

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 16 2019

Department of Water Resources
Eastern 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-130130X	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 and Lyla Howell
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JOHN E. GARVEY
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 311 Saddleback Knoll Nellysford VA 22958
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 19, 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):
 - ☐ \$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.

8. Signature: [Signature] 9/11/2019
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by JTB Date 9/16/2019 Receipt No. E045321 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 JTB Processed by CR Date 9/19/2019

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: \$16.00
Ex-Officio Recorder Deputy, Kim Keeley
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **734436-T (JP)**

Date: **June 19, 2019**

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.

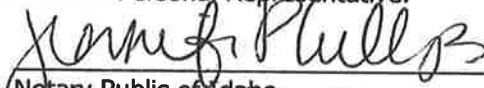


Michael Gallivan, Personal Representative

STATE OF Idaho)
ss.

COUNTY OF Teton)

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: Vernon, 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 Mildner, 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

)
ss.

COUNTY OF Teton

)

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



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

September 19, 2019

JOHN F GARVEY
DEBRA PAGE GARVEY
311 SADDLEBACK KNL
NELLYSFORD VA 22958-8041

Re: Change in Ownership for Water Right No(s): 22-13013

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Water District 01