

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07427E
Date Received: 1/14/1992
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MUTUAL LIFE INSURANCE COMPANY 314-278-5555
Address: MONY AGRICULTURAL INVESTMENTS
C/O DAVID L BROWN ASST DIR
ONE MID RIVERS DRIVE
ST PETERS MO 63376

2. Date of Priority: JAN 24, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	15		SW	NW		ADA
		16		SE	NE		ADA
				NW	SE		ADA

5. Description of diverting works:
WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.990		476.50

7. Total Quantity Appropriated is:
1.990 C.F.S. (and/or) 476.50 A.F.A.

8. Total consumptive use is 402.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	16	NE	SW		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	16	NW	SW	3	IRR	38.0
			SE	SW	5	IRR	22.3
Section Acres							99.3
Total Acres							99.3

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

DLE I-3377.

THAT PORTION OF PERMIT 63-7427 WHICH IS AMENDED TO 160 ACRES IN THE SW1/4, S16, T1N, R1W SHALL PROVIDE NO MORE THAN 3.2 CFS FOR IRRIGATION & SHALL HAVE THE PRIORITY DATE ADVANCED TO 1/24/83.

P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

THIS RIGHT IS A RESULT OF A SPLIT OF A63-07427B PER LICENSING AMENDMENT DATED 8/15/95

THE MAXIMUM DIVERSION VOLUME IS DEFINED AS THE MAXIMUM ALLOWABLE VOLUME OF WATER THAT MAY BE DIVERTED ANNUALLY FROM THE SOURCE UNDER THIS RIGHT. THE USE OF WATER CONFIRMED BY THIS RIGHT IS LIMITED TO THE AMOUNT THAT CAN ACTUALLY BE BENEFICIALLY USED. THE MAXIMUM DIVERSION VOLUME MAY BE ADJUSTED TO MORE ACCURATELY DESCRIBE THE BENEFICIAL USE OR TO IMPLEMENT ACCEPTED STANDARDS OF DIVERSION AND USE EFFICIENCY.

THIS RIGHT IS APPURTENANT TO THE DESCRIBED PLACE OF USE.

INSUFFICIENT FEES.

FORFEITED BY FIVE YEARS OF NON-USE.

MODIFICATION OR VARIANCE FROM THIS LICENSE MUST BE MADE WITHIN THE LIMITS OF SECTION 42-222, IDAHO CODE, OR APPLICABLE IDAHO LAW THIS CLAIM IS A RESULT OF A SPLIT OF A63-07427C PER TRANSFER 5548 APPROVED 5-4-2000.

SEE APPROVED TRANSFER 5548 FOR ADDITIONAL CONDITIONS OF APPROVAL.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5548
WATER RIGHT NO. 63-07427F

Western
RECEIVED

MAY 08 2000

WATER RESOURCES
WESTERN REGION

This is to certify that: JAMES SLEGGERS
MARIA ANDRIANA SLEGGERS
LENWOOD M SLEGGERS
TESS J SLEGGERS
PO BOX 118
KUNA ID 83642

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	* 0.31 CFS	* 41.0 AF

SOURCE

GROUNDWATER

Priority: 01/24/1983

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NWSW), Sec. 16, Township 01N, Range 01W
Lot 4 (SWSW), Sec. 16, Township 01N, Range 01W
ADA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

01N 01W 16 Lot 5 (SESW)

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

TRANSFER NO. 5548
WATER RIGHT NO. 63-07427F

CONDITIONS OF APPROVAL AND REMARKS

5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer 5548 shall not exceed 0.31 cfs, nor a total combined annual volume of 41.0 af.
7. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
8. The place of stockwater use authorized by this approval, and commercial and stockwater uses under Right 63-07427D, include land in the S1/2, S16, T01N, T01W upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval, and the commercial and stockwater uses under Right 63-07427D, shall not be used for irrigation unless the water is first used for stockwater and commercial uses in the dairy.
- * 9. Right 63-07427D is also diverted through the point(s) of diversion described above.
- * 10. This right is appurtenant to land designated as DLE I-3377.

Dated this 4th day of May, 2000.


