

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-17456

NAME AND ADDRESS: KOMPST FAMILY PRESERVATION TRU
HC 38 BOX 101
DONNELLY, ID 83615

SOURCE: GROUNDWATER
QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/20/1980

POINT OF DIVERSION: T15N R03E S36 SESW Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

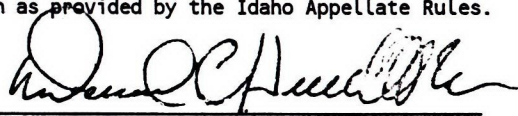
PLACE OF USE: Domestic Within Valley County
T15N R03E S36 SESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

SCANNED
SEP 19 2023



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 05, 2023

DEAN & HELEN BRINKLEY
PO BOX 725
CASCADE ID 83611-0725

RE: Notice of Change in Water Right Ownership for Water Right No(s): 65-17456

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership from you on 01/14/2022 for the above referenced water rights. The Notice could not be processed because we required additional documentation proving ownership of the Water Right listed on the notice. The Warranty Deed we received with the Notice of Change in Ownership was for the wrong property and did not include a legal description for this Water Right.

On 03/02/2023 the Department requested the required information from you. As of the date of this letter, the Department has not received the required information.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$25 has been requested and will be mailed to DEAN & HELEN BRINKLEY under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208)605-4620.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

MAY 03 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 14 2022

WATER RESOURCES
WESTERN 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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-17456	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: KOMPST FAMILY PRESERVATION TRUST

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): DEAN and HELEN BRINKLEY

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO BOX 725

CASCADE

ID

83611

Mailing address

City

State

Zip

208-382-3772 541-787-7870

helenfb74129@yahoo.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: 12-12-2019

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.

COPY

MAY 03 2023

8. Signature: Dean A. Brinkley husband 1-12-22

Signature of new owner/claimant

Title, if applicable

Date

Print name

Signature: Helen F. Brinkley wife 1-12-22

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by: DL Date: 01.14.2022 Receipt No. W050052 Receipt Amt. 25.00

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: _____ Date: _____



Instrument # 425520
VALLEY COUNTY, CASCADE, IDAHO
12-12-2019 15:00:09 No. of Pages: 2
Recorded for: AMERITITLE - CASCADE
DOUGLAS A. MILLER Fee: \$15.00
Ex-Officio Recorder Deputy: KM
Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 335945AM

FOR VALUE RECEIVED

Stanley M. Kompst and Virginia M. Kompst, Trustees of the
Stanley M. Kompst and Virginia M. Kompst Joint Living Trust dated November 17, 1995

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Dean A. Brinkley and Helen F. Brinkley, a married couple

Whose current address is:
2 Truckee Trail
Cascade, ID 83611

the grantee(s), the following described premises, in Valley County, Idaho, TO WIT:

See attached Exhibit A

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(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 6, 2019

Stanley M Kompst and Virginia M Kompst Joint Living Trust

Stanley M. Kompst
By: Stanley M Kompst, Trustee

Virginia M. Kompst
By: Virginia M. Kompst, Trustee

COPY

SCANNED

MAY 03 2023

State of Nevada, ss.
County of Clark

On this 10 day of December, 19, before me, Jenny Machat-Lofton a Notary Public in and for said state, personally appeared Stanley M. Kompst and Virginia M. Kompst known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Stanley M. Kompst and Virginia M. Kompst Joint Living Trust, and acknowledged to me that he/she/they executed the same as Trustee.

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

Jenny Machat-Lofton
Notary Public for the State of Nevada
Residing at: 8116 Devils Canyon St NLV, NV 89085
Commission Expires: 4-11-20

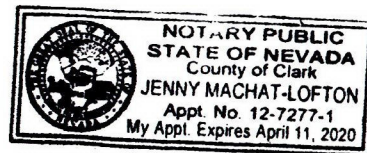


EXHIBIT "A"

335945AM

All of Lot 19, Block 3 of Frank Hall Ranch Tracts No. 2, as recorded in Book 6
Page 32 of Book of Plats, records of Valley County Recorder Valley County,
Idaho

Except the following:

Commencing at the center of Section 36, Township 15N, Range 3 East Boise Meridian, and the true point of beginning; thence following on the boundary of said plat North $1^{\circ}39'18''$ West a distance of 1314.16 feet to a point; thence South $89^{\circ}18'36''$ West a distance of 1298.19 feet to a point; thence South $1^{\circ}28'44''$ East a distance of 123.18 feet to a point; thence South $63^{\circ}27'13''$ East a distance of 40.50 feet to a point; thence on a spiral curve to the right which curve has a long chord which bears South $60^{\circ}45'35''$ East a distance of 408.03 feet to a point; thence on a curve to the right which curve has a central angle of $36^{\circ}20'00''$ a radius of 1492.40 a length of 946.39 feet and a long chord which bears South $37^{\circ}17'13''$ East a distance of 930.61 feet to a point; thence South $60^{\circ}03'42''$ East a distance of 434.86 feet to the point of beginning.

COPY

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MAY 03 2023

THESE ENGINEERING CO., BOISE, IDAHO



Mansfield, Debra

From: Mansfield, Debra
Sent: Wednesday, April 5, 2023 3:16 PM
To: IdwrPayable
Subject: MEMO - Refund Request, BRINLKEY
Attachments: MEMO - Refund Request.docx

Thank you,

Debra Mansfield | Office Specialist II
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | Debra.Mansfield@idwr.idaho.gov

SCANNED

MAY 03 2023

TO: Sascha Marston, Susan Steed

FROM: Debra Mansfield

DATE: April 5, 2023

RE: Refund: Notice Of Change In Water Right Ownership

DEAN & HELEN BRINKLEY submitted a Notice Of Change In Water Right Ownership but did not provide an adequate deed to complete the request.

Please issue a refund of \$25.00 to:

DEAN & HELEN BRINKLEY
PO BOX 725
CASCADE ID 83611

RECEIPT #

W050052

SCANNED

MAY 03 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 02, 2023

DEAN & HELEN BRINKLEY
PO BOX 725
CASCADE ID 83611-0725

RE: Change in Ownership for Water Right No: **65-17456**

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership Notice.

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Evidence of Water Right Ownership: copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water right indicated in your notice. I have enclosed a copy of the water right for your reference. I have also included a map of the area: The blue/green southernmost box in the map is the Water Right No. that you submitted on the notice. The pink shape is the property indicated as conveyed to you in the deed. The orange shape is the area of exception as outlined in the deed. Please send in the correct deed to match the water right or the correct Water Right number that matches the deed.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208)605-4631.

Sincerely,

Debra Mansfield
Office Specialist II

Enclosure(s)

SCANNED

MAY 03 2023

