

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 05 2024

DEPT. OF WATER RESOURCES

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?
63-11640	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-35642	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Donald, Joan, John, and Marilyn Brandt

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): City of Nampa, Parks & Recreation Department

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

411 3rd St South

Nampa

ID

83651

Mailing address

City

State

Zip

208-468-5420

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: August 18, 2016
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- ☐ 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):
- ☐ \$25 per *undivided* water right.
- ☐ \$100 per *split* water right.
- ☐ 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 # 63-11640

8. Signature: [Signature]

Signature of new owner/claimant

PARKS AND REC DIRECTOR

Title, if applicable

11-4-2024

Date

DARRIN JOHNSON

Print name

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by KM Date 11/5/24

Receipt No. 2119337

Receipt Amt. \$100-

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 [Signature]

Date 11-19-24

GIFT DEED

THIS INDENTURE is made this 18th day of August, 2016, by and between DON BRANDT, a single man, JOAN M. BRANDT, a single woman, and MARILYN I. BRANDT, a single woman, Donors, and CITY OF NAMPA, Donee, whose address is 411 Third Street South, Nampa, ID 83651.

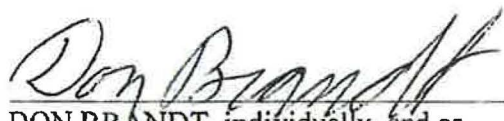
Donors desire to make a gift to Donee and, therefore, do hereby grant, give, transfer and convey unto Donee all right, title and interest which the Donors now have or may hereafter acquire in the real property situated in Canyon County, Idaho, more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein.

This conveyance shall include any and all easements, rights-of-way, and water rights in anywise appertaining to the property herein described.

This gift is subject to Ordinance No. 4230, dated March 7, 2016, and recorded on March 16, 2016, as Instrument No. 2016-009855, records of Canyon County, Idaho, which incorporated the Memorandum of Understanding executed by Franklin Village Development, LLC on February 23, 2016, and by Donee on March 7, 2016.

Donors covenant with Donee that Donors are the owners in fee simple of said premises, that said premises are free from all encumbrances, and that Donors will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Donors have executed this instrument the day and year first above written.


DON BRANDT, individually, and as
Attorney-in-Fact for JOAN M. BRANDT,
and MARILYN I. BRANDT

STATE OF IDAHO)
 : ss
County of Canyon)

On this 18th day of August, 2016, before me, a Notary Public, personally appeared DON BRANDT, known or identified to me to be the person whose name is subscribed to the within instrument, and known or identified to me to be the attorney-in-fact for JOAN M. BRANDT and for MARILYN I. BRANDT; and who acknowledged to me that he executed the same on his own behalf and on behalf of Joan M. Brandt and Marilyn I. Brandt.



Louis West
Notary Public for Idaho
Residing in Nampa, Idaho
My Commission Expires: 4-10-21

ACCEPTANCE

By its execution hereof, Donee has accepted the gift set forth in this Gift Deed.

CITY OF NAMPA

By: Robert L. Henry
Robert L. Henry, Mayor
By: Deborah Bishop
City Clerk

STATE OF IDAHO)
 : ss.
County of Canyon)

On this 25th day of August, 2016, before me, a Notary Public, personally appeared Robert L. Henry, Mayor, and Deborah Bishop, City Clerk, respectively, of the City of Nampa, Idaho, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their respective capacities.



Sheri L. Murray
Notary Public for Idaho
Residing in Nampa, Idaho
My Commission Expires: 12-15-18



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

May 27, 2016
Proposed Park
Project No. 16-009
Legal Description
Franklin Village Development, LLC

EXHIBIT A

A parcel of land situated in a portion of the Northwest 1/4 of Section 11, Township 3 North, Range 2 West, Boise Meridian, City of Nampa, Canyon County, Idaho, and being more particularly described as follows:

Commencing at a found 5/8-inch rebar marking the West 1/4 corner of said Section 11, which bears S00°24'01"W a distance of 2,647.57 feet from a found brass cap marking the Northwest corner of said Section 11, thence following the westerly line of said Northwest 1/4, N00°24'01"E a distance of 2,033.73 to a point;
Thence leaving said westerly line, S89°35'59"E a distance of 50.00 feet to the **POINT OF BEGINNING**.

