

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

MAR 04 2020

DEPARTMENT OF
WATER RESOURCES

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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-9069D	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-9069D+	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-34861	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jeff and Leslie Nona
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Michelle Steele
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 10123 Goodson Rd Middleton ID 83644
Mailing address City State ZIP
- (208) 941-2056 mbarmsteele@aol.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: 3/18/1993
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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 # 63-9069D

8. Signature: Michelle Steele Owner 1/21/2020
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by Km Date 3-4-2020 Receipt No. C108383 Receipt Amt. \$ 100.00

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 [Signature] Date 3-9-2020

\$1050
TOTAL check

2020-006819

RECORDED

02/06/2020 02:36 PM

After recording send to:



00497343202000068190030031

Albert P. Barker
BARKER RSHOLT & SIMPSON
P. O. Box 2139
Boise, Idaho 83701-2139
Telephone (208) 336-0700

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 LBERG \$15.00
DEED
ALLEN MILLS

Recording Information

QUITCLAIM DEED

THIS INDENTURE, made this 24 day of January 2020, by and between Jeffery E. Nona of 380 S 4th St, Ste 203, Boise, ID 83702, and Leslie Nona, of 6411 W Dry Creek Rd. Boise, ID 83714, collectively party of the first part, and Michelle Steele, whose address is 10123 Goodson Road, Middleton, Idaho 83644, party of the second part.

WITNESSETH: That the party of the first part, Jeffery and Leslie Nona, for good and valuable consideration, do by these presents release, remise, and forever quitclaim unto Michelle Steele, party of the second part, and to her successors and assigns all of their right, title, and interest in and to a portion of this water right consisting of 1.3 cfs for use on 132 acres of Water Right #63-9069D as further described herein, to wit:

Water Right: 63-9069D

Priority Date: 10/26/1977

Source: Ground Water

Beneficial Use: Irrigation

Season of Use: March 15 – November 15

Diversion Rate: 1.51 cfs

Irrigated Acres: 153.5 acres

TOGETHER with and singular the tenements, heriditaments, and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, grants, issues, and profits thereof.

TO HAVE AND TO HOLD, unto Michelle Steele, the party of the second part

and to her successors and assigns forever.

The remaining 0.21 cfs for use on 21.5 acres are subject to separate transfers/transactions.

IN WITNESS WHEREOF, that the said party of the first part have hereunto set their hand and seal, the day and year first above written.

By: 
Jeffery Nona

By: 
Leslie Nona

STATE OF IDAHO)
County of Ada) ss.

On this 24 day of January, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffery Nona, known to me to be the Party of the First Part herein, and acknowledged to me that he 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.



(SEAL)


Notary Public for Idaho
Residing at: Bose, Idaho
My Commission expires: 5/2/24

STATE OF IDAHO)
County of Ada) ss.

On this 24 day of January, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Leslie Nona, known to me to be the Party of the First Part herein, and acknowledged to me that she 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.



(SEAL)

April Haro

Notary Public for Idaho

Residing at: Middleton, ID

My Commission expires: 9/22/22



April Wilke
Middleton, ID

Path: S:\PROJECTS\1500\150010010 - Steele Property\PROJECT\GIS\ArcMap - Project\Ownership Change Map.mxd





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PioneerTitleCo.

1000 N. 10th St. Ste. 100
Tulsa, OK 74103
(918) 438-1111

9306235

2

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by EILEEN J. CLARKE, as Personal Representative of the Estate of DAN W. CLARKE, deceased, Grantor, to MARK STEELE and MICHELLE STEELE, husband and wife, Grantees, the address is 8382 Foothill Rd., Middleton, ID 83644

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Probate Number SP92-1932, in Canyon County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells conveys to Grantee the following described real property in Gem County, Idaho:

See Exhibit A attached hereto and incorporated by reference herein as though set forth in full hereinafter.

all appurtenances.

EXECUTED this 18 day of March, 1993.

