

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 89232

AUG 02 2024

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

Department of Water Resources
Eastern Region

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Good Timber Ranch, LLCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 02 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Good Timber Ranch LLC Phone 208.709.1074
Mailing address 1300 Good Timber Ranch Rd., Victor, ID 83455 Email nathan@coldwaterpaint.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

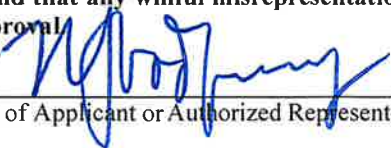
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Nathan Godfrey Phone 208-709-1074
Mailing address 1300 Good Timber Ranch Rd., Victor, ID 83455 Email nathan@coldwaterpaint.com

- ☒ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Nathan Godfrey
Print Name and Title if applicable

July 30, 2024
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☒ Change nature of use

☐ Add diversion point(s)
☒ Change period of use

☐ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code §42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
See Part 1A.3 Attached

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.		Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use		Source & Tributary
All or Part							
☐	☒	22-2279	3.75 AF (0.04 cfs)	Recreation Storage	1/1	to 12/31	Springs / Little Warm Ck
☒	☐	22-7658	2.5 AF (0.03 cfs)	Recreation Storage	1/1	to 12/21	Springs / Little Warm Ck
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	

Total authorized under rights 0.55 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.07 cubic feet per second and/or 6.2 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes		SE	NE	SW	22	3N	45E	Teton	Forest Spring (22-2279)	(change to correct location)
No		NE	NW	SE	22	3N	45E	Teton	Big Spring (22-2279)	
No		NW	NW	SE	22	3N	45E	Teton	Spring (22-7658)	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	45E	22									9				29	11.5			49.5
3N	45E	22														R			
Total Acres (for irrigation use)																			49.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Diversion includes springs flowing into the pond from natural channels, drainages and irrigation ditches. An engineered earthen dam will include mechanisms to control water inflow and outflow for water management. The irrigations portions of the rights will not change from a combination of flood and sprinkler irrigation.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

All of the land irrigated under 22-7658 will be covered by the new storage pond and will no longer be irrigated. 1.5 acres of land irrigated under right 22-2279 will also be covered by the new storage pond and will no longer be irrigated. There will be no other changes to the irrigated place of use under right 22-2279.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Water rights 22-7710, 22-683A and 22-13915 overlap a portion of place of use under right 22-2279.

These rights are diverted from Pole Creek and will not be changed by this transfer.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (WaterBalance)

- ☒ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments. *\$250.- for an OIC Receipt total \$750.-*

Received by _____ Date _____ Preliminary check by _____ Date _____ *Remaining \$500.- for transfer.*

Fee paid *\$500.-* Date *8/2/2024* Received by *JB* Receipt # *E050275*

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Part 1A.3: Project Proposal and Description

The applicant is proposing to construction a small, on-stream recreation pond on their property in the Teton Valley. The pond will be placed at the confluence of several channel, drains and ditches that carry water from several springs just upstream of the proposed pond. The applicant proposes a change in nature of use transfer for a portion of irrigation water right 22-2279 and all of irrigation water right 22-7658. An small earth-filled dam will be constructed where these springs converge and flow into Little Warm Creek. The pond capacity will be approximately 90 acre-feet (AF) with a surface are of 3.94 acres. Water will flow-through the pond after filling to keep the water fresh and balance evaporation from the pond surface. The two affected water rights currently irrigate 23 acres (22-2279 irrigates 22 acres and 22-7658 irrigates a separate 1 acre). The proposed pond will cover 2.5 acres of land currently irrigated. Some of the 23 acres are also irrigated under water rights 22-00683A, 22-7710 and 22-13915 from Pole Creek. Irrigation is from flood and sprinkler irrigation systems. Attachment #7a depicts the proposed project.

Water from Pole Creek will be combined with spring flow for the initial pond fill. The storage portion of the initial fill will be purchased from the Snake River Water Supply Bank for approximately 90 acre-feet. An Application for Construction or Enlargement of a New or Existing Dam will be filed with IDWR for the engineered dam structure. The pond will be designed to control flow into and out of the dam for water management needs.