Chief, Water Allocation Bureau

* Split Tree A63-07427C

A63-07427C (N/O MONEY)

DR: 2.30 cf AV: 577.5 CU: 402.5

PODs: TOIN, ROIW, S15, SWNW
, S16, SENE & NWSE

POU: OIN, OIW, S16, NESW - 39ac NWSW (L3) 38ac
SESW (L5) - 38ac

A63-07427E (N/O MONEY)

DR: 1.99 cf AV: 476.5 CU 402.5

PODs: OIN, OIW, S15, SWNW
S16, SENE & NWSE

POU: OIN, OIW, S16, NESW - 39ac NWSW (L3) 38ac
SESW (L5) 22.3 ac

A63-07427F N/O Slegers

DR: Stockwater - .31 cf AV: 41 cf

PODs: DIN, OIW, S16, NWSW, (L3)
, SWSW, (L4)

POU: OIN, OIW, S16, SESW, (L5) - Stockwater

* Per approved transfer 5548

SD-0607-2 Prefix: A Basin: 63 Starting Water Right: 07427

STATE

Water Right No.	Name Last, First	W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A63-07427A	MONTIERTH, HERB	C	04/28/1971	P/	GROUNDWATER	01 IRR
	MONTIERTH, DARLENE R	C				04 STOCK
						43 DOMEST
A63-07427B	SPLIT CLAIM,	C	01/24/1983	/Z	GROUNDWATER	01 IRR
					SPLIT CLAIM	
A63-07427C	MUTUAL LIFE INSURANCE	C	01/24/1983	L/	GROUNDWATER	01 IRR
A63-07427D	SLEGGERS, LENWOOD	C	01/24/1983	L/	GROUNDWATER	01 IRR
	SLEGGERS, JAMES	C				04 STOCK
	SLEGGERS, MARIA ADRIANA	C				10 COMMER
	SLEGGERS, TESS J	C				
A63-07429	MAROSTICA, VICTOR J	C	05/07/1971	L/	SCOTT DRAIN	01 IRR
A63-07430A	BEUS, STEVE	C	05/10/1971	L/	GROUNDWATER	01 IRR
A63-07430B	SPLIT CLAIM,	C	05/10/1971	/Z	GROUNDWATER	01 IRR
					SPLIT CLAIM	43 DOMEST
A63-07430C	CRAIG, WAYNE W	C	05/10/1971	L/	GROUNDWATER	01 IRR
	CRAIG, ESTHER	C				43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-07427C**
Date Received: 1/14/1992
Receipt No: W014008
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MUTUAL LIFE INSURANCE COMPANY 314-278-5555
Address: MONY AGRICULTURAL INVESTMENTS
C/O DAVID L BROWN ASST DIR
ONE MID RIVERS DRIVE
ST PETERS MO 63376

2. Date of Priority: JAN 24, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	01W	15		SW	NW		ADA
		16		SE	NE		ADA
				NW	SE		ADA

5. Description of diverting works:
WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.300		517.50

7. Total Quantity Appropriated is:
2.300 C.F.S. (and/or) 517.50 A.F.A.

8. Total consumptive use is 402.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	01W	16	NE	SW		IRR	39.0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-07427C

Priority: January 24, 1983

Maximum Diversion Rate: 2.30 CFS
Maximum Diversion Volume: 517.5 AF

This is to certify, that MONY PENSION INSURANCE CORP
PO BOX 1368
BOISE ID 83701-1368

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 28, 1971; and has submitted Proof of Beneficial Use on May 27, 1977. An examination indicates that the works have a diversion capacity of 12.410 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

RATE OF DIVERSION

2.30 CFS

ANNUAL VOLUME

517.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 15, Township 01N, Range 01W
SENE , Sec. 16, Township 01N, Range 01W
NWSE , Sec. 16, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

TWN RGE SEC
01N 01W 16

ACRES

NESW 39

ACRES

Lot 3(NWSW) 38

Lot 5(SESW) 38

ACRES

TOTAL
115

Total number of acres irrigated:

115

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Right 63-03311 is also diverted through one of the points of diversion described above.
7. This right is appurtenant to land designated as DLE No. I-3377.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-07427C

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 27th
day of OCTOBER, 1995.


