by statute, agreement, or memorandum of understanding to provide the specific information without charge; or
- (3) When the information is provided pursuant to a court order or is a response to a discovery related to litigation.

The hourly charge will be the average hourly policy salary of typical Department personnel conducting the research. The present charge is \$78.00 per person hour plus the cost of transferring the information (e.g., the cost of a flash drive or other hardware to transfer information). The \$78.00 per hour fee is computed by averaging the policy salary of staff in pay grades L - M and adding on the associated benefits and indirect costs. A summary of the computations is attached.

Copies

Per Idaho Code § 42-221(H), the Department is authorized to charge for copies of office records, maps, and documents for public use. Individuals, companies, or government agencies seeking information requiring copies from the Department should reimburse the Department for the cost of the copies that exceed 100 pages. Exceptions include watermasters, government agencies from whom we regularly receive free copies, and other incidental requests that may assist the Department in carrying out its duties.

Below are the current charges for copies of IDWR records. The department's latest published charges should be used for all copy types. These charges are subject to change.

In addition, the fee for certification of copies of Department records as true and correct copies is \$10.00 for each document, plus \$0.25 per page.

Public Records Requests

Per Idaho Code § 74-102(1), every person has a right to examine and take a copy of any public record of the State. Idaho code § 74-102(10)(b) allows the Department to establish fees to recover the actual labor and copying costs associated with locating and copying documents for PRR. The Department will charge fees in response to PRR based on the guidance established in Administrator's Memorandum Records No. 14 and the copying fee schedule set forth below.

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES FEE SCHEDULE FOR RESEARCH SERVICES, COPIES, AND PUBLIC RECORDS REQUESTS

Research Fee Calculations

Fees for Department research services are calculated by averaging the policy salary of staff in pay grades L – N. Staff in pay grades L – N includes the senior, principal, and supervisor Water Resource Agent positions, the Analyst 3 and 4 positions, the GIS Analyst 2 and 3 positions, the staff, technical, and supervisor hydrologist and hydrogeologist positions, and associate, staff, and technical engineer positions, all of whom typically respond to and perform research services.

The fee for research services is \$78 per hour and is calculated as follows:

2024 benefits are computed at 23% of salary for benefits and \$14,300 per person for health insurance. Indirect costs are 38.9% of salary. The policy salaries for pay grades L – N are listed below.

- Pay grade L - \$34.62
- Pay grade M - \$39.66
- Pay grade N - \$45.67

Average Policy Salary = $(\$34.62 + \$39.66 + \$45.67) / 3 = \39.98
 Benefits = $\$39.98 \times .23191 = \9.27
 Health Insurance = $\$14,300 / 2080 = \6.88
 Indirect = $(\$39.98 + \$9.27 + \$6.88) \times .389 = \21.83
 Total = $\$39.98 + \$9.27 + \$21.83 + \$6.88 = \$77.96$ (round to \$78 per hour)

Charges for Copies

There will be no charge for the first 100 copied pages, excluding maps and large-format printing. Each page of print is a single copy; double-sided copies are assessed for the same fee as two single-sided copies. The costs for each type of copy and copy-related services are listed below.

<u>TYPE OF COPY OR COPY SERVICE</u>	<u>FEE PER PAGE OR SERVICE</u>
Black & White letter and legal copies	\$0.05
Black & White 11x17	\$0.06
Color	\$0.10
Maps & Large Format Printing greater than 11x17	\$25.00
Certified Copies	\$10.00 per document and an additional \$0.25 per page
Transfer of copies to a flash drive, DVD, CD, or similar form	\$25.00
Mailing or shipping copies	Actual cost

Charges for Copies and Labor Associated with Public Records Requests

Charges for PRR-related copies follow the fee schedule listed above. Labor fees responsive to PRR are established in Administrator’s Memorandum Records No. 14.