

RECEIVED

MAR 19 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Flint Greenhouse/Mountain States Plants Distributors, Inc. and Terry Reid *Mailing Address 4788 River Road Buhl, Idaho 83316

P.O. Box 2181

Email* _____ Phone _____

Ketchum Id
83340Name of Representative (if any) Greg SullivanMailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301Email* greg.sullivan@brockwayeng.com Phone 208-736-8543

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

Transfer No. 89675 Page 1* per 4-9-2025 email
from Brockway

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☒ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17578

Current Owner: FLINT GREENHOUSE/MT STATES PLANTS
TERRY REID
SHARON DAVIES REID

Priority Date: 11/29/1976

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	01/01 to 12/31	0.81 CFS	162.4 AF
HEATING	01/01 to 12/31	0.69 CFS	150.6 AF
DOMESTIC	01/01 to 12/31	0.08 CFS	2.4 AF
Total Diversion		0.95 CFS	169.7 AF

Location of Point(s) of Diversion

GROUND WATER

TWIN FALLS County

L7(SW1/4SW1/4SW1/4)

Sec. 33, Twp 08S, Rge 14E B.M.

GROUND WATER

TWIN FALLS County

L7(SW1/4SW1/4SW1/4)

Sec. 33, Twp 08S, Rge 14E B.M.

Place of Use

HEATING Within TWIN FALLS County

T08S R14E S33 Lot 7 SWSW

DOMESTIC Within TWIN FALLS County

T08S R14E S33 Lot 7 SWSW

RECREATION Within TWIN FALLS County

T08S R14E S33 Lot 7 SWSW

Page _____ of _____

Conditions of Approval:

1. This right authorizes the diversion of ground water within the Banbury Groundwater Management Area. Use of water under this right shall be subject to the provisions of the order approved by the director for the BGWMA.
2. Recreation use is for a swimming pool, 2 hot tubs and a fish pond.
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. X04 Domestic use is for internal purposes only, within an office and 3 homes.
5. Heating use is for an office, a single vault greenhouse, a multi-vault commercial greenhouse, 3 homes and a garage.

Decreed Date: 3/5/2013

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|--|
| ☒ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☒ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

This transfer proposes to move 40 gpm or 0.09 cfs and 15.9 acre feet of heating, domestic and recreational water to a new POD and new POU. There are currently 12 heat exchangers in the greenhouse operating at 12.8 gallons per minute. These 12 heat exchangers will have flow reducers installed to reduce the flow through rate to 7 gpm. This will provide a reduction of 69.6 gpm, which will exceed the proposed transfer of 40.0 gpm. The additional 29.6 gpm reduction will help preserve the natural geothermic water source and will only be used when needed. Sharon Reid needs removed as an owner of this water right, see attached death certificate.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☒	47-17578	0.09/19.6	Heating	1/01 to 12/31	Ground Water
☐ ☐		0.09/19.6	Recreation	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.09 cfs and/or 19.6 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
Yes	08S	14E	33		NE	NW	NW	Twin Falls	Ground Water	

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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	
08S	14E	33						G											
08S	14E	33						R											

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

47-17579

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

None

3. Is the proposed point of diversion within a state water district? ☐ Yes. Water District # _____. ☒ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☒ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

None

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

None

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes	No
☐	☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.

☐	☒
☐	☒
☐	☒

currently used in a mitigation plan limiting the use of water under the right?

subject to an agreement not to divert (CREP)?

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

A new well will be drilled, mainline and distribution system will be installed. This water will provide heating to four domestic homes and four hot tubs located at each of the homes. Potable water for the homes will not be supplied by this transfer of water rights.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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.