Eileen J. Clarke
EILEEN J. CLARKE
Personal Representative of the
Estate of DAN W. CLARKE,
Deceased

TE OF ARIZONA)
County of PIMA) ss

On the 18 day of March, 1993, before me, a Notary Public, personally appeared EILEEN J. CLARKE, known to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of DAN W. CLARKE, and acknowledged to me that she executed the same as such Personal Representative.

[Signature]
Notary Public for Arizona
Residing at Tucson, AZ
My Commission Expires 2/23/94

RECORDED

93 MAR 26 PM 4 48

HELEN KERN
CANYON COUNTY RECORDER
BY S. L. Lively, dep

PIONEER - CALDWELL
REQUEST
TYPE Deed REC 620



mark Steele

(4) (1)

Exhibit "A"

PARCEL I

The West Half of the Northwest Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

AND ALSO

The Northwest Quarter of the Southwest Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPT that portion of the Northwest Quarter of the Southwest Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

South 0° 02' East 531.30 feet to the TRUE POINT OF BEGINNING; thence

South 0° 02' East 580.52 feet to the Northerly right of way line of irrigation canal; thence

North 72° 46' West 539.65 feet along said canal right of way; thence

South 82° 28' 20" West 265.60 feet continuing along said canal; thence

North 0° 02' West 454.96 feet; thence

South 89° 56' 30" East 778.75 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

Benchmark Estates Subdivision, Canyon County, Idaho, according to the plat filed in Book 19 of Plats, Page 23, records of said County.

PARCEL II

The Northeast Quarter of the Northeast Quarter of Section 20, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel of land situated in the Northeast Quarter of the Northeast Quarter of Section 20, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho, as shown on Record of Survey filed as Instrument No. 9205139, records of Canyon County Recorder, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 20, a point marked by a brass cap; thence along the North line of said Section 20

South 89° 50' 00" West 673.94 feet to a point marked by a 1/2-inch iron pin, the POINT OF BEGINNING; thence leaving the North line of said Section 20

(continued)