Thence N00°24'01"E a distance of 554.19 feet to a point;
Thence N45°29'14"E a distance of 13.42 feet to a point;
Thence S89°25'33"E a distance of 1,425.17 feet to a point;
Thence S00°23'26"W a distance of 298.13 feet to a point;
Thence 385.25 feet along the arc of a non-tangent curve to the left, said curve having a radius of 1,252.00 feet, a delta angle of 17°37'50", a chord bearing of S01°37'57"W and a chord distance of 383.73 feet to a point;
Thence S07°10'58"E a distance of 417.73 feet to a point;
Thence S56°30'42"E a distance of 237.94 feet to a point;
Thence S33°32'46"W a distance of 34.88 feet to a point;
Thence 43.78 feet along the arc of a circular curve to the right, said curve having a radius of 50.00 feet, a delta angle of 50°09'57", a chord bearing of S58°37'45"W and a chord distance of 42.39 feet to a point;
Thence 17.02 feet along the arc of a reverse curve to the left, said curve having a radius of 80.94 feet, a delta angle of 12°02'43", a chord bearing of S76°44'37"W and a chord distance of 16.99 feet to a point;
Thence 40.47 feet along the arc of a reverse curve to the right, said curve having a radius of 50.00 feet, a delta angle of 46°22'22", a chord bearing of N87°02'18"W and a chord distance of 39.37 feet to a point;
Thence 180.08 feet along the arc of a reverse curve to the left, said curve having a radius of 790.00 feet, a delta angle of 13°03'38", a chord bearing of N70°22'56"W and a chord distance of 179.69 feet to a point;

Thence 620.91 feet along the arc of a reverse curve to the right, said curve having a radius of 860.00 feet, a delta angle of $41^{\circ}22'01''$, a chord bearing of $N56^{\circ}13'45''W$ and a chord distance of 607.51 feet to a point;

Thence 608.26 feet along the arc of a reverse curve to the left, said curve having a radius of 640.00 feet, a delta angle of $54^{\circ}27'16''$, a chord bearing of $N62^{\circ}46'22''W$ and a chord distance of 585.63 feet to a point;

Thence $N90^{\circ}00'00''W$ a distance of 296.05 feet to a point;

Thence $N00^{\circ}00'00''W$ a distance of 15.00 feet to a point;

Thence $N90^{\circ}00'00''W$ a distance of 20.00 feet to a point;

Thence $N45^{\circ}12'00''W$ a distance of 42.57 feet to a point;

Thence $N00^{\circ}24'01''W$ a distance of 20.00 feet to a point;

Thence $N89^{\circ}35'59''W$ a distance of 23.52 feet to the **POINT OF BEGINNING**.

Said parcel contains 28.157 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.

This legal description is for informational purposes only and shall not be used for conveyance.



