

MEMORANDUM

Date: February 18, 2026
To: Transfer 89232
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the nature of use for portions of five surface water irrigation rights to recreation storage to authorize the establishment of a pond on Little Warm Creek. Application for permit 22-14467 was filed in conjunction with this transfer to authorize the retention of groundwater year-round for the entire volume of the pond. Transfer 90102 was filed in conjunction with this transfer to offset evaporation losses of the pond. This application was protested and all protests were ultimately resolved under a separate agreement to which IDWR is not a party.

Authority to File: The application was filed by Good Timber Ranch LLC, a Wyoming LLC, and was signed by Nathan Godfrey. The company operating agreement attached to this application lists Nathan Godfrey as a managing member with authority to sign on behalf of Good Timber Ranch LLC. Good Timber Ranch owns the proposed place of use according to Teton County parcel records. The application includes conveyance documents sufficient to establish that Good Timber Ranch owns the water rights included in this transfer. Ownership of the water rights is reflected in the transfer approval.

Water Right Validity: Water right 22-7658 was licensed on 02/15/1993. Water rights 22-683A, 22-2279, 22-14625, and 22-14626 were decreed by the SRBA court on 08/04/2010. Previous field examinations documented that sprinklers and flood irrigation were historically used to irrigate the places of use for the five rights. There are no water measurement records for any of the water rights. The place of use appears green in aerial imagery. However, the place of use is located in a naturally green area that receives significant natural precipitation. Cultivated crops can be seen at a portion of the place of use while another portion of the place of use does not show signs of cultivated agriculture. The department does not have clear and convincing evidence of forfeiture at this time.

Injury to Other Water Rights: The proposed pond is located on Little Warm Creek. Transfer 90102 authorizes enough volume for the replacement of losses from evaporation for the pond. Water permit 22-14667 authorizes 19.3 acre-foot for the carryover storage volume of the pond. This transfer authorizes additional recreation storage volume for any purpose. Because pond evaporation losses are accounted for by transfer 90102, it is anticipated that the volume authorized by this transfer will be primarily used to initially fill the pond and to provide redundancy to the other water rights when the pond is full. No injury is anticipated from converting any of the surface water irrigation rights to recreation storage.

Enlargement of Use: The application proposes to change the nature of use for five irrigation water rights to recreation storage. These rights have different sources, seasons of use, and priority dates, and are used to irrigate several acres that overlap. A calculation was performed to quantify the amount of water beneficially used for irrigation for each water right, and the resulting amount that can be converted to recreation storage. For the acres previously irrigated by Pole Creek, the annual consumptive use for alfalfa was used to determine the volume to be converted to recreation storage. Although there are conflicting accounts of whether Pole Creek (also known as Pole Canyon Creek) is tributary to sinks or is tributary to the Teton River, rights 22-683A, 22-14625, and 22-14626 were treated as administratively available throughout the entire irrigation season for the purposes of calculating recreation storage volumes for this transfer.

For rights 22-7658 and 22-2279, which are ultimately tributary to the Teton River, the historical consumptive volume of the water rights was calculated by determining the precipitation deficit of the crops grown while each right was in priority. Water District 01 data was used to determine which days rights 22-7658 and 22-2279 were in priority over 5 water years: 2017, 2020, 2021, 2022, and 2024. The water years chosen represent a variety of hydrologic conditions. The daily precipitation deficit for each month was multiplied by the number of days per month the right was in priority. These values were summed to produced the in-priority precipitation deficit for each water year. The average in-priority precipitation deficit for the five water years was multiplied by the number of irrigated acres to determine the amount of water that will be converted to recreation storage.

Right 22-7658 had a 5-year average consumptive volume of 0.5 acre-feet when in priority, the same volume that will be converted to recreation storage.

This transfer proposes to dry up 7.5 acres that were irrigated by rights 22-683A, 22-2279, 22-14625, and 22-14626. Of these 7.5 acres, 1.7 acres appear on satellite imagery to be mature forest, not irrigated alfalfa. For these 1.7 acres, the volume available to be converted to recreation storage was determined to be zero. For the 5.8 acres that were identified as irrigated, the total volume that can be converted to recreation storage between the four rights is 2.02 af/acre, or 11.7 acre-feet total. Right 22-683A could have contributed 11.7 acre-feet throughout the irrigation season. Right 22-14625 is an irrigation storage right that authorizes an annual irrigation from storage volume of 1.6 acre-feet over 39 acres. The volume of the irrigation storage pond authorized by right 22-14625 is not changing, so the drying up of acres under right 22-14625 will authorize additional volume for the recreation storage pond. Right 22-14626 is an irrigation right available from 07/01 to 08/31 and has a diversion rate of 0.3 cfs over 43.8 acres. The maximum beneficial use for water right 22-14626 is 0.6 acre-feet per day (1.9835×0.3 cfs). The proportional volume for the 5.8 irrigated acres that will be converted to recreation storage is 4.7 af/yr. The proportional volume for right 22-2279 that will be converted to recreation storage is 1.9 acre-feet, which is the average precipitation deficit the water right was in priority. In combination, the total consumptive volume of the 8.5 acres being dried up in this transfer is 12.2 acre-feet for the five rights.

The total diversion rate to fill the reservoir will be limited to 0.44 cfs, which is the combined diversion rate for the portions of rights 22-683A, 22-2279, 22-14626, and 22-7658 being dried up.

No enlargement issues identified.

Local Public interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

Effect on Agricultural Base of the Local Area: The irrigated acres being dried up in this transfer are unlikely to have a significant impact on the local agricultural base.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.