

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 25 2008

DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
85-2086A					

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
OR
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Idaho Foundation For Parks & Lands
5657 Warm Springs Ave.
Boise, Idaho 83716-8700
4. New Owner/Claimant(s) City of Lewiston Parks & Recreation Department
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or ATTN: Lynn C. Mass
New Mailing Address P.O. Box 617
City, State and ZIP Code Lewiston, Idaho 83501
New Telephone Number (208) 746-2313
5. Date you acquired the property 7/24/2006

(per cover ltr)

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)  City Manager
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____
 Received by 
 Processed by _____ AJ

Date _____
 Date 3/27/06
 Date _____

Receipt Amt. 25.00
 Receipt No. 0086419
 WR _____ Date _____

733849

RESOLUTION 2006-23

A RESOLUTION ACCEPTING AND APPROVING A QUIT CLAIM DEED FROM IDAHO PARK FOUNDATION, INC., AN IDAHO NON-PROFIT CORPORATION, AS GRANTOR; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: That a Quit Claim Deed from Idaho Park Foundation, Inc., as Grantor, a copy is attached and by this reference made a part of this resolution, is hereby approved.

SECTION 2: This resolution shall take effect and be in force from and after its passage and approval.

DATED this 24th day of July, 2006.

CITY OF LEWISTON

By: Jeffrey G. Nessel
Jeffrey G. Nessel, Mayor



ATTEST: Rebecca L. O'Connor
Rebecca L. O'Connor, City Clerk

733849
CITY OF LEWISTON
2006 AUG -1 P 1:56
PATTY G. WEEKS
RECORDER, NEZ PERCE CO. ID.
BY Clint Locke

733850

QUIT CLAIM DEED

THIS INDENTURE made this 16th day of May, 2006, by and between IDAHO PARK FOUNDATION, INC., an Idaho non-profit corporation, hereafter "Grantor", and the CITY OF LEWISTON, an Idaho municipal corporation, of 1134 F Street, (P O Box 617), Lewiston, Idaho, hereafter "Grantee",

WITNESSETH, That

The Grantor, for and in consideration of ONE DOLLAR (\$1) and other good and valuable considerations, to it in hand paid by the Grantee, receipt of which is hereby acknowledged, does by these presents remise, release and forever quit claim unto the Grantee, and to its successors and assigns all of the certain property situate in the City of Lewiston, County of Nez Perce, State of Idaho, more particularly described as follows:

Parcel 1

That parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 7, T. 35 N. R. 5 W., B.M., more particularly described as follows:

Commencing at the brass cap monument marking the Northwest corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 7, T. 35 N., R. 5 W., B.M.; thence N. 87°57'16" E. along the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 157.19 feet to the point of beginning; thence continuing N. 87°57'16" E. 572.07 feet to the West right-of-way line of Broadview Drive; thence S. 0°17'28" E. along said right-of-way 300 feet to the Southwest (SW) corner of Walter Law Addition No. 1; thence continuing S. 0°17'28" E. 50.30 feet; thence N. 87°52'08" E. 60.00 feet; thence S. 08°32'20" E. 274.59 feet; thence S. 33°49'41" E. 211.14 feet; thence S. 58°39'53" E. 132.54 feet; thence S. 10°13'49" E. 48.92 feet; thence N. 88°37'23" E. 52.45 feet; thence S. 0°17'41" E. 81.93 feet; thence S. 0°20'41" E. 339.98 feet to the South line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$); thence along said South line S. 88°18'50" W. 148.34 feet; thence leaving said South line N. 14°07'16" W. 90.60 feet; thence N. 06°00'06" W. 146.56 feet; thence

CITY OF LEWISTON

Resolution 2006-23

N. 18°39'56" E. 112.05 feet; thence N. 36°24'33" W. 324.79 feet; thence N. 40°34'56" W. 186.98 feet; thence N. 0°10'10" E. 128.44 feet; thence N. 50°58'05" W. 406.21 feet; thence N. 37°13'04" W. 59.23 feet; thence N. 47°11'04" W. 209.00 feet to the TRUE POINT OF BEGINNING, containing 6.88 acres. The above-described parcel is subject to all easements of record and/or apparent on the premises, and all corners are marked by a ½ inch steel pin or 5/8 inch steel pin with plastic cap. The basis of bearing for the survey is N.0°25'27" W. along the West line of the Northeast Quarter of the Northwest Quarter (NE¼NW¼) of Section 7, T. 35 N., R. 5 W., B.M.