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

12/28/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 22-2279

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CRYSTAL SPRINGS LAND & CATTLE INC
Current Owner	GNJ PROPERTIES LLC
Current Owner	IDAHO INVESTMENT GROUP LLC
Current Owner	IGO INVESTMENTS 1 LLC
Current Owner	KPW HOLDINGS LLC
Current Owner	RIF HOLDINGS 1 LLC
Current Owner	RYMI INVESTMENTS LLC
Current Owner	STILLWATER HOLDINGS LLC
Current Owner	STOLY ASSOC LC
Current Owner	GARY BLACK
Current Owner	CHERISE DODSON
Current Owner	MICHAEL DODSON
Current Owner	ROBERT ELMER
Current Owner	TRAVIS GUNNELL
Current Owner	W STEVEN GUNNELL
Current Owner	LANELLE PECK
Current Owner	TREVOR PECK
	4581 FORTUNA WAY
	SALT LAKE CITY, UT 84124
	8018095000
Current Owner	PENSCO TRUST CO
	CUSTODIAN FBO RICHARD WHITE
	4581 FORTUNA WAY
	SALT LAKE CITY, UT 84124
	8015785511
Attorney	ROBERT L HARRIS
	PO BOX 50130
	IDAHO FALLS, ID 83405-0130
	2085230620
Original Owner	GARY W GRANDY

Original Owner LA VON G GRANDY
 1076 S 100 W
 VICTOR, ID 83455
 2087874110

Priority Date: 09/09/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG SPRINGS	LITTLE WARM CREEK
FOREST SPRING	LITTLE WARM CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	06/01	10/31	0.52 CFS	
Total Diversion			0.52 CFS	

Location of Point(s) of Diversion:

FOREST SPRING	SENE SW Lt 4	Sec. 22	Township 03N	Range 45E	TETON County
BIG SPRINGS	NENWSE	Sec. 22	Township 03N	Range 45E	TETON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	45E	22		NESW 9										
				NWSE 13										

Total Acres: 22

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 52.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279 and 22-13915.
2. J02 Property is also known as Homestead Entry Survey Nos. 252 (9 acres) and 253 Tract A (13 acres).
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. U42 Place of use does not include federal public lands.

5. S37 The use of water for irrigation under this right may begin as early as April 15, provided other elements of the right are not exceeded. The use of water before June 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates:

Licensed Date:

Decreed Date: 08/04/2010

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

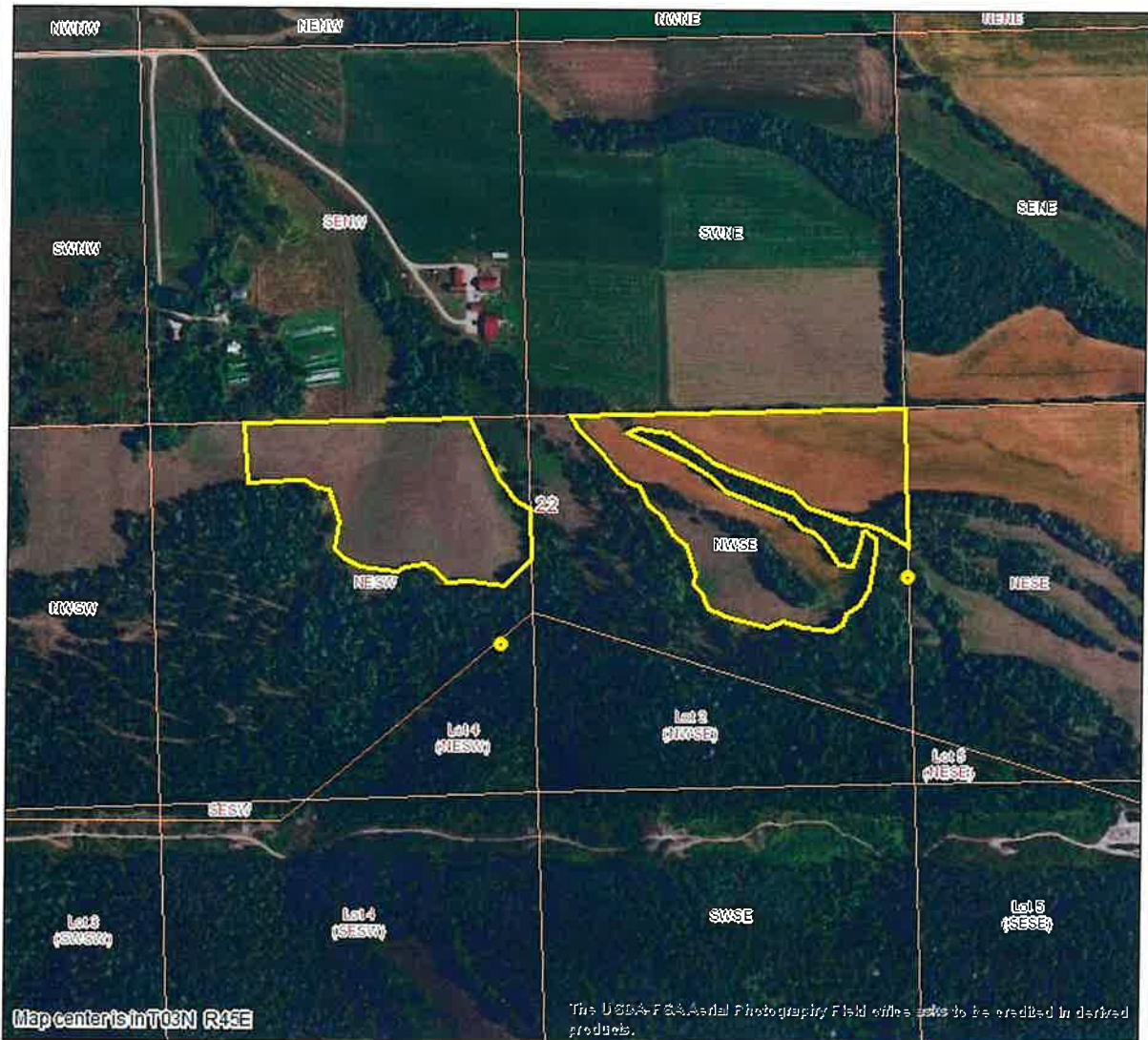
State of Idaho
Department of Water Resources

Water Right

22-2279

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 12/28/2021



Legend

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



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

12/28/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 22-7658

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CRYSTAL SPRINGS LAND & CATTLE INC
Current Owner	GNJ PROPERTIES LLC
Current Owner	IDAHO INVESTMENT GROUP LLC
Current Owner	IGO INVESTMENTS 1 LLC
Current Owner	KPW HOLDINGS LLC
Current Owner	RIF HOLDINGS 1 LLC
Current Owner	RYMI INVESTMENTS LLC
Current Owner	STILLWATER HOLDINGS LLC
Current Owner	STOLY ASSOC LC
Current Owner	GARY BLACK
Current Owner	CHERISE DODSON
Current Owner	MICHAEL DODSON
Current Owner	ROBERT ELMER
Current Owner	TRAVIS GUNNELL
Current Owner	W STEVEN GUNNELL
Current Owner	LANELLE PECK
Current Owner	TREVOR PECK
	4581 FORTUNA WAY
	SALT LAKE CITY, UT 84124
	8018095000
Current Owner	PENSCO TRUST CO
	CUSTODIAN FBO RICHARD WHITE
	4581 FORTUNA WAY
	SALT LAKE CITY, UT 84124
	8015785511
Original Owner	GARY W GRANDY
Original Owner	LA VON G GRANDY
	1076 S 100 W
	VICTOR, ID 83455
	2087874110

Priority Date: 12/09/1988

Basis: License

Status: Active

Source Tributary

SPRING | LITTLE WARM CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	0.03 CFS	3.5 AFA
Total Diversion			0.03 CFS	3.5 AFA

Location of Point(s) of Diversion:

SPRING | NWNWSE | Sec. 22 | Township 03N | Range 45E | TETON County

Licensed Diversion Capacity: 0.06

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	45E	22		NESW	0.5									
				NWSE	0.5									

Total Acres: 1

Conditions of Approval:

1. Source known locally as Glade Spring.
2. R18 The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
3. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 01 .
6. R50 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
7. J02 Property is also known as Homestead Entry Survey No. 252 & 253 Tract A.
8. X59 Point of diversion is located within Homestead Entry Survey No. 253 Tract A.

