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Department of Water Resources

December 27, 2012

Idaho Department of Water Resources
Attn: Jean Hersley – Technical Records Specialist I
The Idaho Water Center
322 East Front Street
P.O. Box 83720
Boise, ID 83720

RE: Jim Dowton Ranch - Request Correction on Water Right Ownership

Jean,

A clerical error was made when listing the water right numbers on The Change in Water Right Ownership form to Scythe & Spade Co., Receiver for Jim Dowton Ranch LLC and Dowton Custom Farming dated 7-26-2012. The error surfaced when the Jim Dowton Ranch farmland was purchased by Bank of Idaho on September 20, 2012.

The three ground water rights (numbers 73-12111, 73-12112 and 73-12113) are not part of the Jim Dowton Ranch farmland and the ownership of these water rights should have remained with the original owners, Jimmie L. and Maria Elena Dowton.

Scythe & Spade Co. would like to request a correction of the Change in Ownership records to reflect the three ground water rights noted above to be owned by Jimmie L. and Maria Elena Dowton.

Thank you Jean for your time and consideration of this request and I apologize for the inconvenience and extra work this will cause.

Respectfully,

Patti Hardwick

Hersley, Jean

From: Patti Hardwick [PattiH@ag-management.com]
Sent: Thursday, December 27, 2012 2:51 PM
To: Hersley, Jean
Subject: Letter to Request Correction RE: Request Instruction for correction of Change in Water Rights Ownership CRM:00590672
Attachments: DowtonRanch_2012 Letter to IDWR to request correction of Water Rights Change.pdf

Hello Jean,

Per your direction, attached is a letter of explanation from Scythe and Spade Co. to support the request to correct an error in ownership of three ground water rights which are owned by Jimmie L. and Maria Elena Dowton.

Thank you so much for your assistance with this issue.

Respectfully,

Patti Hardwick

Scythe & Spade Company
Simplifying Complex Agribusiness Issues
1059 E. Iron Eagle Dr, Ste. 155 | Eagle, ID 83616
Main: (208) 893-5333 | Direct: (480) 584-9332 | Fax: (208) 439-1522

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From: Hersley, Jean [<mailto:Jean.Hersley@idwr.idaho.gov>]
Sent: Wednesday, December 19, 2012 8:20 AM
To: Patti Hardwick
Subject: RE: Request Instruction for correction of Change in Water Rights Ownership CRM:00590672

Patti,

The current owner of water rights 73-12111, 73-12112 and 73-12113 is the Bank of Idaho. IDWR received a request for an ownership change from them November 1, 2012 which not only included the three water rights in question but all the rights Scythe & Spade Co listed on their ownership change request we received in June of this year.

If it is a records issue for Scythe & Spade Co, what we need from you is a letter explaining what water rights should not have been included in the Ownership change and why. I can then remove Scythe & Spade Co from the record(ownership chain) of those water rights.

Thank you.

Jean Hersley

From: Patti Hardwick [<mailto:PattiH@ag-management.com>]
Sent: Wednesday, December 12, 2012 11:57 AM
To: Hersley, Jean
Cc: c.payne@bankofidaho.net
Subject: Request Instruction for correction of Change in Water Rights Ownership CRM:00590672

Good Morning Jean,

I'm following up with my phone call to you this morning. The transfer in question was from Scythe & Spade Co., Receiver for Jim Dowton Ranch LLC to Bank of Idaho and was submitted as a result of a Sheriff's Sale. An error was made in listing the water rights related to the sale. There are 3) ground water rights that should not have been included. They are 73-12111, 73-12112 and 73-12113.

I also went back and confirmed that there will not be a Sheriff's deed issued until the expiration of the redemption period (12 months). Instead the "Certificate of Sale" court document is recorded. That was included with the original documentation.

Please instruct me on the best way to rectify the error.

Thanks and have a great day!

Patti Hardwick

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