Acting for KARL J. DREHER, Director

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 63-07427C

RECEIVED

OCT 23 1995

Department of Water Resources

Date of Priority: January 24, 1983

Maximum Diversion Rate: 2.30 CFS

Maximum Diversion Volume: 517.5 AF

Comes now

MONY PENSION INSURANCE CORP

PO BOX 1368

BOISE ID 83701-1368

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-07427C, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.30 CFS	517.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 15, Township 01N, Range 01W
SENE , Sec. 16, Township 01N, Range 01W
NWSE , Sec. 16, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

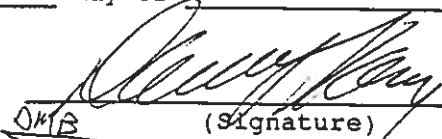
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01W	16	NESW 39	Lot 3(NWSW) 38	Lot 5(SESW) 38	115

Total number of acres irrigated: 115

NOV 14 1995

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this _____ day of _____, 19____.


(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-07427C

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by JW # C033765 Date 10-23-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-07427C with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Right 63-03311 is also diverted through one of the points of diversion described above.
7. This right is appurtenant to land designated as DLE No. I-3377.

Witness my hand this 27TH day of OCTOBER, 1995.

Acting for Karl J. Dreher
KARL J. DREHER, Director

NOV 14 1995

MONEY

RECEIVED

AUG 16 1995

Department of Water Resources

August 15, 1995

MR. SHELLEY W. KEEN
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
STATEHOUSE MAIL
BOISE, IDAHO 83720-9000

RE: WATER RIGHT NO. 63-07427B

Dear Mr. Keen:

Mutual Life Insurance Company, successors to MONY Pension Insurance Corp., hereby agrees to amend the above referenced water permit to transfer or change to James Slegers and Maria Adriana Slegers, husband and wife, and Lenwood Slegers and Tess J. Slegers, husband and wife, that portion of the permit which is described as:

Part D: Government Lot 4, Section 16, Township 1 North, Range 1 West,
Boise Meridian A.D.A. County, Idaho, containing 40 acres +/-.

I have enclosed a copy of MONY's Partial Release dated May 15, 1995 and a copy of a Special Warranty Deed dated November 16, 1989. In addition, I am enclosing a check for \$25.00 for the filing fee.

If you have any questions, please do not hesitate to contact me.

Sincerely,



David L. Brown,
Assistant Director of Agricultural Investments

DLB/jie

Enclosure

cc: Jim Melton
Neal Goplen
Jack McCall

Loan No. 30047

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, that THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK, a New York Corporation, having its Home Office at 1740 Broadway, New York, New York, 10019, the holder of an Idaho Mortgage and Security Agreement made, dated and recorded as follows:

<u>Made by</u>	<u>Dated</u>	<u>Recorded</u>	<u>Instrument #</u>
Herbert Montierth and Golda Darlene Montierth, husband and wife	12/29/89	1/23/90	9004211

in the Office of the County Recorder of Ada County, Idaho for and in consideration of Ten Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby release the following described property:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF AND EMBOSSED WITH THE SEAL OF THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK

Provided, however, that the release shall not be construed or interpreted to affect, diminish or release the balance of the security held under said Mortgage nor shall it be interpreted or construed to release, affect or diminish the personal liability of any party liable for the payment of the Note which said Mortgage secures.

IN WITNESS WHEREOF, THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK has caused this instrument to be signed and sealed on its behalf of its duly authorized officers, this 16th day of May, 1995.

ATTEST:

By: David M. Brown
David M. Brown
Assistant Secretary

THE MUTUAL LIFE INSURANCE
COMPANY OF NEW YORK

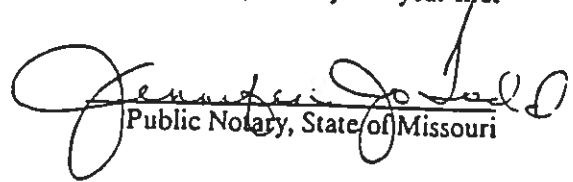
By: James O. Melton
James O. Melton
Vice President

STATE OF MISSOURI

COUNTY OF ST. CHARLES

On this 16th day of May, 1995, before me personally appeared James O. Melton to me known to be one of the Vice Presidents of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.