Dates:

Licensed Date: 02/15/1993

Decreed Date:

Permit Proof Due Date: 9/1/1991

Permit Proof Made Date: 2/25/1991

Permit Approved Date: 8/28/1990

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 12/09/1988

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

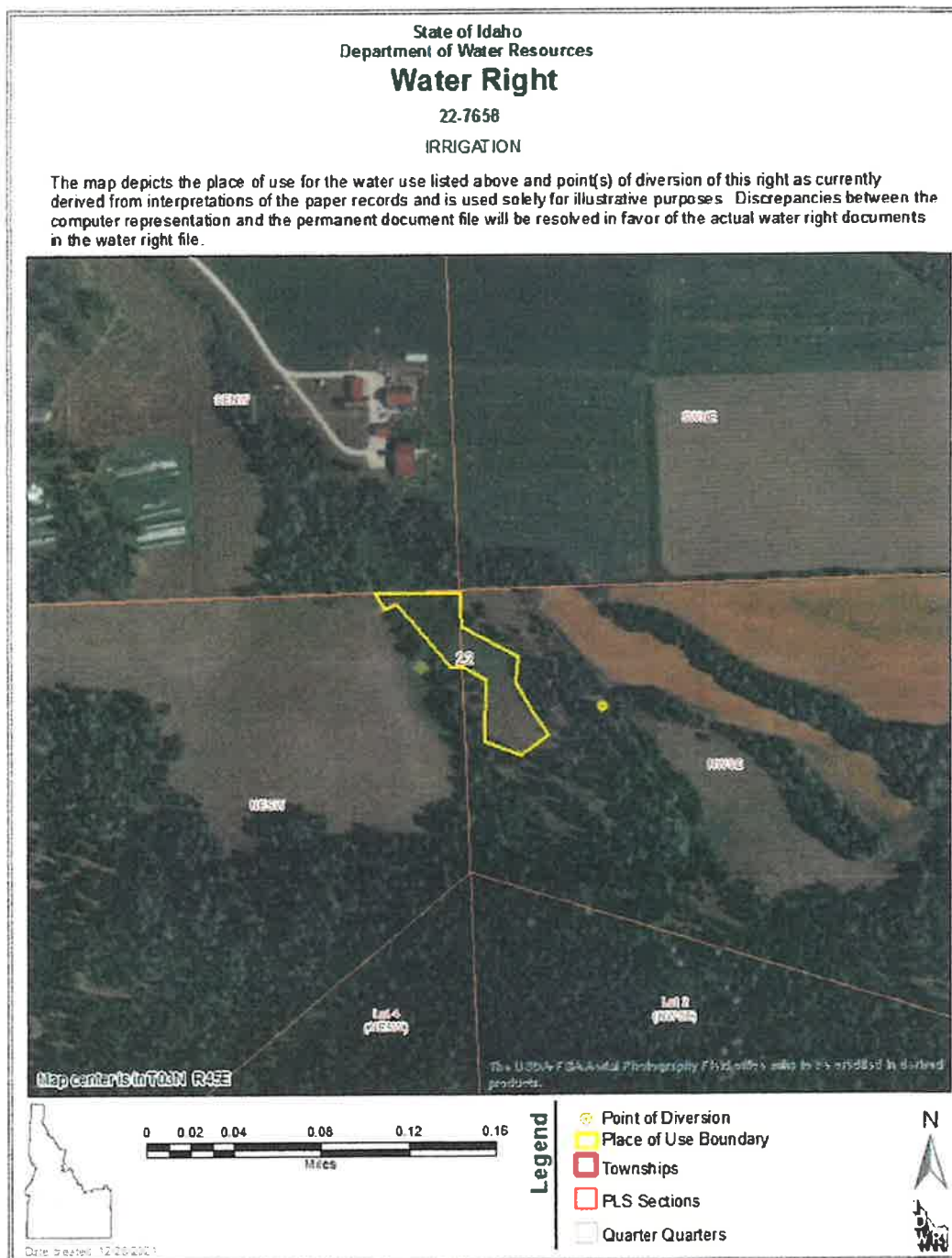
Swan Falls Trust or Nontrust:

