



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 18, 2024

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232-4181

RE: License No. 13-8081

ISSUANCE OF LICENSE

Dear Water Right Holder:

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 497-3784.

Sincerely,

James Cefalo
Eastern Regional Manager

Enclosure(s)

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 13-8081

Priority: July 28, 2021

Maximum Diversion Volume: 1,200.0 AF

It is hereby certified that:

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232-4181

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 28, 2021, and has submitted Proof of Beneficial Use on April 30, 2024. An examination confirms water is diverted from:

Source : OXFORD SLOUGH

Tributary: DEEP CREEK

Beneficial Use

WILDLIFE STORAGE

Period of Use

01/01 to 12/31

Rate of Diversion**Annual Volume**

1,200.0 AF

Location of Point(s) of Diversion

OXFORD SLOUGH L10 (NE¼ NW¼), Sec. 2, Twp 14S, Rge 38E, B.M. FRANKLIN County

Place of Use: WILDLIFE STORAGE

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
13S	38E	34	X	X	X	X	X		X L11	X	X	X L10	X L9	X L8	X	X	X L7	X L7
14S	38E	3	X L9															
13S	38E	27			X L2	X L1				X	X L6			X L5	X L8	X L7	X	X
13S	38E	27				X L8					X L3					X L2		
13S	38E	35					X	X	X		X	X	X	X				
14S	38E	2					X L10	X L11										
13S	38E	26							X L3	X	X L2	X L4	X	X L5				
13S	38E	26							X L4		X L4	X L2		X L1				

Conditions of Approval

1. The reservoir established by the storage of water under this right shall not exceed a total capacity of 1,200 acre-feet or a total surface area of 836 acres.
2. To prevent injury to water right 13-7481 (which includes any of its progeny rights) during the non-irrigation season, the right holder shall adhere to the following plan of operations: The right holder may capture and store water in the reservoir authorized by this right up to a maximum elevation of 4745.5 feet above sea level. If the holder of water right 13-7481 notifies the right holder of an intent to divert water for storage, and there is insufficient water in Deep Creek to satisfy that right,

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 13-8081

the right holder shall document the water surface elevation on the day of the notice and provide the elevation reading to the holder of water right 13-7481. The right holder may maintain the reservoir at the documented water surface elevation but shall adjust the diversion structure(s) to allow water in excess of such water elevation to flow downstream into Deep Creek. Upon notice that the holder of water right 13-7481 is no longer diverting water to storage, the right holder may resume storing water under this right. At any time during the non-irrigation season, even after notice is provided by the holder of water right 13-7481, the right holder may store any water in excess of the quantity of water needed to satisfy water right 13-7481, unless this right is curtailed under priority administration of water rights in the Bear River Basin.

3. To prevent injury to downstream water rights during the irrigation season, the right holder shall adhere to the following plan of operations: The right holder may capture and store water in the reservoir authorized by this right up to a maximum elevation of 4745.5 feet above sea level. In any year that water is actively captured and stored under this right (i.e. boards are installed to retain water), at the time irrigation rights are curtailed on the Bear River in the state of Idaho or when a call for water is made by the holder of a senior irrigation right on Deep Creek, the right holder shall remove pressure boards to allow the reservoir to empty to an elevation six inches less than the maximum storage level reached that year. Once the reservoir reaches equilibrium at an elevation six inches lower than the maximum storage elevation for a given year, the natural channel below the reservoir dike will dry up and the reservoir will eventually become disconnected from Deep Creek, thereby reflecting the natural hydrologic conditions in mid- to late-summer. The right holder may capture and store water in the reservoir in the latter part of the irrigation season, after Oxford Slough has become disconnected from Deep Creek.
4. After specific notification by the Department, the right holder shall install a suitable measuring device on the Oxford Slough channel below the diversion dam to quantify the amount of water released from the reservoir authorized by this right.
5. The right holder shall permanently maintain a staff gage, measuring device, and data logger near the diversion dam which can be used to measure and record the water surface elevation of the water stored behind the dam.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 18th day of October, 2024.