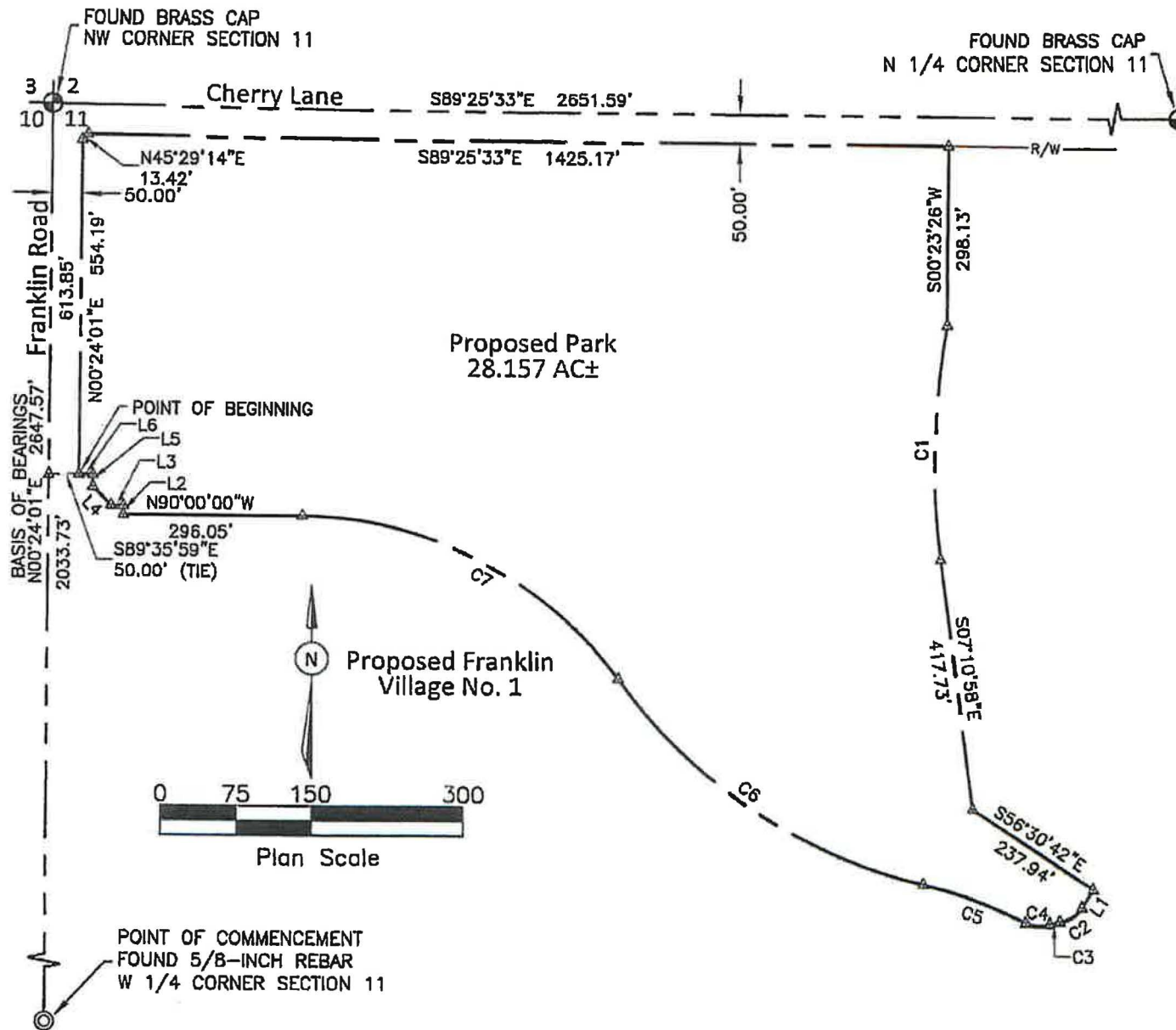


Exhibit B
Franklin Village - Proposed Park

Portion of NW 1/4 of Section 11, T3N, R2W, BM,
City of Nampa, Canyon County, ID

DATE: 5/27/2016

PROJECT: 16-009

SHEET:
1 OF 2

km
ENGINEERING

ENGINEERS . SURVEYORS . PLANNERS

9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

LINE TABLE		
LINE	LENGTH	BEARING
L1	34.88	S33°32'46"W
L2	15.00	N0°00'00"W
L3	20.00	N90°00'00"W
L4	42.57	N45°12'00"W
L5	20.00	N0°24'01"W
L6	23.52	N89°35'59"W

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	1252.00'	385.25'	17°37'50"	S1°37'57"W	383.73'
C2	50.00'	43.78'	50°09'57"	S58°37'45"W	42.39'
C3	80.94'	17.02'	12°02'43"	S76°44'37"W	16.99'
C4	50.00'	40.47'	46°22'22"	N87°02'18"W	39.37'
C5	790.00'	180.08'	13°03'38"	N70°22'56"W	179.69'
C6	860.00'	620.91'	41°22'01"	N56°13'45"W	607.51'
C7	640.00'	608.26'	54°27'16"	N62°46'22"W	585.63'

