



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 26, 2008

GARREN APPLE
SCYTHE & SPADE CO
PO BOX 3961
NAMPA ID 83653

RE: Change of Ownership for Water Right Nos. 63-29438 & 63-29439

Dear Mr. Apple:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to Aix Sponsa, Inc. Included with the notice was a warranty deed which was signed on July 26, 2007. The warranty deed indicated that Aix Sponsa, Inc. has a 3.23% interest in the property. Per the deed submitted, the department would have to add each party which was conveyed an interest in the property as a current owner of the property.

The questions that need to be answered at this point are:

- Should Scythe & Spade Co. be added as a representative for the owner(s) of this property?
- Are there any other deeds or contracts which were executed after July 26, 2007 which conveys the property entirely to Aix Sponsa, Inc.?
- If there are no others deeds, can you supply us with the address of each owner as listed on the deed signed on July 26, 2007?

Also attached was a copy of an agreement among tenants in common dated July 17, 2007. I'm not clear if the agreement was included for the purpose of establishing the fact that Scythe & Spade represents the listed "co-tenants" or for some other purpose. The agreement is not signed, pre-dates the warranty deed submitted and the referenced attachments were not included.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. Please feel free to call me at 208-287-4952 if you need further clarification.

Sincerely,

Emalee Rushing
Office Services Supervisor