

MEMORANDUM

Date: February 17, 2026
To: Transfer 90102
From: Christian Stewart
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the nature of use of a 3-acre portion of a groundwater irrigation water right to recreation storage to provide water to offset the evaporation of a 3.0-acre pond. Application for Transfer 89232 and Application for Permit 22-14667 were also filed in conjunction with this transfer to provide water for the 3.0-acre pond. The applicant anticipates that the pond will partially fill with groundwater. Transfer 89232 brings surface water rights into the pond and Application 22-14667 authorizes the storage of groundwater for the volume of the entire pond year-round. The 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 proposed place of use is owned by Good Timber Ranch LLC according to Teton County parcel records. 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. The owners of record for water right 22-7144 are Thomas and Lexie Hill. Thomas and Lexie Hill entered into an agreement authorizing Rocky Mountain Water Exchange LLC to sell the 3.0-acre portion of water right 22-7144 being transferred by this application. Good Timber Ranch LLC entered into a purchase agreement with Rocky Mountain Water Exchange LLC to purchase the 3.0-acre portion of water right 22-7144.

Water Right Validity: Water right 22-7144 was decreed on 10/28/2009 by the SRBA court and was most recently included in Transfer Approval 90164 on 12/22/2025. The acres being transferred appear well irrigated in aerial imagery. No forfeiture issues identified.

Injury to Other Water Rights: The proposed point of diversion for this right is a pond to be constructed on Little Warm Creek. The pond will be partially formed by excavating material below the water table and partially formed by impounding the waters of Little Warm Creek with an onstream dam. The applicant anticipates that the excavated portion of the pond would intercept shallow groundwater. This transfer application intends to divert enough groundwater to storage to cover the evaporation losses of the pond. Since the pond is located onstream, pond evaporation in the summertime will reduce the flow of Little Warm Creek and the Teton River.

The current point of diversion for right 22-7144 is a groundwater well located at the north end of Teton Valley. The well is 0.3 miles from the nearest Teton River tributary and 2.0 miles from the Teton River. It can be assumed that the groundwater currently diverted under right 22-7144 is hydraulically connected to the Teton River and that groundwater pumping at the current well eventually manifests as depletions to the Teton River.

Under this assumption, this transfer is functionally similar to an exchange of water. The temporal distribution of evaporation losses from a pond follows a similar pattern to groundwater depletions from irrigation throughout the year. Drying up acres under right 22-7144 will increase the water available in the Teton River and mitigate for the reduction in flow from pond evaporation.

Evaporation from the onstream pond could reduce the quantity of water available to water rights on Warm Creek or its tributaries, even if senior water rights downstream on the Teton River are not injured. Water right 22-37 (1.6 cfs for irrigation, 1895 priority date) appears to divert from Little Warm Creek about 2 miles

downstream of the proposed reservoir. Water diversion records and hydrology data for Little Warm Creek are not available for analysis. Little Warm Creek appears to receive a significant amount of water from tributary springs located between the proposed reservoir and the POD for right 22-37. Aerial imagery analysis suggests that water is physically available at the POD for water right 22-37 throughout the year. Therefore, right 22-37 is unlikely to be injured by this transfer.

Transfer 89232 proposes the conversion of surface water irrigation rights to fill the pond/reservoir. After the pond has been filled, these surface water rights will provide sufficient water to replace ongoing evaporation, and the groundwater right in this transfer would become redundant. No injury issues identified.

Enlargement of Use: The 3.0 acres of water right 22-7144 being transferred were previously used to grow alfalfa. At the time the application was filed, ETIDWR data showed a precipitation deficit of 1.89 af/acre/yr for Alfalfa-Less Frequent Cuttings. The total consumptive use that can be converted to recreation storage is 5.7 af/yr. Because right 22-7144 is diverted from the same well as water right 22-7143, 0.04 cfs will be removed from the combined rate limit of the rights. The season of use for the split portion of right 22-7144 is changing to year-round for diversion to storage, but neither the total volume nor diversion rate are increasing. The estimated evaporation for the 3.0-acre storage pond is 1.58 af/acre or 4.7 af annually, which is less than the volume of groundwater being transferred into the pond for recreation storage. 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 three 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.