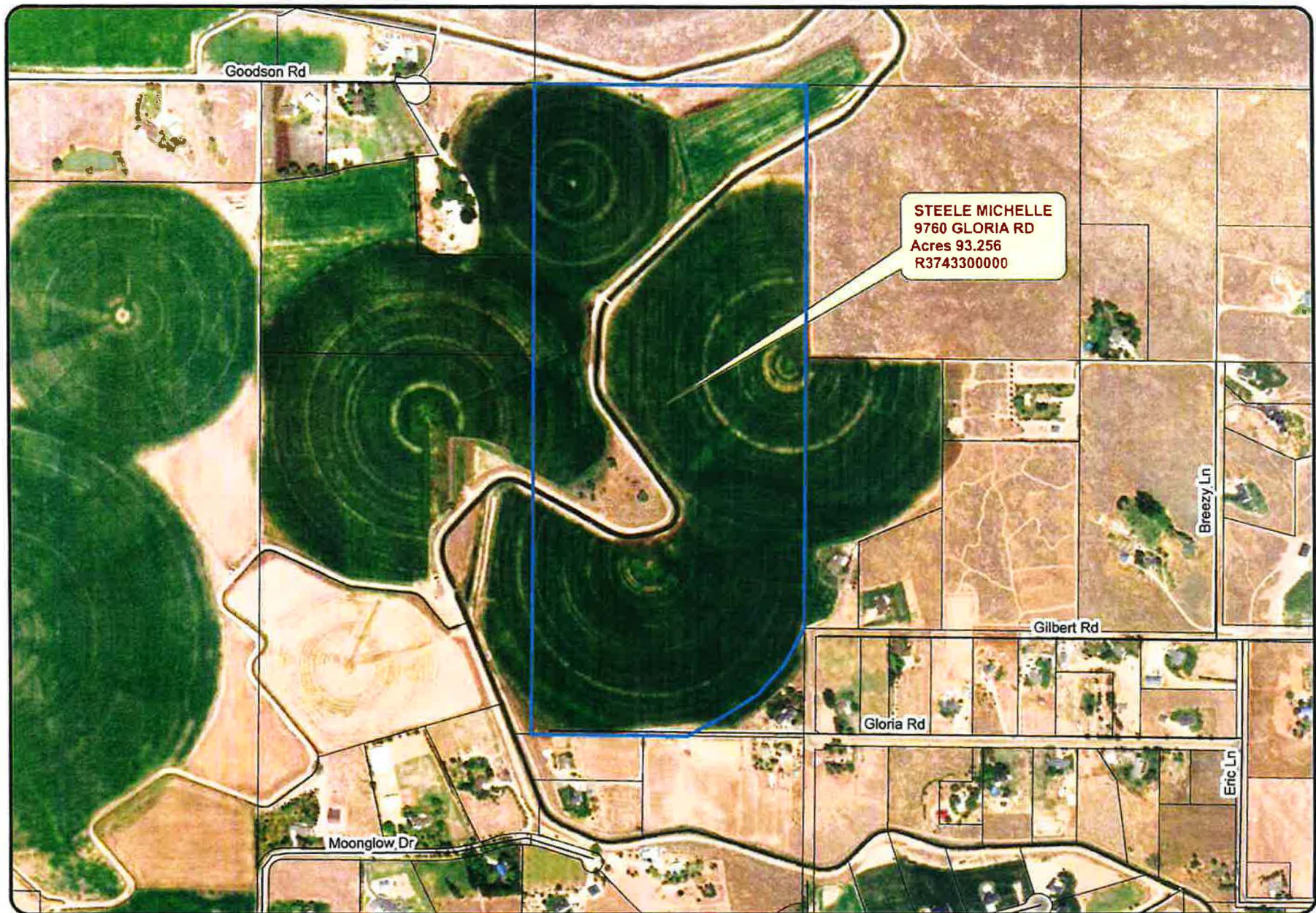
South 28° 59' 40" East 143.56 feet to a point marked by a 1/2-inch
iron pin; thence
South 32° 20' 13" East 266.56 feet to a point marked by a 1/2-inch
iron pin;
South 84° 28' 49" West 105.71 feet to a point marked by a 1/2-inch
iron pin;
South 80° 05' 47" West 343.07 feet to a point marked by a 1/2-inch
iron pin;
South 72° 33' 30" West 122.22 feet to a point marked by a 1/2-inch
iron pin;
South 82° 33' 28" West 303.92 feet to a point marked by a 1/2-inch
iron pin, said point being on the West line of said Northeast Quarter of
the Northeast Quarter; thence along the West line of said Northeast
Quarter of the Northeast Quarter
North 0° 04' 45" West 494.07 feet to a point marked by a 1/2-inch
iron pin, said point being the East 1/16 corner on the North line of
said Section 20; thence along the North line of said Section 20;
North 89° 50' 00" East 649.65 feet to the POINT OF BEGINNING.

PARCEL III

The Southeast Quarter of the Northeast Quarter and the Northeast Quarter
of the Southeast Quarter of Section 20, Township 5 North, Range 2 West,
Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

Benchmark Estates Subdivision, Canyon County, Idaho according to the
Plat filed in Book 19 of Plats, Page 23, records of said County



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9306235

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by EILEEN J. CLARKE, as Personal Representative of the Estate of DAN W. CLARKE, deceased, Grantor, to MARK STEELE and MICHELLE STEELE, husband and wife, Grantees, the address is 8382 Foothill Rd., Middleton, ID 83644.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Probate Number SP92-1932, in Canyon County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells conveys to Grantee the following described real property in Gem County, Idaho:

See Exhibit A attached hereto and incorporated by reference herein as though set forth in full hereinafter.

all appurtenances.

EXECUTED this 18 day of March, 1993.

Eileen J. Clarke
EILEEN J. CLARKE
Personal Representative of the
Estate of DAN W. CLARKE,
Deceased

TE OF ARIZONA)
nty of PIMA) ss

On the 18 day of March, 1993, before me, a Notary Public, personally appeared EILEEN J. CLARKE, known to me to be the son whose name is subscribed to the within instrument, as Personal Representative of the Estate of DAN W. CLARKE, and nowledged to me that she executed the same as such Personal representative.

