

RECEIVED

APR 15 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DE

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
55-4067	Yes ☐	Yes ☐		Yes ☐	Yes ☐
55-13896	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: The 45 LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jim Richmond Backcountry Aviation Foundation
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 8 The Green, Suite 15081 Dover DE 15081
Mailing address City State Zip
503-939-1002 jimrichmondfoundation@gmail.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 11/21/2023
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 55-4067

8. Signature: Brad Damm 5CA2E8DF7558408... Executive Director 4/5/2024
Signature of new owner/claimant Title, if applicable Date
Bradley Damm
Print name
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:

Received by CL Date 4-15-24 Receipt No. W051897 Receipt Amt. \$50.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by MB Date 10/29/2024



PioneerTitleCo.
GOING BEYOND

5680 E. Franklin Rd., Ste. 250
Nampa, ID 83687

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT



Property Address: 4904 Ranch Road, Murphy, ID 83650

File No. 831278 CA/TG
Deed signed in counterpart

SPECIAL WARRANTY DEED

For Value Received, The 45 LLC, an Idaho limited liability company, GRANTOR, conveys and specially warrants to The Jim Richmond Backcountry Aviation Foundation, Inc., GRANTEE, whose address is 8 The Green Ste 15081 Dover, DE 19901, their successors and assigns forever the following described real property:

See Exhibit A attached hereto and made a part hereof.

SUBJECT TO taxes and assessments for the year and all subsequent years, together with any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

THIS CONVEYANCE shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

THE GRANTOR covenants to the Grantee that Grantor is the owner in fee simple of said premises; that the premises are free from encumbrances created or suffered by the Grantor, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant defend the same from all lawful claims of or through Grantor, but none other.

Dated: November 1, 2023

The 45 LLC, an Idaho limited liability company

By: Charles Conn
Charles Conn- Member

Dennis Fitzpatrick-Member



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Nampa, ID 83687

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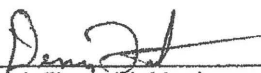
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Dated: November 1, 2023

The 45 LLC, an Idaho limited liability company

By: _____
Charles Conn- Member


Dennis Fitzpatrick-Member

Instrument # 316405
MURPHY, OWYHEE, IDAHO
2023-11-21 12:42:40 No. of Pages: 5
Recorded for: PIONEER TITLE CANYON - CALDWELL
ANGELA BARKELL Fee: \$15.00
Ex-Officio Recorder Deputy: map
Index To: DEED WARRANTY
Electronically Recorded by Simplifile



Notary Acknowledgment attached to Special Warranty Deed re: File No. 831278

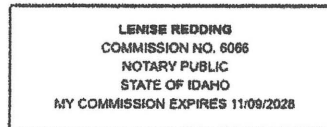
State of Idaho, County of Ada

On this 21st day of November in the year of 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Conn- Member of The 45 LLC, an Idaho limited liability company, being known or identified to me to be the Authorized Signor of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company 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 for Idaho

Commission Expires 11/09/2028



This notarial act involved the use of communication technology

State of _____, County of _____

On this _____ day of _____ in the year of _____, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis Fitzpatrick- Member as Trustee(s) of The 45 LLC, an Idaho limited liability company, being known or identified to me to be the Authorized Signor of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company 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 for _____

Commission Expires _____

State of _____, County of _____

On this _____ day of _____ in the year of _____, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Conn- Member as Trustee(s) of The 45 LLC, an Idaho limited liability company, being known or identified to me to be the Authorized Signor of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company 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 for _____

Commission Expires _____

State of ID , County of Canyon

On this 21st day of November in the year of 2023 , before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis Fitzpatrick- Member as Trustee(s) of The 45 LLC, an Idaho limited liability company, being known or identified to me to be the Authorized Signor of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company 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.