<u>David B. Flint</u>	<u>David B. Flint Owner</u>	<u>3-17-25</u>
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
 _____ Signature of Applicant or Representative*	 _____ Print Name and Title, if applicable	 _____ Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ <u>200 -</u>	Receipt #: <u>5040566</u>	Date: <u>3-19-2025</u>	Received by: <u>SG</u>
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

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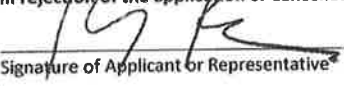
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	<u>Terry Reid</u>	<u>3/17/2025</u>
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
 Signature of Applicant or Representative*	 Print Name and Title, if applicable	 Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

Transfer No. 89675 Page 8



0 250 500 Feet

Geothermal Water Transfer
47-17578

NAIP 2023 AERIAL

89675

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 3/14/2025

Legend

- Greenhouse PODs
- Greenhouse_WRs





0 250 500 Feet

Geothermal Water Transfer
47-17578

NAIP 2023 AERIAL

Legend

-  New POD
-  New POU

Open with

Page 1 / 1



0005849626

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005849626

Date Filed: 8/6/2024 3:14:08 PM

B0934-6109 08/06/2024 3:14 PM Received by Office of the Idaho Secretary of State

Entity Name and Mailing Address:

Entity Name: Mountain States Plant Distributors, Inc.
Foreign Name (name in home jurisdiction): Mountain States Plant Distributors, Inc.
The file number of this entity on the records of the Idaho Secretary of State is: 0004918627
Address: MIKE JOHNSON
PO BOX 724
LAYTON, UT 84041-0724

Entity Details:

Entity Status: Active-Good Standing
This entity is organized under the laws of: UTAH
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent: David B Flint
Registered Agent
Physical Address
4788 RIVER ROAD
C
BUHL, ID 83316
Mailing Address
4788 RIVER RD # C
DAVID B FLINT
BUHL, ID 83316-5103

Corporate Officers and Directors:

Name	Title	Business Address
David Boedon Flint	President	1421 W GENTILE ST LAYTON, UT 84041
David B Flint	Vice President	4788 RIVER ROAD BUHL, ID 83316
Jesse Flint	Vice President	4788 RIVER ROAD BUHL, ID 83316
Michael D. Johnson	Secretary	151 S. ANGEL ST. LAYTON, UT 84041
Michael D Johnson	Treasurer	151 S. ANGEL ST. LAYTON, UT 84041
David Boedon Flint	Director	1421 W GENTILE ST LAYTON, UT 84041
David B Flint	Director	4788 RIVER ROAD BUHL, ID 83316
Judy Flint	Director	4788 RIVER ROAD BUHL, ID 83316



Jesse Flint	Director	4788 RIVER ROAD BUHL, ID 83316
The annual report must be signed by an authorized signer of the entity. Job Title: Controller <i>MICHAEL JOHNSON</i> <i>08/06/2024</i> Sign Here Date		

B0934-6110 08/06/2024 3:14 PM Received by Office of the Idaho Secretary of State

State of Idaho

Department of State

CERTIFICATE OF REGISTRATION OF

FLINT GREENHOUSES LIMITED PARTNERSHIP

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of an Application of FLINT GREENHOUSES LIMITED PARTNERSHIP for Registration in this State, duly signed and verified pursuant to the provisions of the Idaho Limited Partnership Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Registration to FLINT GREENHOUSES LIMITED PARTNERSHIP to transact business in this State under the name FLINT GREENHOUSES LIMITED PARTNERSHIP and attach hereto a duplicate original of the Application for Registration.

Dated: October 23, 1991



Pete T. Cenarrusa
SECRETARY OF STATE

By *Debbie Stansworth*

RECEIVED
SEC. OF STATE
APPLICATION FOR REGISTRATION OF
FOREIGN LIMITED PARTNERSHIP
JAN 8 31

To the Secretary of State of the State of Idaho:

Pursuant to the provisions of Chapter 2, Title 53, Idaho Code, the undersigned Limited Partnership hereby applies for registration to transact business in your State, and for that purpose submits the following statement:

1. The name of the limited partnership is Flint Greenhouses Limited Partnership
2. The name which it shall use in Idaho is Flint Greenhouses Limited Partnership
(Must include, without abbreviation, the words "Limited Partnership.")
3. It is organized under the laws of Utah
4. The date of its formation is December 31, 1990
5. The address of its registered or principal office in the state or country under the laws of which it is organized is 79 South Main Street, Suite 400, Salt Lake City, Utah 84111
6. The name and street address of its proposed registered agent in Idaho are David Flint
Rt. #3, Box 422-B, Buhl, Idaho 83316
7. The general character of the business it proposes to transact in Idaho is:
all lawful purposes, including without limitation cultivation
of green and blooming potted plants
8. The name and business address of each general partner and of each limited partner whose contribution is equal to or greater than five percent (5%) of the total contribution of all partners:

Name	General or Limited	Address
<u>Paul W. Flint</u>	<u>general</u>	<u>Rt. #3, Box 422-C, Buhl, ID 83316</u>
<u>David W. Flint</u>	<u>general</u>	<u>Rt. #3, Box 422-B, Buhl, ID 83316</u>
<u>Deanna Flint</u>	<u>limited</u>	<u>Rt. #3, Box 422-C, Buhl, ID 83316</u>
<u>Judy Flint</u>	<u>limited</u>	<u>Rt. #3, Box 422-B, Buhl, ID 83316</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(continued on reverse)

8. (Continued)

Name	General or Limited	Address

9. This Application is accompanied by a certificate certifying to the lawful existence of the limited partnership, executed by the proper officer of the state or country under the laws of which it is organized.

Dated October 17, 19 91.

Flint Greenhouses Limited Partnership

By

Paul W Flint

A General Partner

STATE OF Utah)

COUNTY OF Davis) ss:

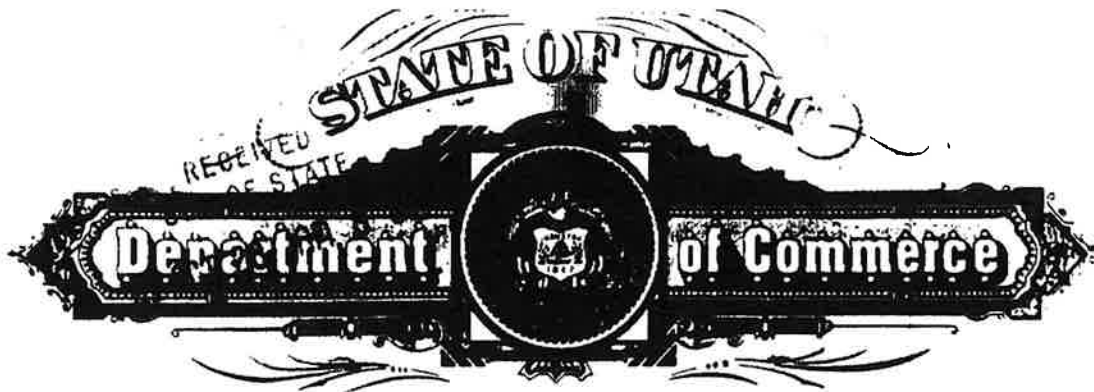
I, LAMONT D TINGEY, a notary public, do hereby certify that on this 17th day of OCTOBER, 19 91, personally appeared before me PAUL W FLINT, who being by me first duly sworn, declared that (s)he is a general partner of FLINT GREENHOUSES LIMITED PARTNERSHIP.

that (s)he signed the foregoing document as a general partner of the limited partnership and that the statements therein contained are true.



