

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89675**

This is to certify that: **FLINT GREENHOUSE/MT STATES PLANTS**
4788 RIVER RD
BUHL, ID 83316
AND
TERRY REID
PO BOX 2181
KETCHUM, ID 83340-2171

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
47-17578	WR/DECREED	11/29/1976	0.950 cfs	169.7 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
47-17578	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
47-17578	47-17786	0.090 cfs	19.6 af	N/A	N/A	47-17578	0.860 cfs	150.1 af	N/A	N/A
COMBINED TOTALS		0.090 cfs	19.6 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17th day of June, 2025.

 Southern Region Manager

SUPPORT DATA

Transfer No. 89675

IN FILE # 47-17578

WATER RIGHT NO. 47-17578**As Modified by Transfer No. 89675**

In accordance with the approval of Transfer No. 89675, Water Right No. 47-17578 is now described as follows:

Right Holder: FLINT GREENHOUSE/MT STATES PLANTS
4788 RIVER RD
BUHL, ID 83316
AND
TERRY REID
PO BOX 2181
KETCHUM, ID 83340-2171

Priority Date: 11/29/1976

Source: GROUND WATER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DOMESTIC	01/01	to 12/31	0.080 cfs	2.4 af
HEATING	01/01	to 12/31	0.600 cfs	131.0 af
RECREATION	01/01	to 12/31	0.720 cfs	142.8 af
			0.860 cfs	150.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L7 (SWSWSW)	Sec 33 Twp 08S Rge 14E	TWIN FALLS County
GROUND WATER	L7 (SWSWSW)	Sec 33 Twp 08S Rge 14E	TWIN FALLS County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	33											X						
													L 7						

PLACE OF USE: HEATING

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	33											X						
													L 7						

PLACE OF USE: RECREATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	33											X						
													L 7						

Transfer No. 89675

WATER RIGHT NO. 47-17578
As Modified by Transfer No. 89675

CONDITIONS OF APPROVAL

1. Heating use is for an office, a single vault greenhouse, a multi-vault commercial greenhouse, 3 homes and a garage.
2. Domestic use is for internal purposes only, within an office and 3 homes.
3. Recreation use is for a swimming pool, 2 hot tubs and a fish pond.
4. 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.
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
6. Approval of this transfer does not confirm the validity of this water right.

WATER RIGHT NO. 47-17786**As Modified by Transfer No. 89675**

In accordance with the approval of Transfer No. 89675, Water Right No. 47-17786 is now described as follows:

Right Holder: TERRY REID
PO BOX 2181
KETCHUM, ID 83340-2171
AND
FLINT GREENHOUSE/MT STATES PLANTS
4788 RIVER RD
BUHL, ID 83316

Priority Date: 11/29/1976

Source: GROUND WATER

BENEFICIAL USE

HEATING
RECREATION

From

01/01
01/01

to

To

12/31
12/31

Diversion Rate

0.090 cfs
0.090 cfs
0.090 cfs

Diversion Volume

19.6 af
19.6 af
19.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L2 (NWNENW) Sec 33 Twp 08S Rge 14E TWIN FALLS County

PLACE OF USE: HEATING

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	33						X											0.0
								L 2											

PLACE OF USE: RECREATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	33						X											0.0
								L 2											

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. 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.

Transfer No. 89675

WATER RIGHT NO. 47-17786
As Modified by Transfer No. 89675

CONDITIONS OF APPROVAL

3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho
Department of Water Resources
Attachment to Transfer # 89675
47-17786

This map depicts the HEATING & RECREATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.04 0.08 0.16 Miles

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





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

June 18, 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, 47-17786

Transfer Approval Notice

Dear Water Right Holder<and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2025 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 89675
Water Right No(s): 47-17578, 47-17786