Parcel 2

A parcel of land in the Southeast One-Quarter of the Southwest One-Quarter of Section 6, Township 35 North, Range 5 West, Boise Meridian, City of Lewiston, County of Nez Perce, State of Idaho more particularly described as follows:

Commencing at the Southwest corner of Section 6 marked by a concrete monument with a brass disc; thence North 87°53'00" East, 1319.78 feet to the Southwest corner of the Southeast One-Quarter of the Southwest One-Quarter marked by a concrete monument with a brass disc being the True Point of Beginning; thence North 0°16'03" West, 164.79 feet along the West line of said Southeast One-Quarter of the Southwest One-Quarter; thence North 89°43'57" East, 119.57 feet; thence North 45°00'00" East, 48.72 feet to a point on a 50.00 foot radius curve concave Northwesterly, a radial line to said point bears South 10°35'29" East; thence Northerly, along the arc of said curve, through a central angle of 132°51'19", a distance of 115.94 feet to the beginning of a tangent reverse 50.00 foot radius curve concave Northeasterly; thence Northerly along the arc of said curve, through a central angle of 54°54'01", a distance of 47.91 feet to the beginning of a tangent 175.00 foot radius curve concave Easterly; thence Northerly along the arc of said curve, through a central angle of 3°59'30", a distance of 12.19 feet; thence North 5°26'43" East, 65.72 feet; thence North 89°43'57" East, 67.39 feet; thence South 0°16'03" East, 400.00 feet to the South line of said Southeast One-Quarter of the Southwest One-Quarter marked by a rebar; thence along said South line, South 87°53'39" West, 230.02 feet to the TRUE POINT OF BEGINNING

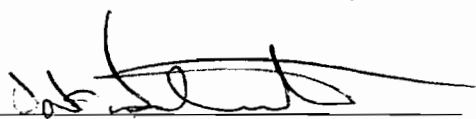
TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof.

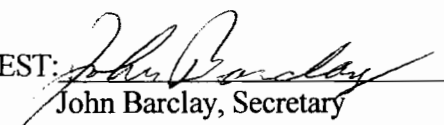
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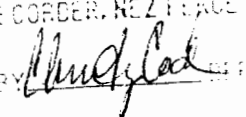
TO HAVE AND TO HOLD all and singular the said premises for public park purposes only.

IN WITNESS WHEREOF the Grantor has hereunto set its hand and seal the day and year first above written.

GRANTOR
IDAHO PARK FOUNDATION, INC.

By 
Don K. Weilmunster, President

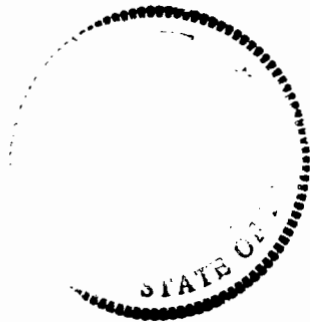
ATTEST: 
John Barclay, Secretary

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NIC CITY OF LEWISTON
2005 AUG -1 P 1:57
PATTY O. WEEKS
CLERK, NEZ PERCE CO.
BY 

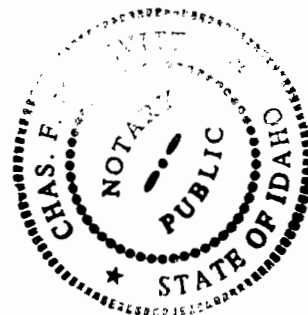
STATE OF IDAHO)
 : SS
 County of Nez Perce)