NOTARY PUBLIC
LAMONT D. TINGEY
1489 East Harvey Road
Fruit Heights, Utah 84037
My Commission Expires
March 22, 1994
STATE OF UTAH

Lamont D. Tingey



CERTIFICATION OF GOOD STANDING

THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE HEREBY CERTIFIES THAT
FLINT GREENHOUSES LIMITED PARTNERSHIP

IS A UTAH LIMITED PARTNERSHIP AND IS QUALIFIED TO TRANSACT BUSINESS IN THE
STATE OF UTAH. A CERTIFICATE OF REGISTRATION WAS ISSUED FROM THIS OFFICE ON
12-31-1990 AND SAID REGISTRATION IS IN GOOD STANDING, AS APPEARS OF RECORD
IN THE OFFICES OF THE DIVISION.

FILE NUMBER: 005415



Dated this 18TH day
of OCTOBER, 19 91.

Peter Van Alstyne

Peter Van Alstyne
Director, Division of
Corporations and Commercial Code

RECEIVED

MAR 19 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

CONSENT TO TRANSFER

To Whom It May Concern,

I, James Reed, give permission to Terry Reid and Flint Greenhouse/Mountain States Plants to transfer a 0.09 cfs (40.0 gpm) or 19.6 acre feet of heating and recreational water from water right 47-17578 to property I own located at Township 08 South Range 14 East Section 33 NWNW also identified as parcel RP08S14E332581 in Twin Falls County, Idaho.

I formally give my consent to this transfer.

James Reed:

Date:

3/15/25



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Magic Valley Times-News** on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: IZIEhbqRwkhwTEMQf1Iz | **Proof Updated: Apr. 10, 2025 at 08:59am MDT**
Notice Name: Legal Notice 88860, 88868, 89649, 89675 | Publisher ID: COL-NV-1834

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

ID DEPARTMENT OF WATER
RESOURCES Southern Region
denise.maline@idwr.idaho.gov
(208) 736-3033

FILING FOR

Magic Valley
Times-News

Columns Wide: 2

Ad
Class: Legals

04/17/2025: General Legal Notice	144.34
04/24/2025: General Legal Notice	126.29
Affidavit Fee	9.00

Total \$279.63

Legal notice confirmation - Times News

✓ DM 4/10/2025

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88860**

HARPER VALLEY LAND LLC, 2045 E 850 S, DECLO, ID 83323-5083 has filed Application No. 88860 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10037, 43-10632, 43-13108, 43-13109, 43-13110, 43-13111, 43-13112, 43-13113, 43-13114, 43-13115, 43-13117, 43-13316, 43-13356, 43-13358, 43-13360, 43-13362, 43-13427, 43-13429, 43-2309, 43-2312A, 43-2313A, 43-2313C, 43-2377A, 43-2377B, 43-2382, 43-2383, 43-2385, 43-2391, 43-2398, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes merging two adjacent farms and rearranging acres to create a 3,537 acre place of use (POU) for 32 ground water irrigation rights and 2 Coe Creek irrigation rights. The 34 rights when combined are limited to a combined diversion rate of up to 56.73 cfs. Existing wells from each farm will be added to the water rights from the other farm, for a total of 22 existing wells on all 32 ground water rights. No new points of diversion (PODs) are proposed. Current, proposed POUs and all PODs are located approximately 4.8 to 9.3 miles north and 2.0 miles to 3.8 miles west of Malta.

TRANSFER NO. 88868

HARPER VALLEY LAND LLC, 2045 E 850 S, DECLO, ID 83323-5083 has filed Application No. 88868 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2356A, 43-2441B, 43-4022A, 43-4023A, 43-4024C, 43-4040, 43-4041, 43-4053, 43-4054. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 43 acre portion (1.01 cfs) of 4 irrigation ground water rights from "Farm A" to "Farm B" into two existing wells. The 43 acres will be combined with 5 irrigation ground water rights to create a 299.4 acre place of use with 2 points of diversion and a combined use limit of 5.81 cfs. Farm A is located approximately 6.8 to 7.4 miles west and 2.2 to 3.2 miles east of Malta. Farm B is located approximately 1.2 to 1.8 miles east and 7.2 to 8.6 miles north of Malta.