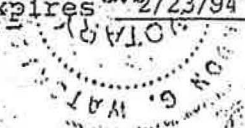
RECORDED

93 MAR 26 PM 4 48

HELEEN KERR
CANYON COUNTY RECORDER
BY *S. Lindsey, dep*

PIONEER - CALDWELL
REQUEST
TYPE *Deed* REC 62

Shirley
Notary Public for Arizona
Residing at Tucson, AZ
My Commission Expires 2/23/94



PERSONAL REPRESENTATIVE'S DEED

PARCEL I

The West Half of the Northwest Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

AND ALSO

The Northwest Quarter of the Southwest Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPT that portion of the Northwest Quarter of the Southwest Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

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South 0° 02' East 531.30 feet to the TRUE POINT OF BEGINNING; thence South 0° 02' East 580.52 feet to the northerly right of way line of irrigation canal; thence

North 72° 46' West 539.65 feet along said canal right of way; thence South 02° 20' 20" West 265.60 feet continuing along said canal; thence

North 0° 02' West 454.96 feet; thence

South 89° 56' 30" East 778.75 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

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COMMENCING at the Northeast corner of said Section 20, a point marked by a brass cap; thence along the North line of said Section 20

South 89° 50' 00" West 673.94 feet to a point marked by a 1/2-inch iron pin, the POINT OF BEGINNING; thence leaving the North line of said Section 20

South 20° 59' 40" East 143.56 feet to a point marked by a 1/2-inch iron pin; thence

South 32° 20' 13" East 266.56 feet to a point marked by a 1/2-inch iron pin;

South 04° 28' 49" West 105.71 feet to a point marked by a 1/2-inch iron pin;

South 80° 05' 47" West 343.07 feet to a point marked by a 1/2-inch iron pin;

South 72° 33' 30" West 122.22 feet to a point marked by a 1/2-inch iron pin;

South 82° 33' 28" West 303.92 feet to a point marked by a 1/2-inch iron pin, said point being on the West line of said Northeast Quarter of the Northeast Quarter; thence along the West line of said Northeast Quarter of the Northeast Quarter

North 0° 04' 45" West 494.07 feet to a point marked by a 1/2-inch iron pin, said point being the East 1/16 corner on the North line of said Section 20; thence along the North line of said Section 20;

North 89° 50' 00" East 649.65 feet to the POINT OF BEGINNING.

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A
2
INSTRUMENT NO. 9743712

PC23432

QUITCLAIM DEED

FOR VALUE RECEIVED Mark Steele, also known as W. Mark Steele, and Michelle Steele, husband and wife

does hereby convey, release, remise and forever quit claim

unto W. Mark Steele and Michelle Steele, husband and wife

whose address is 10123 Goodson Rd, Middleton, ID 83644

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

together with their appurtenances.

Dated: December 18, 1997

W. Mark Steele
W. Mark Steele

Michelle Steele
Michelle Steele

STATE OF Idaho

COUNTY OF Canyon

On this 18th day of December in the year 1997, before me, a Notary Public, personally appeared W. Mark Steele and Michelle Steele known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Martina Robinson
Notary Public

Residing at Kuna, ID

My commission expires 11-2008



Exhibit "A"

A portion of the Northeast Quarter of the Northeast Quarter of Section 20, Township 5 North, Range 2 West, Boise Meridian, more particularly described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter of the Northeast Quarter; thence

South 0° 05' 11" East along the East boundary of said Northeast Quarter of the Northeast Quarter of the a distance of 831.24 feet; thence

South 89° 49' 24" West parallel with the North boundary of said Northeast Quarter of the Northeast Quarter a distance of 560.21 feet; thence

North 2° 47' 13" West a distance of 467.93 feet to a point on the boundary of the parcel shown as Parcel 2 on the Record of Survey filed as Instrument No. 9507942, records of Canyon County, Idaho; thence traversing said boundary as follows:

North 80° 05' 16" East a distance of 15 feet; thence

North 84° 28' 18" East a distance of 105.71 feet; thence

North 32° 20' 44" West a distance of 266.56 feet; thence

North 29° 00' 11" West a distance of 63.23 feet to a point on the boundary of the parcel described in the Quitclaim Deed recorded as Instrument No. 9607620, records of Canyon County, Idaho; thence

Northeasterly along said boundary 223.26 feet following the arc of a curve to the left having a central angle of 182° 44' 22", a radius of 70 feet and a long chord which bears North 59° 38' 18" East a distance of 139.96 feet to point on the North boundary of said Northeast Quarter of the Northeast Quarter; thence

North 89° 49' 29" East along said North boundary a distance of 514.23 feet to the POINT OF BEGINNING.