Public Notary, State of Missouri

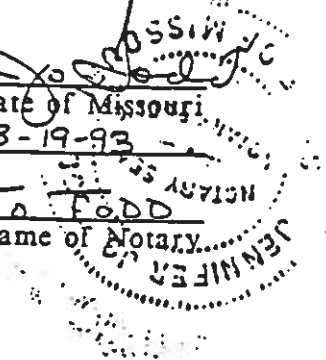
JENNIFER JO TODD
Notary Public - Notary Seal
STATE OF MISSOURI
St. Charles County
My Commission Expires: March 19, 1997

STATE OF MISSOURI

COUNTY OF ST. LOUIS

On this 16th day of November, in the year 1989, before me, a Notary Public, personally appeared Neal R. Goplen, known or identified to me to be the Director of Agricultural Investments of the corporation that executed the above instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


(Notary Public, State of Missouri)
My Commission Expires: 3-19-93
Jennifer J. Todd
Printed Name of Notary


MONT-ID.DED

Ada County, Idaho, ss
Request of
FIRST AMERICAN TITLE CO.
TIME 2:53 PM
DATE 1-23-90
JOHN BASTIDA
RECORDER
By Ch. Jates
Deputy 6.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



Return
to
Sender

NOT US?

THE MUTUAL LIFE INSURANCE CO OF
ATLANTA, GEORGIA
4412 74TH ST NE
FURBROCK, TX 76044

63-7427E

RECEIVED
FEB 08 2007
WATER RESOURCES
WESTERN REGION

09/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7427E

NAME AND ADDRESS: THE MUTUAL LIFE INSURANCE CO OF NEW YORK
ATTN BONNIE TERRELL ASST VP
4412 74TH ST #F100
LUBBOCK TX 79424

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.990 CFS
476.500 AFY

PRIORITY DATE: 01/24/1983

POINT OF DIVERSION:

T01N R01W S15 SWNW Within ADA County

T01N R01W S16 SENE Within ADA County

T01N R01W S16 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.990 CFS
476.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01W S16	NESW	39.00	T01N R01W S16 Lot 3 NWSW	38.00
T01N R01W S16 Lot 5	SESW	22.30		

99.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Right 63-03311 is also diverted through one of the points of diversion described above.

This right is appurtenant to land designated as DLE No. I-3377.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER DIVERTED IN THE STATE OF WYOMING.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.



Idaho Department of Water Resources

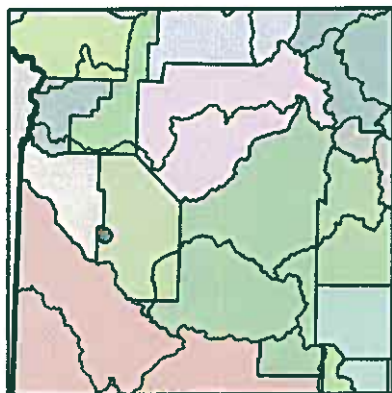
SRBA Recommendation:

63-7427E

(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0

0.5

1 Miles



Prepared by S. Egbert
On Thursday, September 14, 2006
1987/88 Aerial Photography

Draft

06/08/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7427E

NAME AND ADDRESS: THE MUTUAL LIFE INSURANCE CO OF NEW YORK
ATTN BONNIE TERRELL ASST VP
4412 74TH ST #F100
LUBBOCK TX 79424

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.990 CFS
476.500 AFY

A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 01/24/1983

POINT OF DIVERSION:

T01N R01W S15 SWNW Within ADA County
T01N R01W S16 SENE Within ADA County
T01N R01W S16 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.990 CFS 476.50 AFY

PLACE OF USE: IRRIGATION Within ADA County

T01N R01W S16	NESW	39.0	T01N R01W S16 Lot 3 NWSW	38.0
T01N R01W S16 Lot 5	SESW	22.3		

99.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DLE I-3377.