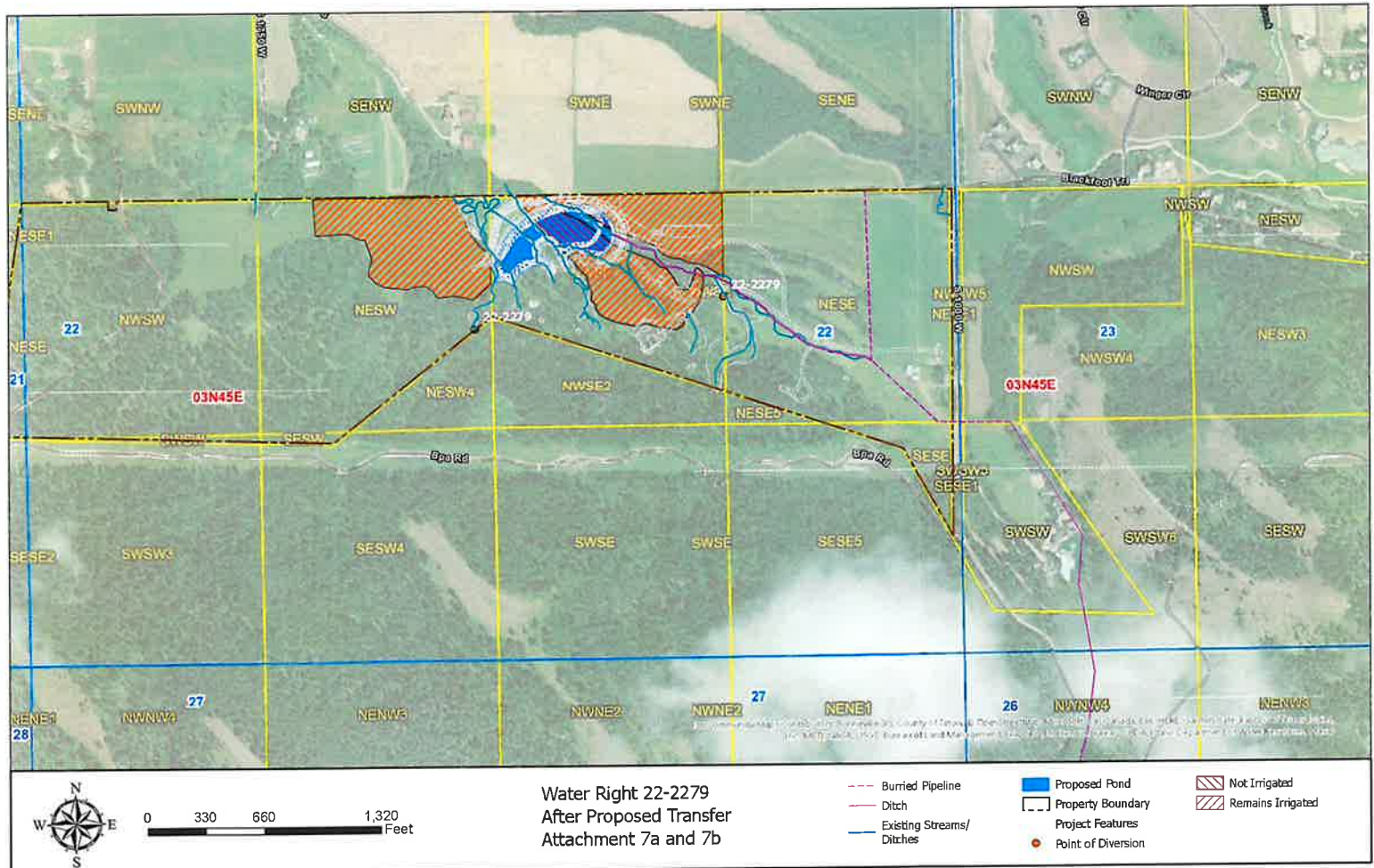
Swan Falls Dismissed:

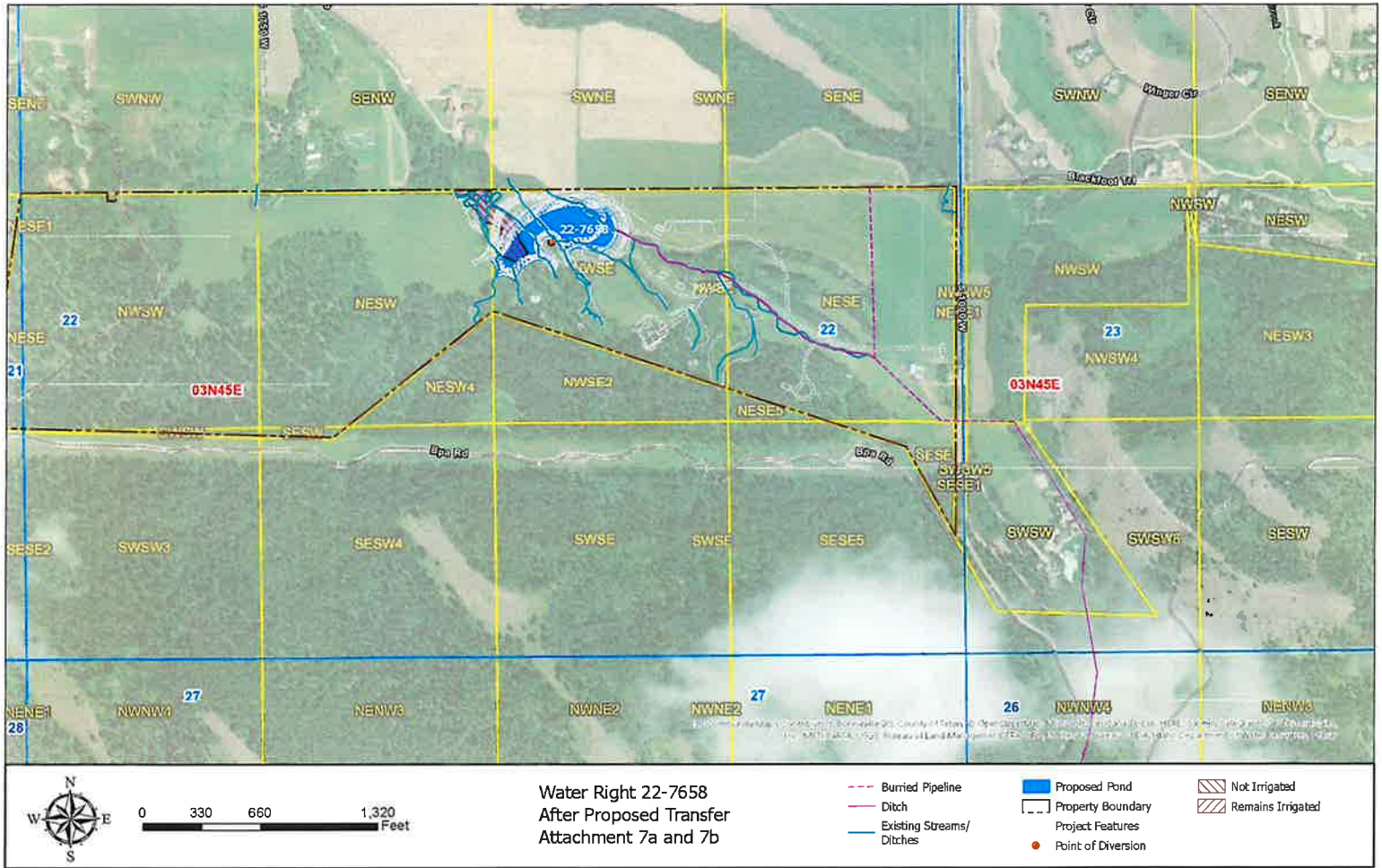
DLE Act Number:

Cary Act Number:

Mitigation Plan: False







Total Storage Calculations

FILE NUMBER	22-2379
REVIEWER	Mike McConnell
DATE	4/3/2022

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	3.94	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	6	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	88.89	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.

Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0.6	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a from storage component if the from storage component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.0	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	6.2	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	95.7	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

this value is based on the volume of water needed for constant discharge to maintain downstream wetlands and the total water right that would need to be maintained for downstream users.

Flow Rate into Pond (CFS)	0.84	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	3.30	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.04	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.02	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	55	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	-32185	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

average based on two sample

Application for Transfer of Water Rights: 22-2279 and 22-7658

Attachment #8a: Change in Nature of Use – Water Balance

The IDWR method to calculate an estimate seepage, evaporation and fill capacity for the applicant's proposed recreation pond. The analysis is done to determine whether there is an expansion of use of the applicant's proposed change in nature of use of rights 22-2279 and 22-7658 from irrigation to year-round recreational storage.

Water Balance Calculation Summary (see attached IDWR Small Pond Consumptive Use Calculations Spreadsheet)

Existing Irrigation Rights:

22-2279* 0.52 cfs for 22 acres: Consumptive use = 2.5 ac-ft /ac X 22 ac = 55 ac-ft

22-7658* 0.03 cfs for 1 acres: Consumptive use = 2.5 ac-ft /ac X 1ac = 2.5 ac-ft

Totals: 0.55 cfs for 23 acres: Consumptive use = 2.5 af/ac X 23 ac = 57.5 acres feet

Proposed Small Pond:

Surface area = 3.94 ac

Pond Capacity = 90.0 ac

Consumptive Use (seepage & evaporation) = 6.20 ac-ft

Needed retired acres to equal pond consumptive use then = 6.20 ac-ft/2.5 ac-ft/acre = **2.50 acres retired**

Proposed Transfer in Nature of Use from Irrigation to Recreation Storage to meet this consumptive use need:

1.5 acres retired from 22-2279 (portion)

1.0 acres retired from 22-7658 (entire right)

The retired acres are shown in attachment #7a and are in the area under the proposed pond.

*Places of use do not overlap.



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

September 18, 2024

GOOD TIMBER RANCH LLC
1300 GOOD TIMBER RANCH RD
VICTOR, ID 83455-5115

RE: Transfer No. 89232
Water Right No(s). 22-2279, 22-7658

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the TETON VALLEY NEWS on 9/25/2024 and 10/2/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, September 18, 2024 3:48 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Teton Valley News
Attachments: 89232 Teton Valley News.docx

LEGAL NOTICE DEPARTMENT
TETON VALLEY NEWS
80 E LITTLE AVE
DRIGGS, ID 83422

RE: Transfer No. 89232
Water Right No(s). 22-2279, 22-7658

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/15/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89232**

GOOD TIMBER RANCH LLC, 1300 GOOD TIMBER RANCH RD, VICTOR, ID 83455-5115 has filed Application No. 89232 for changes to the following water rights within TETON County(s): Right No(s). 22-2279, 22-7658; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion, place of use, nature of use and period of use. Proposed points of diversion are in SENESW, NENWSE and NWNWSE Sec 22 T03N R45E for 6.3 AF from Spring, Big Springs and Forest Spring, tributaries to Little Warm Creek. Proposed use is 6.3 AF for recreation storage from 1/1 to 12/31. Proposed place of use for recreation storage is in NWSE Sec 22 T03N R45E.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 10/15/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 9/25/2024 and 10/2/2024