Carleen Acree

Notary Public for nampa

Commission Expires 31-2028

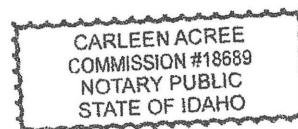


EXHIBIT A

In Township 14 South, Range 5 West, Boise Meridian, Owyhee County, Idaho

Section 25: East Half of the Southwest Quarter, Southwest Quarter of the Southeast Quarter, Southeast Quarter of the Northwest Quarter

Section 36: Northwest Quarter of the Northeast Quarter, Northeast Quarter of the Northwest Quarter



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 30, 2024

THE JIM RICHMOND BACKCOUNTRY AVIATION FOUNDATION INC
8 THE GRN STE 15081
DOVER DE 19901-3618

Re: Change in Ownership for Water Right No.: 55-4067; Water Permit No.: 55-13896

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right and water permit to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact the Western Region Office at 1 (208) 334-2190.

Sincerely,

Marina Bozdog
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/30/2024

Water Right 55-4067

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE JIM RICHMOND BACKCOUNTRY AVIATION FOUNDATION INC 8 THE GRN STE 15081 DOVER, DE 19901-3618 (503) 939-1002
Original Owner	BECKER RANCH INC PO BOX 128 WESTFALL, OR 97920 (503) 358-2921
Previous Owner	THE 45 LLC C/O CHARLES CONN PO BOX 9080 KETCHUM, ID 83340 (208) 726-1914

Priority Date: 7/1/1890

Basis: Decreed

Status: Active

Source
SOUTH FORK OWYHEE RIVER

Tributary
OWYHEE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.280 CFS	224.0 AF
	<u>Total Diversion</u>		1.280 CFS	224.0 AF

Source and Point(s) of Diversion:

SOUTH FORK OWYHEE RIVER NENW
SOUTH FORK OWYHEE RIVER SESE

Sec. 36, Twp 14S, Rge 05W, OWYHEE County
Sec. 25, Twp 14S, Rge 05W, OWYHEE County

Place Of Use:

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	05W	25								9.0	35.0			18.0					62.0
14S	05W	36					2.0												2.0

POU Total Acres: 64.0

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

10/30/2024

Proof Report

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. T19 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.
4. 01M 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. X63 All water rights within Basin 55 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dates and Other Information:

Decreed Date: 3/5/1999

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: NWD

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: True

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/30/2024

Water Permit 55-13896

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE JIM RICHMOND BACKCOUNTRY AVIATION FOUNDATION INC 8 THE GRN STE 15081 DOVER, DE 19901-3618 (503) 939-1002
Original Owner	THE 45 LLC C/O CHARLES CONN PO BOX 9080 KETCHUM, ID 83340 (208) 726-1914

Priority Date: 6/10/2011
Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH FORK OWYHEE RIVER	OWYHEE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.070 CFS	
WILDLIFE	01/01	12/31	1.280 CFS	
	<u>Total Diversion</u>		1.280 CFS	

Source and Point(s) of Diversion:

SOUTH FORK OWYHEE RIVER SESE	Sec. 25, Twp 14S, Rge 05W, OWYHEE County
SOUTH FORK OWYHEE RIVER NENW	Sec. 36, Twp 14S, Rge 05W, OWYHEE County

Place Of Use:
WILDLIFE within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	05W	25								X	X			X					
14S	05W	36					X												

STOCKWATER within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	05W	25								X	X			X					
14S	05W	36					X												

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

10/30/2024

Proof Report

1. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
2. 004 This right does not grant any right-of-way or easement across the land of another.
3. X02 Stockwater use is for 300 head cattle.
4. F06 The following rights are diverted through point(s) of diversion described above: 55-4067.
5. X35 Rights 55-4067 & 55-13896 when combined shall not exceed a total diversion rate of 1.28 cfs.
6. 01M 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.

Dates and Other Information:

Permit Proof Due Date: 11/1/2016
Permit Proof Made Date: 9/26/2016
Permit Approved Date: 10/27/2011
Field Exam Date: 6/6/2019
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A