

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-16553
Date Received: 12/14/1998
Receipt No: S021670
Received By: SW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RANDOLPH CORGATELLI
Address: PO BOX 628
CHALLIS ID 83226

AND/OR

Name: CHARLES WARNECKE
Address: PO BOX 628
CHALLIS ID 83226

AND/OR

Name: RUBY ELLEN CORGATELLI
Address: PO BOX 628
CHALLIS ID 83226

2. Date of Priority: JUL 20, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	35		SW	NW		CUSTER

5. Description of diverting works:

WELL HEAD, 4 IN. PIPE, 1ST HOUSE, 4 IN. PIPE, 2 IN. PIPE, 2ND HOM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.056		

7. Total Quantity Appropriated is:

0.056 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

1 HOUSE, HEATING USES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
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Ident. Number: A72-16553
Date Received: 12/14/1998
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Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES WARNECKE
Address: PO BOX ~~268~~ 628
CHALLIS ID 83226

AND/OR

Name: RANDOLPH ~~WARNECKE~~ CORGATELLI
Address: PO BOX ~~268~~ 628
CHALLIS ID 83226

AND/OR

Name: RUBY ELLEN ~~WARNECKE~~ CORGATELLI
Address: PO BOX ~~268~~ 628
CHALLIS ID 83226

2. Date of Priority: JUL 20, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	35		SW	NW		CUSTER

5. Description of diverting works:

WELL HEAD, 4 IN. PIPE, 1ST HOUSE, 4 IN. PIPE, 2 IN. PIPE, 2ND HOM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.056		

7. Total Quantity Appropriated is:

0.056 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

1 HOUSE, HEATING USES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	35	SW	NW		DOMEST	

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
25 INCHES OF IRRIGATION WATER - SEE LAND SALE AGREEMENT.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

RECEIVED

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

NOV 02 1998

Department of Water Resources
Southern RegionIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No.

Date Received

Receipt Number

A72-16553

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

AUG 06 1993

Department of Water Resources
Southern Region

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Charles Warnecke & Randolph & Ruby Ellen Corpatelli Phone (208) 879-5052 (attorney)
c/o Law Office of Michael D. Hanson
Mailing Address PO Box 737, Challis, ID Zip 832262. Date of Priority (Only one per claim) 7/20/87 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) hot water artesian
which is tributary to (b) N/A Name or kind of source4. Location of point of diversion is: Township 14N Range 19E
Section 35, SW 1/4 of NW 1/4 of 1/4, Govt. Lot BM.,
County of Custer (Tract 81-117)

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Artesian well waste water: see attached Land Sale Agreement and Warranty Deed. Well head, 4 inch pipe to Rostberg house, 4 inch pipe to proper boundary between Rostberg and Warnecke then 2 inch pipe (unattached) to Warnecke house and exiting Warnecke house, waste water to Hannah Slough

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from Jan '1 to 12-31 amount .056 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed .056 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) single household, used to heat water for hot tub (medical) after leaving Rostberg house (heating both houses)

10. Place of use is: Township: 14N Range 19E

Section 35, SW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

() None or 25 inches of irrigation water - See Land Sale Agreement

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Michael D. Hanson-As attorney for Gargatelli/ Warnecke

Date August 4, 1998

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date 8/4/98

Title and Organization _____

State of Idaho/or _____)

County of Custer)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn to (or affirmed) before me this fourth day of August 19 98.

SEA



Notary Public [Signature]

Residing at Challis

My Commission Expires 4/30/04

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES WARNECKE
RANDOLPH & RUBY ELLEN WARNECKE
PO BOX 268
CHALLIS ID 83226

RE: FILING OF SRBA CLAIM NO. A72-16553

Dear Claimants,

Enclosed is a copy of your SRBA claim as it is now recorded in our record database. I have also enclosed your receipt. Please review the information and confirm that it reflects the water right you have claimed. If all is correct no further action is required at this time. No field exam will be performed at this time but a recommendation will be forthcoming.

Feel free to call us if you have questions or need additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

cc: Michael D. Hanson, w/ENC.

Form 42-1409(a)

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

RECEIVED

NOV 02 1998

Department of Water Resources
Southern Region

Name(s) of Claimant (please print):

Charles Warnecke/Randolph and Ruby Corgatelli

I/we acknowledge (check one):

_____ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

X I/we are now represented by the attorney at the address below.