THAT PORTION OF PERMIT 63-7427 WHICH IS AMENDED TO 160 ACRES IN THE SW1/4, S16, T1N, R1W SHALL PROVIDE NO MORE THAN 3.2 CFS FOR IRRIGATION & SHALL HAVE THE PRIORITY DATE ADVANCED TO 1/24/83.

P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

THIS RIGHT IS A RESULT OF A SPLIT OF A63-07427B PER LICENSING AMENDMENT DATED 8/15/95 THE MAXIMUM DIVERSION VOLUME IS DEFINED AS THE MAXIMUM ALLOWABLE VOLUME OF WATER THAT MAY BE DIVERTED ANNUALLY FROM THE SOURCE UNDER THIS RIGHT. THE USE OF WATER CONFIRMED BY THIS RIGHT IS LIMITED TO THE AMOUNT THAT CAN ACTUALLY BE BENEFICIALLY USED. THE MAXIMUM DIVERSION VOLUME MAY BE ADJUSTED TO MORE ACCURATELY DESCRIBE THE BENEFICIAL USE OR TO IMPLEMENT ACCEPTED STANDARDS OF DIVERSION AND USE EFFICIENCY.

THIS RIGHT IS APPURTENANT TO THE DESCRIBED PLACE OF USE. INSUFFICIENT FEES.

FORFEITED BY FIVE YEARS OF NON-USE.

MODIFICATION OR VARIANCE FROM THIS LICENSE MUST BE MADE WITHIN THE LIMITS OF SECTION 42-222, IDAHO CODE, OR APPLICABLE IDAHO LAW THIS CLAIM IS A RESULT OF A SPLIT OF A63-07427C PER TRANSFER 5548 APPROVED 5-4-2000.

SEE APPROVED TRANSFER 5548 FOR ADDITIONAL CONDITIONS OF APPROVAL.

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.

EXPLANATORY MATERIAL: License

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER DIVERTED IN THE STATE OF WYOMING.

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

See remarks for additional conditions of approval.

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-07427			00/00/0000	/Z			WR
63-07427A	DE GROOT, JEAN	C	04/01/1972	L/	GROUNDWATER	IRR	WR
	DE GROOT, PETE	C					
63-07427B			00/00/0000	/Z		IRR	WR
63-07427C			00/00/0000	/Z		IRR	WR
63-07427D	SLEGGERS, JAMES	C	01/24/1983	L/	GROUNDWATER	IRR	WR
						STOCK	
63-07427E	MONEY PENSION INSURANCE CORP	C	01/24/1983	L/	GROUNDWATER	IRR	WR
63-07427F	SLEGGERS, JAMES	C	01/24/1983	L/	GROUNDWATER	STOCK	WR
	SLEGGERS, MARIA ANDRIANA	C					
	SLEGGERS, LENWOOD M	C					
	SLEGGERS, TESS J	C					
T63-07427A			04/01/1972	L/	GROUNDWATER	IRR	WR
						COMMER	
						STOCK	

A63-07427A	MONTIERTH, HERB	C	04/28/1971	P/	GROUNDWATER	IRR	AJ
	MONTIERTH, DARLENE R	C				STOCK	
						DOMEST	
A63-07427B	SPLIT CLAIM	C	01/24/1983	/Z	GROUNDWATER	IRR	AJ
					SPLIT CLAIM		
A63-07427C	SPLIT CLAIM	C	01/24/1983	/Z	GROUNDWATER	IRR	AJ
					SPLIT CLAIM		
A63-07427D	SLEGGERS, LENWOOD	C	01/24/1983	L/	GROUNDWATER	IRR	AJ
	SLEGGERS, JAMES	C				STOCK	
	SLEGGERS, MARIA ADRIANA	C				COMMER	
	SLEGGERS, TESS J	C					
A63-07427E	MUTUAL LIFE INSURANCE COMPANY	C	01/24/1983	L/	GROUNDWATER	IRR	AJ
A63-07427F	SLEGGERS, JAMES	C	01/24/1983	L/	GROUNDWATER	STOCK	AJ
	SLEGGERS, MARIA	C					
	SLEGGERS, LENWOOD	C					
	SLEGGERS, TESS	C					

