

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 21 2021

Notice of Change in Water Right Ownership Department of Water Resources
Eastern Region

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?
22 - 12154 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Darrel H Howell
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John F Garvey Debra P Garvey
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 7073 Lucky Dog Lane Tetonia ID 83452
Mailing address City State ZIP
434 953 8066 jfgarvey1@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: June 20, 2019
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):
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.

8. Signature: [Signature] Title, if applicable _____ Date June 15, 2021
Signature: Debra P. Garvey Title, if applicable _____ Date June 15, 2021
Signature of new owner/claimant Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 6/21/2021 Receipt No. E047100 Receipt Amt. \$25. -
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 JB Processed by JB Date 6/24/2021

OWNER

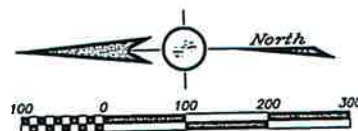
BILL MILDNER
P.O. BOX 761
DRIGGS, ID 83422

LEGEND

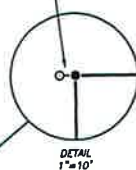
- Indicates Survey Cap found this survey
inscribed A.W. ENG 2860
- Indicates 3/4 inch reinforcing bar with aluminum cap
inscribed "PIERSON LAND WORKS INC. 11543" to be set this survey
- Indicates Property Boundary Line
- - - Indicates Right-of-Way Line
- · - Indicates Section Line
- - - Indicates Easement Line
- Indicates Adjoining Property Line



VICINITY MAP
SCALE: 1" = 2,500'



Found A&W Engineering
cap 1.91' north of line
out of position - Not
occupied.



DENNIS G. & LAHANNA THOMAS
INST. #122988



PAUL DOVE JOHNSON
& LOIS ANN JOHNSON ET AL
INST. #123457

LOT 2
4.28 ACRES

BLOCK 1

LOT 1
2.00 ACRES

S 00°21'19" W 1651.04'

N 00°21'19" E 1651.12'

BASIS OF BEARING
N89°34'51" W
RECORD OF SURVEY #124271

JACK H. CAUZZA AND
BONNIE G. CAUZZA, TRUSTEES
INST. #123457

30' WIDE ACCESS
AND UTILITY EASEMENT (0.42 AC.)
TO LOT 2 GRANTED BY THIS PLAT

S1/4 COR.
SEC. 24
INSTRUMENT
126797

LEIGH CREEK LLC
INST. #182881
LOT 4 NORTH LEIGH
CREEK RANCH

50' Dedicated
Right-of-Way

GEOFF HEBERT
INST. #185784
LOT 5 NORTH LEIGH
CREEK RANCH

POINT OF
BEGINNING
ROBERT B. WALKER
INST. #151693

SW COR.
SEC. 24
INSTRUMENT
90959

SURVEYOR'S CERTIFICATE:

I, James F. Hanlon, a registered professional land surveyor
in the state of Idaho, registration no. 11543, do hereby
certify to the best of my knowledge and belief:

That this plat was made from the notes of surveys made
under the direction of Raymond A. Scott, Idaho PLS 8378
in the months of October and November, 2008;

that I have reviewed said surveys and this plat correctly
represents the land described in the Certificate.



RECORDER'S CERTIFICATE:

Instrument # 212556
TETON COUNTY, IDAHO
8-18-2010 12:10:53 No. of Pages: 2
Recorded for: PIERSON LAND WORKS LLC
MARY LOU HANSEN Fee: 11.00
Ex-Officio Recorder Deputy
MML

FINAL PLAT
Mildner Meadows

Located within the
E 1/2 of the SW 1/4 of Section 24
T. 6 N., R. 45 E., Boise Meridian,
TETON COUNTY, IDAHO

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 255223
TETON COUNTY, IDAHO
06-28-2019 09:00:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - DRIGGS
KIM KEELEY Fee: \$15.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

Date: June 19, 2019

File No.: 734436-T (JP)

For Value Received, **Michael Gallivan as General Personal Representative of the Estate of William Mildner.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **John F Garvey and Debra Page Garvey, husband and wife**, hereinafter called the Grantee, whose current address is **311 Saddleback Knoll, Nellysford, VA 22958**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Lot 1 and 2, Block 1, Mildner Meadows, Teton County, Idaho, as shown on the plat recorded August 10, 2010, as Instrument No. 212556.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 06/19/2019

Warranty Deed
- continued

File No.: 734436-T (JP)

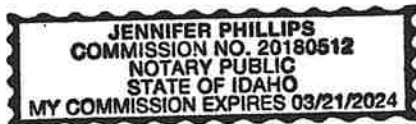
Michael Gallivan as General Personal
Representative of the Estate of William Mildner.

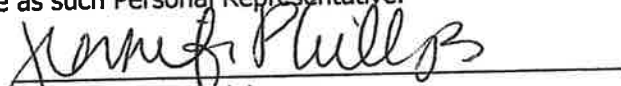


Michael Gallivan, Personal Representative

STATE OF Idaho)
COUNTY OF Teton)
ss.

On this 20th day of June, 2019, before me, a Notary Public in and for said State, personally appeared **Michael Gallivan**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Personal Representative of the Estate of **William Mildner**, and acknowledged to me that he executed the same as such Personal Representative.