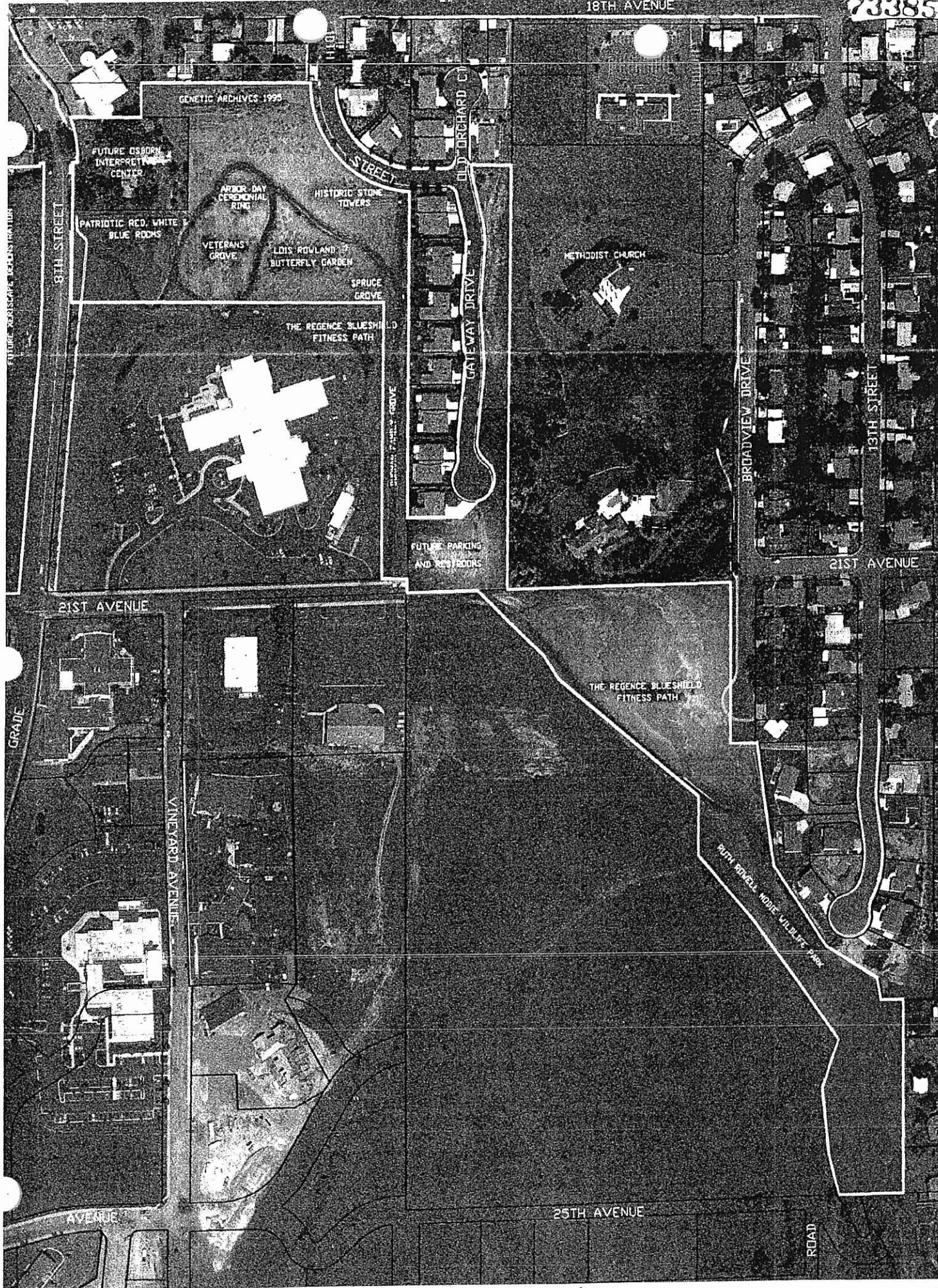
On this 16 day of May, 2006, before me the undersigned Notary Public in and for the State of Idaho, personally appeared DON K. WEILMUNSTER and JOHN BARCLAY, known to me to be the President and the Secretary, respectively, of IDAHO PARK FOUNDATION, INC., an Idaho non-profit corporation, whose names are subscribed to the within instrument and acknowledged to me that they executed the same for and on behalf of said corporation.

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



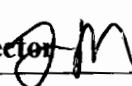
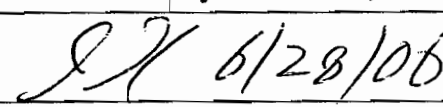
[Signature]
 Notary Public in and for the State of
 Idaho
 Residing at Boise
 My Commission expires: 10/26/2010





CITY COUNCIL MEETING

AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE Quit Claim Deed Acceptance For Modie Park		AGENDA NO. _____ AGENDA DATE _____	1ST READING _____ 2ND READING _____ 3RD/ADOPTION _____
ORIGINATING SOURCE Parks and Recreation Department		FUNDING CERTIFICATION (If applicable)	
DIVISION MANAGER REVIEW (If applicable)		DEPARTMENT MANAGER REVIEW Lynn C. Moss, Parks and Recreation Director 	
RECOMMENDED FOR COUNCIL ACTION	CITY MANAGER  6/28/06		
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) The City of Lewiston has received a Land and Water Conservation Fund grant from the Idaho Department of Parks and Recreation for the development of Modie Park. This 15 acre development includes 8.05 acres donated by Donald and Ruth Modie and Douglas and Susan Randall. These two parcels have been held in trust by the Idaho Park Foundation and constitute \$141,000 donation towards the City's match obligation.			
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. The grant amount is for \$211,775 with a like amount required in local match. The additional match requirement will come in the form of staff labor and equipment, city engineering and donated landscape design services. Grant development will include restroom, parking lot, picnic areas, irrigation, landscaping and interpretive signage.			
ACTION PROPOSED Staff recommends adoption of Resolution 2006-23 accepting and approving a quit claim deed from the Idaho Park Foundation.			