Exhibit B
Franklin Village - Proposed Park

Portion of NW 1/4 of Section 11, T3N, R2W, BM,
City of Nampa, Canyon County, ID

DATE: 5/27/2016

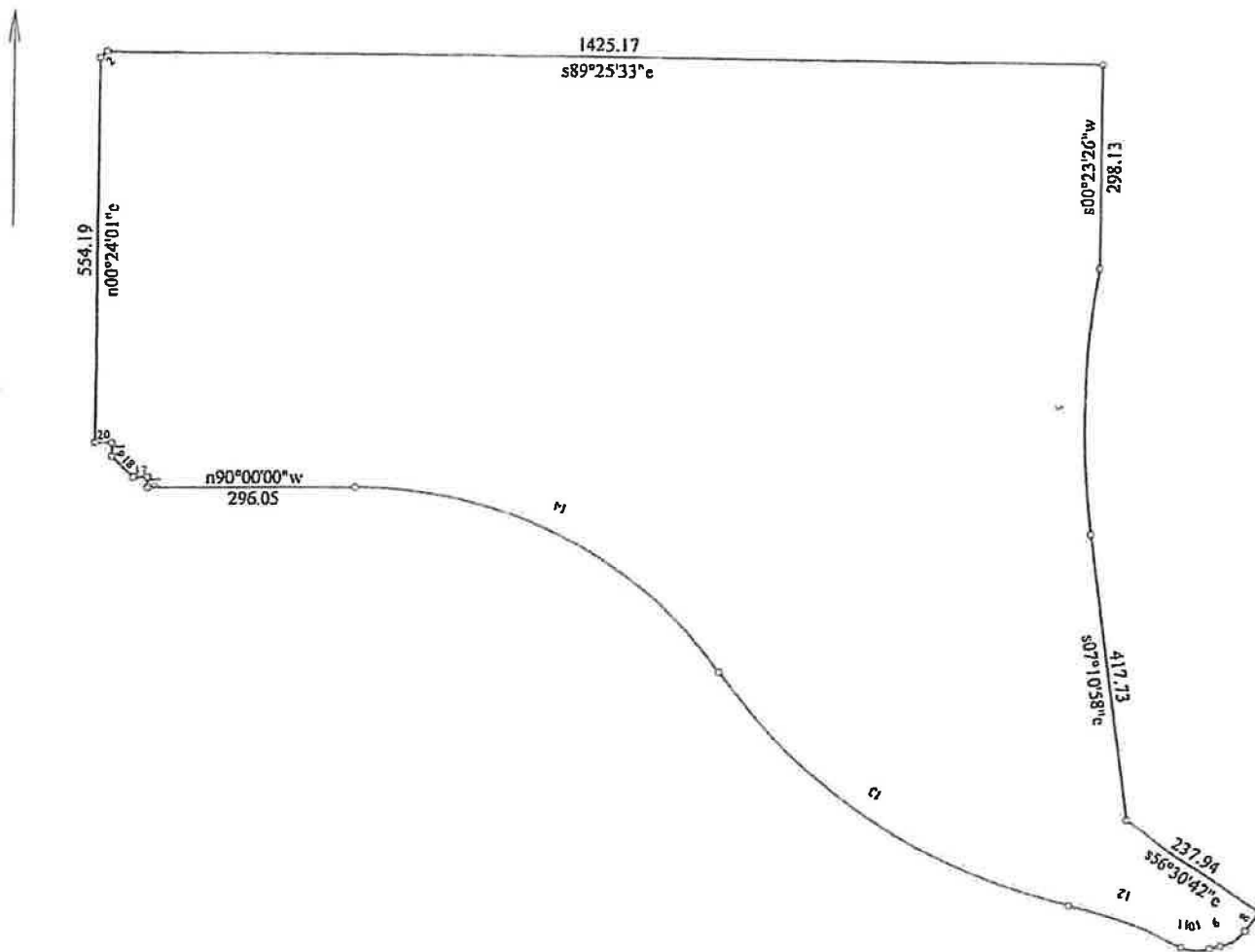
PROJECT: 16-009

SHEET:
2 OF 2



ENGINEERS . SURVEYORS . PLANNERS

9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930



Title:		Date: 05-26-2016
Scale: 1 inch = 250 feet	File:	
Tract 1: 28.157 Acres: 1226505 Sq Feet: Closure = n22.5803w 0.01 Feet: Precision = 1/357885: Perimeter = 5294 Feet		
001=n00.2401e 554.19	008=s33.3246w 34.88	015=n90.0000w 296.05
002=n45.2914e 13.42	009: Rt, R=50.00, Delta=50.0957 Bng=s58.3745w, Chd=42.39	016=n00.0000w 15.00
003=s89.2533e 1425.17	010: Lt, R=80.94, Delta=12.0243 Bng=s76.4437w, Chd=16.99	017=n90.0000w 20.00
004=s00.2326w 298.13	011: Rt, R=50.00, Delta=46.2222 Bng=s87.0218w, Chd=39.37	018=n45.1200w 42.57
005: Lt, R=1252.00, Delta=17.3730 Bng=s01.3757w, Chd=983.73	012: Lt, R=790.00, Delta=13.0338 Bng=m70.2256w, Chd=179.69	019=n00.2401w 20.00
006=s07.1058e 417.73	013: Rt, R=860.00, Delta=41.2201 Bng=m56.1345w, Chd=607.51	020=n89.3559w 23.52
007=s56.3042e 237.94	014: Lt, R=640.00, Delta=54.2716 Bng=m62.4622w, Chd=585.63	

Water Right Report : 63-11640(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BRANDT, DONALD K	203 11TH AVE S	NAMPA	ID	83651
Current Owner	BRANDT, JOAN M	203 11TH AVE S	NAMPA	ID	83651
Current Owner	BRANDT, JOHN	203 11TH AVE S	NAMPA	ID	83651
Current Owner	BRANDT, MARILYN I	203 11TH AVE S	NAMPA	ID	83651

Water Right Status

Priority Date : 2/5/1992
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	03N	02W	11	0				NE NW CANYON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	2.48 CFS	
TOTAL			2.48 CFS	

Places of Use

Paged View

Place of Use Legal Description : IRRIGATION (CANYON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
03N	02W	10		NE	NE	25	
03N	02W	10		NW	NE	9	
03N	02W	11		NE	NW	36	
03N	02W	11		NW	NW	35	
03N	02W	11		SW	NW	18	
03N	02W	11		SE	NW	35	

Irrigation Totals

Total Acres Acre Limit
158.00

Conditions

Code Conditions

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 711.0 af for the lands above.