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

TERRY REID
PO BOX 2181
KETCHUM ID 83340-2171

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082



Denise Maline
Administrative Assistant

MEMORANDUM

Date: June 17, 2025
To: Transfer # 89675 file
From: Corey Skinner
Re: Point of Diversion Description for 47-17786

Transfer application # 89675 describes the proposed point of diversion (POD) location as being in the NENWNW of Section 33, Township 08 South, Range 14 East. The technical legal description for this location is actually Government. Lot 2, Section 33, with the NENWNW being projected, rather than the actual legal description. During processing of the transfer application, the "new well" described in the transfer application was drilled (as a replacement well for domestic water right 47-17614), so the actual location is now known. The well was drilled under drilling permit # 919538 & tag number D0104658. The attached well inspection report clearly identifies the exact well location. The legal description is still Government. Lot 2, Section 33, Township 08 South, Range 14 East. However, the projected description is the NWNENW, rather than the NENWNW. The transfer application # 89675 approval will be issued with the new POD location as Government. Lot 2, (NWNENW) Section 33, Township 08 South, Range 14 East.



IDAHO DEPARTMENT OF
WATER RESOURCES

WELL INSPECTION REPORT

Metal Tag No.: D0104658 **Metal Tag Present?:**

Inspector: C Barnes **Inspection Date:** 04/23/2025

Inspection Type: Construction Activities

Copy of Permit On-Site?:

Drilling Company/Number: Cold Steel

Driller Present During Inspection?: NO

Driller: **Operator:**

Driller Has Card? **Drill Rig Properly Identified?** YES

Apparent Well Use: Other **Other Use?:** LTG

GPS Location

Latitude/Longitude (DDM)

42°41.707944830475014'N

114°49.54262461034773'W

Describe Current Construction Activities:

9am. No driller on site yet.

Seal Placement Inspected?

Tagged Seal Depth (ft):

**Seal Material Volume:
Material**

Seal Material:

Other Seal

Seal Notes:

WELL & LOCATION OBSERVATIONS

Casing Condition: Good

Casing Stickup $\geq$ 12 inches?

Water Tight Cap?

Evidence of Annular Seal?

Flowing Artesian?

Control Valve Installed?

Pressure Gauge Installed?

Access Port?

Visible Nearby Contamination Source? NO

Contamination Explanation:

Evidence of Chemigation? NO

Check Valve Installed? NO

Additional Notes About Well:

Replacement LTG well.

SETBACK DISTANCES

Measure Setback Distances? NO

Distance to Public Water System:

Distance to Existing Well:

Distance to Drain Field:

Distance to Septic Tank:

Distance to Sewer Line:

Distance to Effluent Pipe:

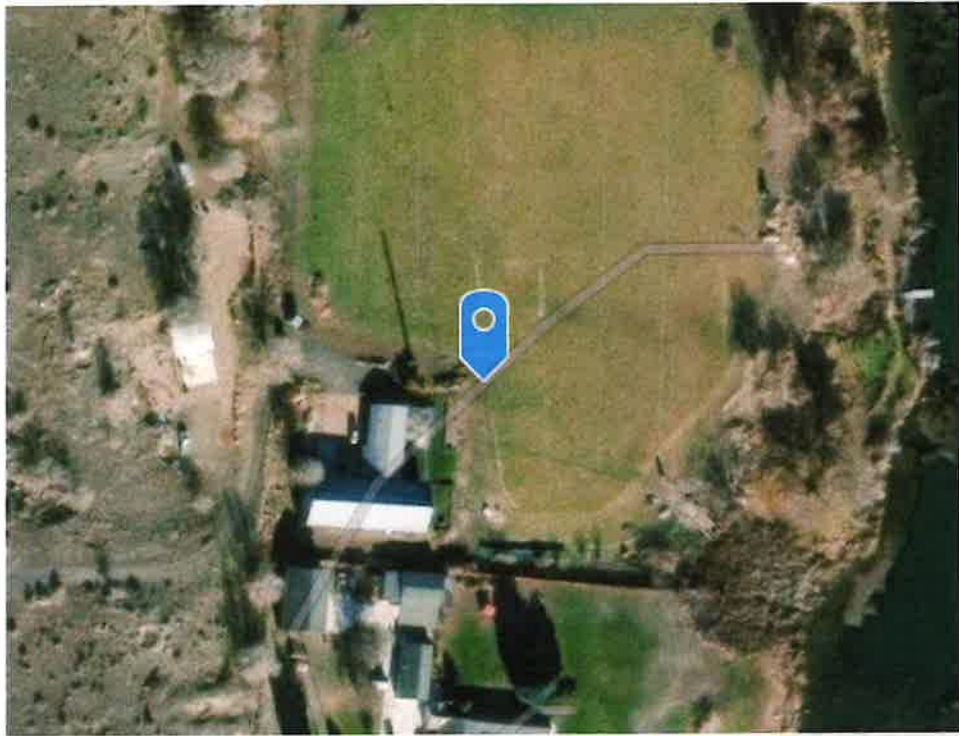
Distance to Surface Water:

Distance to Canal:

**Distance to Buildings:
Tank:**

Distance to Above Ground

Distance to Property Line:



Maxar, Microsoft | Esri Community Maps Contributors, © OpenStreet... Powered by Esri











MEMORANDUM

Date: May 19, 2025
To: Transfer #89675
Flint Greenhouse/Mountain States Plant Distributors, Inc, and Terry Reid
From: Tyler Wallace
Re: Evaluation of Sufficiency of Information Submitted

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 POU is 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.

The transfer is excluded from a water district so there will be no water master comments. Advertising was necessary because of the addition of the new well. The application was not protested.

- **Authority to File:**

The Department's database indicates that water right 47-17578 is owned by Flint Greenhouse/Mountain States Plants, Terry Reid, and Sharon Reid. The application was signed by David Flint (owner of Mountain States Plant Distributors, Inc. and Flint Greenhouse) and Terry Reid. A death certificated was submitted for Sharon Reid.

- **Water Right Validity:**

Water right was decreed and is currently listed as active. Validation of recent use cannot be easily confirmed from aerial imagery because most of the use is for heating homes and greenhouses. However, after heating is used, the water is discharged into a pond on the property which is confirmable by aerial imagery. No validity concerns.

- **Injury to Other Water Rights:**

None anticipated or foreseen. Transfer proposes to change the POU and POD for a portion of the existing water right. Efficiencies will be made in the existing system allowing for water to be used elsewhere.

- **Enlargement of Use:**

None anticipated. Transfer proposes no increase in the volume of water used.

- **Local Public Interest:**

No issues anticipated. The transfer was advertised but had no protests.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated

- **Effect of the Agricultural Base of the Area:**

None Anticipated

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.

AFFIDAVIT OF PUBLICATION

Magic Valley Times-News
132 Fairfield ST W, Twin Falls, ID 83301
(208) 735-3253

State of Florida, County of Orange, ss:

I, Edmar Corachia, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Magic Valley Times-News, a newspaper printed and published at Twin Falls on Tuesday, Thursday and Saturday, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

Publication Dates:

- Apr 17, 2025
- Apr 24, 2025

Notice ID: IZIEnbqRwkhwTEMQf1lz

Notice Name: Legal Notice 88860, 88868, 89649, 89675

Publication Fee: \$279.63

Edmar Corachia

Agent

VERIFICATION

State of Florida
County of Orange

Signed or attested before me on this: 04/25/2025

[Signature]

Notary Public

Notarized remotely online using communication technology via Proof.



PAMELA BAEZ
Notary Public - State of Florida

Commission # HH 186700
Expires on October 14, 2025

RECEIVED**APR 28 2025**

DEPT. OF WATER RESOURCES
SOUTHERN REGION

✓ OK DM 5/1/2025

**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 PODs 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