REQUEST
TYPE Deed FEE 6.00
PIONEER -- CALDWELL

BY [Signature]
CANYON CNTY RECORDER

97 DEC 23 PM 8 29

RECORDED

9743712



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A
2
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PC23432.

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does hereby convey, release, remise and forever quit claim

unto W. Mark Steele and Michelle Steele, husband and wife

whose address is 10123 Goodson Rd, Middleton, ID 83644

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

together with their appurtenances.

Dated: December 18, 1997

W. Mark Steele
W. Mark Steele

Michelle Steele
Michelle Steele

STATE OF Idaho

COUNTY OF Canyon

On this 18th day of December in the year 1997, before me, a Notary Public, personally appeared W. Mark Steele and Michelle Steele known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Kristina Robinson

Notary Public

Residing at Kuna, ID

My commission expires 1-2008



Exhibit "A"

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REQUEST PIONEER - CALDWELL
TYPE Deed FEE 6.00

BY [Signature]
CANYON CNTY RECORDER

NEO J KERR

97 DEC 23 PM 8 29

RECORDED

9743712



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 09, 2020

MICHELLE STEELE
10123 GOODSON RD
MIDDLETON ID 83644-5001

Re: Change in Water Right Ownership: 63-9069 D (Split into 63-9069 D and **63-34861**)

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: Jeff & Leslie Nona

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: March 9, 2020
RE: **Refund: overpayment for ownership change splits**

Please refund \$300.

NAME: WHITE BARN REAL ESTATE
1070 W MAIN ST STE B
MIDDLETON ID 83644

RECEIPT #: C108383

Thank you.

Jean

March 3, 2020

RECEIVED
MAR 04 2020
DEPARTMENT OF
WATER RESOURCES

Jean Hersley
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: *Water Right 63-9069D Splits & Transfers*

Dear Jean,

As advised by IDWR legal staff, enclosed are the following:

1. Steele Notice of Change in Water Right Ownership (\$100 filing fee)
2. Hancock Notice of Change in Water Right Ownership (\$100 filing fee)
3. Lowell Application for Transfer (\$300 filing fee + \$125 well upgrade fee)
4. Newton Application for Transfer (\$300 filing fee + \$125 well upgrade fee)

Water Right Brief:

The original owners of the right were Mark and Michelle Steele. The Steeles sold a portion of the water right acres to Jeff and Leslie Nona, who then filed an ownership change notice with IDWR in 2006. Rather than splitting the right accordingly, IDWR transferred the entire right into the Nona's names. As a result, the water right was recommended and decreed by the SRBA District Court to the Nonas. Per IDWR legal council review, the final court decree which, under the rational of the First Security case, was a final determination of ownership.

The Nonas have since moved away and are no longer associated with the property. Under the rational of the First Security case, although the water was never transferred, severed and/or retained from the original authorized place of use by the Nonas, Garrick Baxter advised the current owners of the authorized place of use provide a water right quitclaim deed from the Nonas for their associated water right portion to allow the Department to legally split the right accordingly.

A water right quitclaim deed from the Nonas has been provided for each of the water right actions listed above. Ownership change notices are enclosed for Steele and Hancock since they will use the original authorized well for their water right portions. Transfer applications are enclosed for Lowell and Newton since they propose using their private wells for their water right portions.

Check No. 3902 is enclosed for the associated filing fees. Please let me know if there are any questions. Thanks Jean.

Sincerely,



Lori Graves
Water Rights Specialist

Cc: Matt Wilke

Enclosures

SPF file number: 1508.0010