Dates

Licensed Date : 12/21/1995

Other Information

State or Federal :

Decreed Date :
Permit Proof Due Date : 5/2/1994
Permit Proof Made Date : 6/8/1992
Permit Approved Date : 4/24/1992
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date: 2/5/1992
Protest Deadline Date:

Water District Number : 63
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

9/12/2024

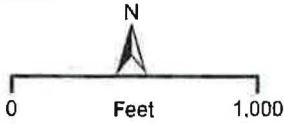
IRRIGATION





LEGEND

- 63-11640 POD
- 63-11640 POU - 158 acres
- City Portion - 31 acres



WATER RIGHT 63-11640 OWNERSHIP CHANGE MAP CITY OF NAMPA PARKS & RECREATION

ORAH BRANDT PARK



2024 World Imagery

Split Analysis

Water Right Number: 63-11640

Diversion Rate: 2.48 CFS

Owner Name:

Date: 12-Sep-24

Acreage Analysis

[illegible]

Water Right Number: 63-11640
Diversion Rate: 2.48 CFS
Reviewer Name: _____
Date: 9/12/2024

Split Tree

City

(31.0 ac & 0.49 cfs)

Residual

(127.0 ac & 1.99 cfs)

63-11640

(158.0 ac & 2.48 cfs)

Summary

[illegible]



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 19, 2024

CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651-3721

Re: Change in Water Right Ownership: 63-11640 (Split into 63-11640 and **63-35642**)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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 me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: JOAN M BRANDT, JOHN BRANDT
MARILYN I BRANDT, DONALD K BRANDT



RECEIVED

NOV 05 2024

November 5, 2024

DEPT. OF WATER RESOURCES

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Notice of Change in Water Right Ownership

Dear Scott,

Enclosed on behalf of City of Nampa is a *Notice of Change in Water Right Ownership* for water right 63-11640 appurtenant to property the City now owns and operates as Orah Brandt Park. The \$100 filing fee is being paid with credit card upon submittal.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

HDR Engineering, Inc.

Steve Hannula
Sr. Project Manager

Cc via email: Cody Swander, City of Nampa Parks and Rec

Project: 10411840