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PAGE 02



MONY Life Insurance Company
 Pyramid Plaza
 3223 South Loop 289
 Suite 2400
 Lubbock, TX 79423
 www.mony.com
 806 792 1073
 806 792 7935

RECEIVED

APR 25 2000

Department of Water Resources

Monte W. Lyons
 Assistant Vice President - Agricultural Investments

Mr. Allen Merritt
 Idaho Department of Water Resources
 1341 Fillmore Street, Suite 200
 Twin Falls, ID 83301

Re: MONY Loan No. 612200
James Slegers d/b/a Sundance Dairy

Dear Mr. Merritt:

MONY Life Insurance Company, a New York corporation formerly known as The Mutual Life Insurance Company of New York (MONY), is the current owner and holder of the following Promissory Note and Mortgage evidencing and securing the above-referenced loan, made, dated and recorded in the Official Records of Ada County, Idaho as follows:

<u>Made by:</u>	<u>Dated</u>	<u>Recorded</u>	<u>Instrument No.</u>
James Slegers and Maria Andriana Slegers, husband and wife and	October 27, 1995	November 2, 1995	95080818
Lenwood M. Slegers and Tess J. Slegers, husband and wife			

Among other land, the above-described mortgage presently encumbers a certain 12 acre tract of land located in the Southeast Quarter (SE¹/₄) of the Southwest Quarter (SW¹/₄) of Section 16, Township 1 North, Range 1 West, Ada County, Idaho. The borrowers desire to convert a portion of the water rights appurtenant to that 12 acre of land from agricultural usage to commercial usage for use in connection with their dairy operation. The water right in question is Water Right Number 63-07427C. A true and complete copy of the Application for Transfer of Water Right is attached to this letter and made a part hereof.

At this time MONY has no objection to the conversion of Water Right Number 63-07427C from irrigation to stock/commercial as set forth in the Application attached hereto, and hereby consents to your processing of the Application for Transfer of Water Right submitted by Mr. and Mrs. Slegers.

If there is anything further you require from MONY to process this Application submitted by Mr. and Mrs. Slegers, please do not hesitate to contact me.

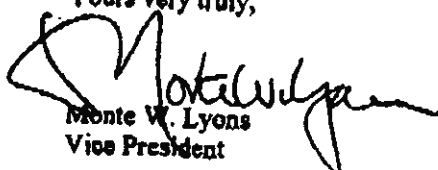
The original of this letter will follow by ordinary U.S. Mail.

MICROFILMED
 MAY 24 2000

Idaho Department of Water Resources
October 11, 1999
Page 2 of 2 Pages

Thank you for your cooperation and assistance in this regard.

Yours very truly,


Monte W. Lyons
Vice President

cc David M. Brown (MONY)
James Slegers

STATE OF TEXAS

COUNTY OF LUBBOCK

On this 11th day of October, 1999, before me appeared Monte W. Lyons, to me personally known, who, being by me duly sworn, did say that he is a Vice President of MONY Life Insurance Company, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and that he acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the day and year last above written.



Bonnie Terrell
Notary Public, State of Texas

MICROFILMED
MAY 24 2000

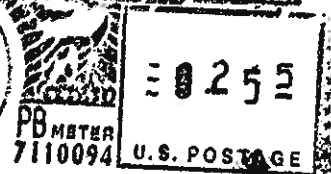
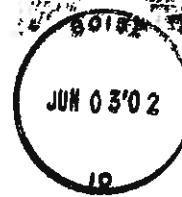
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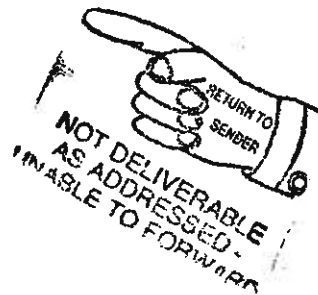
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PRESORTED
FIRST CLASS



63-7427E



THE MUTUAL LIFE INSURANCE *of New York*
ATTN DAVID M BROWN SR
COUNSEL
5650 MEXICO RD #15
ST PETERS MO 65076-1650

RECEIVED
JUN 12 2002
WATER RESOURCES
WESTERN REGION

Found