TRANSFER NO. 89649

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 89649 for changes to the following water rights within JEROME County(s): Right No(s). 36-7260B, 36-7288C, 36-8505. The purpose of the transfer is to change a portion of the above rights as follows: The purpose of this transfer is to move the point of diversion (POD) and place of use (POU) of three water rights (two stockwater and commercial and one irrigation) to two existing POD's located at a dairy site ("new dairy site") approximately 3 to 4 miles west and 0.5 to 0.75 miles north of the center of Jerome. The first stockwater and commercial water right will be transferred in its entirety (0.10 cfs & 27.0 af) from a CAFO site located approximately 4 to 4.25 miles west and 0.2 to 0.4 miles north of the center of Jerome to the new dairy site. A 0.07 cfs & 37.4 af portion of the second stockwater and commercial water right will be transferred from a CAFO located approximately 3 to 3.15 miles west of the center of Jerome to the new dairy site. The third water right will transfer and change the nature & period of use of a 0.98 cfs & 49-acre portion of an irrigation water right from a farm located approximately 4.5 to 5 miles west and 0 to 0.5 miles south of the center of Jerome to the new dairy site. In total, the transfer proposes the diversion of 1.15 cfs and 226.1 af of water at the new dairy site.

TRANSFER NO. 89675

TERRY REID, PO BOX 2181, KETCHUM, ID 83340-2171; FLINT GREENHOUSE MT STATES PLANTS, 4788 RIVER RD, BUHL, ID 83316 has filed Application No. 89675 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17578. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to split an existing water right with heating, recreation, and domestic uses. A portion of the heating and recreational uses, with a combined use limit of 0.09 cfs and 19.6 AF, will be transferred to a property approximately 5.5 miles south and 6.4 miles west from the intersection of Main Street and Highway 46 in Wendell. A new well will be drilled approximately

5.5 miles south and 6.2 miles west from the same aforementioned intersection.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before May 5, 2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: April 17, 24, 2025
COL-NV-1834

✓ DM



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

April 10, 2025

FLINT GREENHOUSE / MT STATES PLANTS
4788 RIVER RD
BUHL ID 83316

TERRY REID
PO BOX 2181
KETCHUM ID 83340-2171

RE: Transfer No. 89675
Water Right No(s). 47-17578

Dear Applicant(s):

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 **TIMES NEWS on 4/17/2025 and 4/24/2025**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **May 5, 2025**.

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,

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

April 10, 2025

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

Submitted online via Column.us

RE: Transfer No. 88860
Water Right No(s). 43-2309, etc.

RE: Transfer No. 88868
Water Right No(s). 43-2356A, etc.

RE: Transfer No. 89649
Water Right No(s). 36-7260B, 36-7288C, 36-8505

RE: Transfer No. 89675
Water Right No(s). 47-17578

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 **May 5, 2025**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88860**

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TRANSFER NO. 89675

TERRY REID, PO BOX 2181, KETCHUM, ID 83340-2171; FLINT GREENHOUSE MT STATES PLANTS, 4788 RIVER RD, BUHL, ID 83316 has filed Application No. 89675 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17578. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to split an existing water right with heating, recreation, and domestic uses. A portion of the heating and recreational uses, with a combined use limit of 0.09 cfs and 19.6 AF, will be transferred to a property approximately 5.5 miles south and 6.4 miles west from the intersection of Main Street and Highway 46 in Wendell. A new well will be drilled approximately 5.5 miles south and 6.2 miles west from the same aforementioned intersection.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **May 5, 2025**. The protestant must also send a copy of the protest to the applicant.