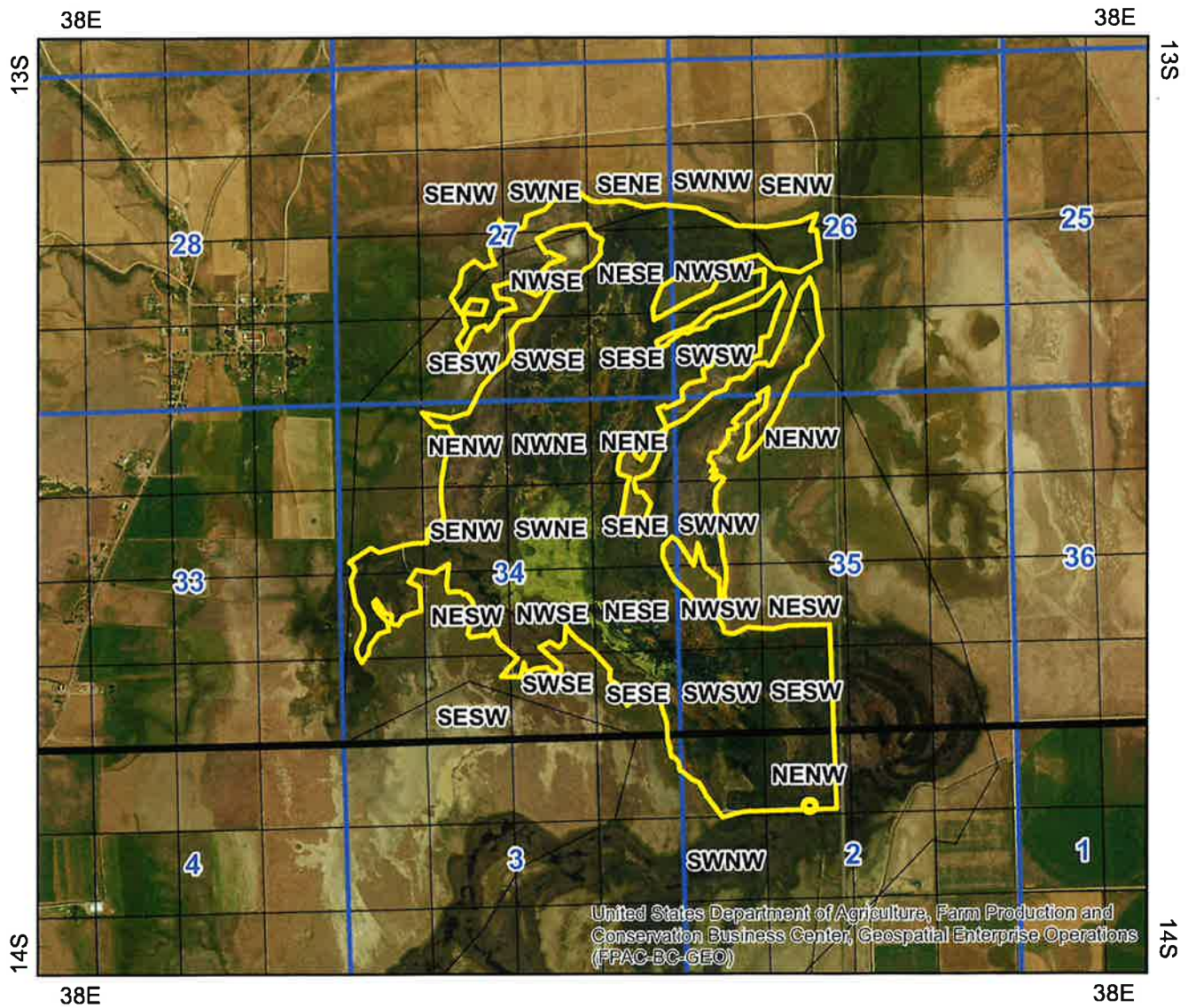


JAMES CEFALO
Eastern Regional Manager

State of Idaho
Department of Water Resources

Water Right

13-8081



0 0.325 0.65 1.3 Miles

- Place Of Use Boundary
- Point of Diversion
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2024, I served a true and correct copy of Water Right License No. 13-8081 by U.S. Mail, postage prepaid, to the following:

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232-4181

WATER DISTRICT #11
JOSH HANKS
132 E 400 S
RICHMOND UT 84333-1505



Christina Henman
Administrative Asst. I