Notary Public of Idaho
Residing at: Victoria ID
Commission Expires:

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

201119 NOV 5 08 PM 3:46

Instrument # 201119

TETON COUNTY, IDAHO

11-5-2008 03:46:00 No. of Pages: 2

Recorded for : FIRST AMERICAN TITLE

MARY LOU HANSEN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 274836-T (tm)

Date: November 04, 2008

For Value Received, Lyla Howell and Darrel Howell, wife and husband, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto William Miller, an unmarried man, hereinafter called the Grantee, whose current address is PO Box 761, Driggs, ID 83422, the following described premises, situated in Teton County, Idaho, to-wit:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4SW1/4 OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO AND RUNNING THENCE NORTH 1650 FEET; THENCE EAST 184.8 FEET; THENCE SOUTH 1650 FEET; THENCE WEST 184.8 FEET TO THE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 11/04/2008

Warranty Deed
- continued

File No.: 274836-T (tm)

Lyla Howell
Lyla Howell

Darrel Howell
Darrel Howell

STATE OF Idaho)
COUNTY OF Teton) ss.

On this Fourth day of November, 2008, before me, a Notary Public in and for said State, personally appeared Lyla Howell and Darrel Howell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Karie L. Mason
Notary Public for the State of Idaho
Residing at: Victor, ID
My Commission Expires: 8-19-2010

QUITCLAIM DEED

For Value Received

Lyla Howell

do hereby convey, release, remise and forever quit claim unto

Lyla Howell and Darrel Howell, Wife and Husband

whose current address is

28 East 700 North, Teton ID 83452

the following described premises, to-wit:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 6 North, Range 45 East of the Boise Meridian, Teton, Idaho, and running thence North 1650 feet; thence East 184.8 feet; thence South 1650 feet; thence West 184.8 feet to the point of beginning.

together with their appurtenances.

Dated: October 27, 2000

Lyla Howell
Lyla Howell

STATE OF IDAHO, COUNTY OF Bonneville

On this 27th day of October, 19 2000
before me, a notary public in and for said State, personally
appeared

Lyla Howell

known to me to be the person
subscribed to the within instrument, and acknowledged to
me that she is the same.

Patricia A. Swager
Notary Public
Idaho

Residing at Idaho Falls
Comm. Expires 07-18-2006

Instrument # 140075
DRIGGS, TETON, IDAHO
2000-11-03 02:18:22 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
NOLAN G. BOYLE
Ex-Officio Recorder Deputy
Index to: DEED, QUIT-CLAIM

Furnished by the

ALLIANCE
TITLE & ESCROW CORP.

140075

NOV 14 1990

TETON Co. Id.
Clerk Recorder

WARRANTY DEED

FOR VALUED RECEIVED, Mae Hansen, the Grantor, does hereby grant, bargain, sell and convey unto Lyla Howell, whose current address is: P.O. Box 185, Driggs, Teton County, Idaho 83422, the grantee, the following described premises, in Teton County, to wit:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 6 North, Range 45 East, Boise Meridian, Teton County, State of Idaho, together with all water rights of every kind and nature thereunto belonging or in anywise appertaining. Also: Commencing at the Northeast corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 24 and running thence North 330 feet; thence West 1320 feet; thence South 330 feet; then East 1320 feet to the point of beginning.

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

Reservation of Road Use

Seller reserves for her use and that of her heirs and assigns (being her assigns as of July 1, 1988, only) the existing road along the west fence line of the above-described property and going in a northerly direction to the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 24, Township 6 North, Range 45 E.B.M. This road is not to be used to trail cattle. Cattle can be moved on the road by means of truck or leading only.

Seller also reserves for her use and that of her heirs and assigns (being her assigns as of July 1, 1988, only) a 14-foot wide easement along the East side of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, Township 6 North, Range 45 E.B.M. to the creek. This easement is to be used only for the purpose of stock watering at the creek. Anyone using this easement shall fence the same.

After July 1, 1988, Seller shall not grant or assign any further rights or any of her rights in the above-described road easements to any other person or heirs without BUYERS' written consent. No assignment or transfer of these easements by SELLER shall be valid unless in writing. This provision shall in no way affect the easement rights granted by SELLER in a Contract of Sale dated August 20, 1981, and shall not

affect SELLER'S right to consent to an assignment or transfer of the easement rights granted in the Contract of Sale dated August 20, 1981.

SUBJECT TO: All existing patent reservations, easements, rights-of-way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 25 day of October, 1990.

Mae H Hansen
Mae Hansen

Lyla Howell
Lyla Howell

STATE OF IDAHO

County of Bernville) ss.

On this 25th day of October, 1990, before me the undersigned, a Notary Public in and for said State, personally appeared Mae Hansen, known to me to be the person whose name is subscribed to the within instrument 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.



Brandi L. Gearhart
Notary Public for Idaho
Residing in Idaho Falls
Commission expires: 2-28-95

FILED

AT THE REQUEST OF

106892

First American

AT 30 MINUTES PAST 9 a.m.

DATE Nov. 14, 1990

E. Wayne Schiess
CLERK OF RECORDER

BY Nora Hill
DEPUTY

2 - WARRANTY DEED (47/D1.MH)





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 24, 2021

JOHN F GARVEY
DEBRA PAGE GARVEY
7073 LUCKY DOG LN
TETONIA ID 83452-1240

Re: Change in Ownership for Water Right No(s): 22-12154

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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 me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)