

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76226

This is to certify that: BETASEED INC
 1788 MARSHALL RD
 PO BOX 195
 SHAKOPEE MN 55379
 952-445-8090

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
47-12767	WR/Decreed	11/10/1952	0.04 cfs	N/A			GROUND WATER
47-17554	WR/Decreed	11/06/1961	0.17 cfs	36 af	9.0	9.0	GROUND WATER
47-17559	WR/Decreed	08/08/1954	0.08 cfs	32.8 af	8.2	9.0	GROUND WATER
47-17564	WR/Decreed	04/03/1961	0.01 cfs	5.4 af	4.1	9.0	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>
47-12767	NO	NO	YES	YES	NO	NO
47-17554	NO	YES	YES	NO	YES	YES
47-17559	NO	YES	YES	NO	YES	YES
47-17564	NO	YES	YES	NO	YES	YES

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>
47-12767	47-12767	0.04 cfs	14.6 af	N/A			N/A	N/A	N/A	N/A
47-17554	47-17554	0.17 cfs	27 af	N/A			N/A	N/A	N/A	N/A
47-17559	47-17559	0.08 cfs	24.8 af	N/A			N/A	N/A	N/A	N/A
47-17564	47-17564	0.01 cfs	4.1 af	N/A			N/A	N/A	N/A	N/A

COMBINED

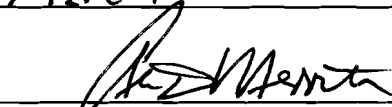
TOTALS	0.21 cfs	41.6 af				N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 15th day of March, 20 11

SUPPORT DATA

IN FILE # 47-12767


 Southern Region Manager

WATER RIGHT NO. 47-12767
As Modified by Transfer No. 76226

In accordance with the approval of Transfer No. 76226, Water Right No. 47-12767 is now described as follows.

Right Holder: BETASEED INC
1788 MARSCHALL RD
PO BOX 195
SHAKOPEE MN 55379

Priority Date: November 10, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.02 CFS	14.6 AF
DOMESTIC	01/01	to 12/31	0.04 CFS	14.6 AF
			0.04 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 32 Twp 10S Rge 18E TWIN FALLS
County

GROUND WATER NWSW Sec. 32 Twp 10S Rge 18E TWIN FALLS
County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10S	18E	32										X							

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10S	18E	32										X							

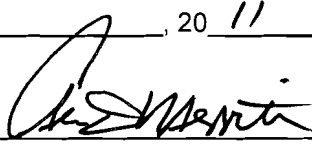
WATER RIGHT NO. 47-12767
As Modified by Transfer No. 76226

CONDITIONS OF APPROVAL

1. Domestic use under this right is for 1 home, shop and associated uses including irrigation of no more than 1/2 acre of lawn. Domestic use does not include water for the commercial greenhouses on the property.
2. The combined domestic and stockwater use authorized under this right shall not exceed 13,000 gallons per day.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Rights 47-12767, 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 41.6 af
6. Rights 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 27.0 af
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 15th day of March, 20 11


Southern Region Manager

WATER RIGHT NO. 47-17554
As Modified by Transfer No. 76226

In accordance with the approval of Transfer No. 76226, Water Right No. 47-17554 is now described as follows.

Right Holder: BETASEED INC
 1788 MARSCHALL RD
 PO BOX 195
 SHAKOPEE MN 55379

Priority Date: November 06, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.17 CFS	27.0 AF
			0.17 CFS	27.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 32 Twp 10S	Rge 18E	TWIN FALLS County
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GROUND WATER	NWSW	Sec. 32 Twp 10S	Rge 18E	TWIN FALLS County
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PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S 18E 32										X							

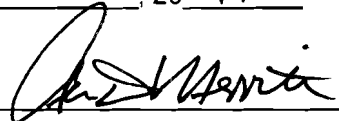
WATER RIGHT NO. 47-17554
As Modified by Transfer No. 76226

CONDITIONS OF APPROVAL

1. Commercial use is for water used in greenhouses and associated uses of the greenhouses.
2. Rights 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 27.0 af
3. Rights 47-12767, 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 41.6 af
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 15th day of March, 20 11



Southern Region Manager

WATER RIGHT NO. 47-17559
As Modified by Transfer No. 76226

In accordance with the approval of Transfer No. 76226, Water Right No. 47-17559 is now described as follows.

Right Holder: BETASEED INC
 1788 MARSCHALL RD
 PO BOX 195
 SHAKOPEE MN 55379

Priority Date: August 08, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.08 CFS	24.8 AF
			0.08 CFS	24.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 32 Twp 10S	Rge 18E	TWIN FALLS County
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GROUND WATER	NWSW	Sec. 32 Twp 10S	Rge 18E	TWIN FALLS County
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PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10S 18E 32										X							

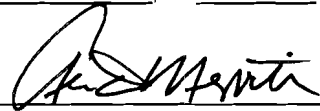
WATER RIGHT NO. 47-17559
As Modified by Transfer No. 76226

CONDITIONS OF APPROVAL

1. Commercial use is for water used in greenhouses and associated uses of the greenhouses.
2. Rights 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 27.0 af
3. Rights 47-12767, 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 41.6 af
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 15th day of March, 20 11



Southern Region Manager

WATER RIGHT NO. 47-17564
As Modified by Transfer No. 76226

In accordance with the approval of Transfer No. 76226, Water Right No. 47-17564 is now described as follows.

Right Holder: BETASEED INC
 1788 MARSHALL RD
 PO BOX 195
 SHAKOPEE MN 55379

Priority Date: April 03, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.01 CFS	4.1 AF
			0.01 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 32 Twp 10S	Rge 18E	TWIN FALLS County
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GROUND WATER	NWSW	Sec. 32 Twp 10S	Rge 18E	TWIN FALLS County
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PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 18E 32										X							

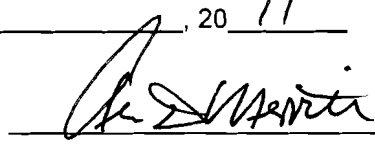
WATER RIGHT NO. 47-17564
As Modified by Transfer No. 76226

CONDITIONS OF APPROVAL

1. Commercial use is for water used in greenhouses and associated uses of the greenhouses.
2. Rights 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 27.0 af
3. Rights 47-12767, 47-17554, 47-17559, and 47-17564 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 41.6 af
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 15th day of March, 20 11


Southern Region Manager

State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 76226

Rights: 47-17554, 47-17559, 47-17564

This map depicts the COMMERCIAL place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

R18E



Legend

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

0 0.0375 0.075 0.15 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer Of Water Right
Transfer No. 76226

Right: 47-12767

This map depicts the DOMESTIC and STOCKWATER 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.

R18E



Legend

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

0 0.04 0.08 0.16 Miles