Skinner, Corey

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Wednesday, April 9, 2025 4:32 PM
To: Skinner, Corey
Subject: FW: WATER TRANSFER

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments **BEFORE** you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Corey,

Regarding our conversation earlier today, see the address's below for Terry Reid and for Flint Greenhouses. I did call and talk to James Reed about the #C that appears on the annual report. James indicated that he called and talked with Dave Flint about it and Dave said that there are no #'s assigned for the Flint Greenhouse address.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: James Reed [mailto:jamesandlesleereed@gmail.com]
Sent: Wednesday, April 09, 2025 4:01 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Re: WATER TRANSFER

Hi Greg.
Terry Reid's address is P.O. Box 2181 Ketchum
83340
Dave flints address is 4788 River Road Buhl
83316

On Wed, Apr 9, 2025 at 2:00 PM Greg Sullivan <greg.sullivan@brockwayeng.com> wrote:

James,

IDWR needs clarification on the addresses for Flint Greenhouse and Terry Reid.

What is the mailing address for Terry Reid in Ketchum?

Does the mailing address for Flint Greenhouses include an #A, #B or #C?

One of the annual reports lists the address as 4788 River Road #C Buhl, Idaho 83316.

Greg Sullivan

Brockway Engineering

2016 North Washington Street, Suite 4

Twin Falls, Idaho 83301

208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

FEE MEMORANDUM

Date: March 31, 2025
To: Transfer #89675
Flint Greenhouse/Mountain States Plant Distributors, Inc, and Terry Reid
From: Tyler Wallace
Re: Receipting of fees paid

This transfer was filed on March 19, 2025. The intent of this transfer is to transfer a portion of an existing decreed water right with heating, recreation, and domestic uses. The portion to be divided is 0.09 CFS for heating and recreation as well as 19.6 AF for both heating and recreation. A new well will be drilled to serve the new split portion.

Therefore, the fee paid was \$200.00 based on the flow rate of the split portion. The fee was paid by Brockway Engineering, PLLC with check #18479 at the time of filing. The IDWR receipt number is S040566.

TRANSFER Summary

Date: March 31, 2025
To: Transfer #89675
Flint Greenhouse/Mountain States Plant Distributors, Inc, and Terry Reid
From: Tyler Wallace
Re: Summary of Transfer

Application for transfer proposes to change the place of use (POU) and point of diversion (POD) for a portion of an existing decreed water right with heating, recreation, and domestic uses. The portion to be divided is 0.09 CFS for heating and recreation as well as 19.6 AF for both heating and recreation. The new point of diversion and place of use boundary will be given to the split portion of the heating and recreation. A new well will be drilled and will serve as the new POD for the split portion of the water right. Additionally, the ownership of the water right will be updated to remove Sharon Reid, who has passed away.

The location of the new POD is approximately 0.39 miles north of Banbury Hot Springs. The new POD will be located approximately 0.39 miles north and 0.11 miles west of Banbury hot springs.

The transfer is excluded from a water district so there will be no water master comments. Advertising will be necessary because of the addition of the new well.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 19 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

March 19, 2025

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: 47-17578 Flint Greenhouse

Dear Mr. Skinner:

Terry Reid and Flint Greenhouse/Mountain States Plants have entered into an agreement with James Reid to transfer 40 gpm (0.09 cfs) or 19.6 acre feet of water right 47-17578 to property owned by James Reid. The 0.09 cfs will provide geothermal water to four domestic homes and hot tubs for each home. Potable water for the homes will not be provided by the water involved in this transfer.

The green house operation utilizes the geothermal water for heating the greenhouses and then discharges the water for recreational purposes into ponds. After this transfer is approved, flow reducers will be placed on several of the greenhouse heat exchangers to reduce the diversion rate from the geothermal source by a minimum of 0.09 cfs or 40 gpm.

The ownership of water right 47-17578 needs to be updated to only list Terry Reid and Flint Greenhouse/Mountain States Plants Distributors, Inc. because Sharon Reid has passed away. The address for Flint Greenhouse/Mountain States Plants will also be updated with this transfer application.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: James Reid, Flint Greenhouse

Enc: Transfer Application, Death Certificate, Aerial Maps, Consent to Transfer, Annual Reports, Brockway Engineering Check # 10479 for \$200.00.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506