Michael D. Hanson

~~P.O. Box 737 521 Main Street~~
~~Challis, ID 83226~~

Attorney's Phone (208) 879-5052 **Fax:** 879-5053

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

For Individuals:

Authorized signature(s) Date October 20, 1998

Randy Cosgatch
Charles & Wain

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of

Title

Organization

Signature of Authorized Agent

Title

Date _____

Organization

IDWR Use:

Date Received

Data Entry

RECEIVED

DEC 11 1998

Department of Water Resources
Southern Region

9 December 1998

Idaho Department of Water Resources
Attn Steve Clelland
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Dear Steve,

Please find our check for \$25.00 enclosed for the filing on our claim to the geothermal water as you suggested in our meeting this morning at the Village Inn in Challis.

Thank you for your information and attention to our irrigation water. We feel you and the other water department personnel were very helpful in the general meeting and in individual conferences.

Yours truly,



Charles H. Warnecke
PO Box 268
Challis, Id. 83226

CF Mike Hansen, Atty



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 2, 1998

Michael D Hanson, Attorney
PO Box 737
Challis, ID
83226

RE: App. for Permit, Warnecke/Corgatelli

Dear Mr. Hanson;

We are returning the above-referenced application and your check #170 in the amount of \$75. The correct application fee is \$50. The point of diversion appears to be in the SE/SE/NE Sec. 34, not in Sec. 35 as shown on the application. The place of use is in Sec. 35 as shown. While the standard domestic flow rate for 2 homes is 0.06 cfs, which would apply if this water is to be used for drinking and other culinary uses. If additional water is to be used for heating purposes, the system capacity should also be shown (there is no standard rate for heating purposes). The minimum \$50. filing fee covers up to 0.20 cfs (90 gallons per minute). If this system is fully developed, Item 7 of the application should show 1 year as the time required for completion. The source of this water is groundwater (Item 2). This application needs to be signed by the applicants unless you have a power of attorney authorizing you to sign for them. If there is an and/or between the names of the applicants, only one applicant (or his representative) needs to sign the application. There is a slash or an and between the names of the application we received, so all three applicants or their representatives need to sign the form. Please complete Item 6.e., as we have no well logs in this location in the name of Rostberg. If this is a community system, Ms. Rostberg should probably also be shown as an applicant.

A new application form and instructions are enclosed for your use. If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

RECEIVED

NOV 02 1998

Department of Water Resources
Southern Region

WARRANTY DEED

For Value Received Merrill F. Hansen and Joy Hansen,
husband and wife, P. O. Box 561, Challis, Idaho 83226

the grantors, do hereby grant, bargain, sell and convey unto Randolph Corgatelli
and Ruby Ellen Corgatelli, P. O. Box 1029, Challis, Idaho 83226

the grantees, the following described premises, in Custer County Idaho, to-wit:

Commencing at the 1/4 Corner between Sections 34 & 35, Township
14 North, Range 19 East, Boise Meridian, Custer County, Idaho;
thence N 0°23'25"E 586.31 feet; thence N2°44'53"E 408.90 feet
to a point on the South Side of River Run Drive of Wild River
Estates Subdivision and the Point of Beginning of this discription;
thence S20°26'04" E 122.86 feet; thence S0°34'41"E 111.23 feet;
thence S44°55'22"E 236.57 feet; thence N85°10'17"E 122.36 feet;
thence N15°13'22"E 352.03 feet to a point of curve on said
River Run Drive; thence N84°06'42"W 427.69 feet on and along
the Southern Right of Way of said River Run Drive to the Point
of Beginning and containing 2.83 acres, more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantor do hereby
covenant to and with the said Grantee s, that the y the owners in fee simple of said
premises; that they are free from all incumbrances .

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: This 24th Day of March, 1988

Merrill F. Hansen
Merrill F. Hansen
Joy Hansen
Joy Hansen

STATE OF IDAHO, COUNTY OF Custer

On this 24 day of March, 1988,
before me, a notary public in and for said State, personally
appeared Merrill & Joy Hansen

known to me to be the person s whose name
subscribed to the within instrument, and acknowledged to
me that executed the same.

Charlotte S. Miller
Notary Public
Residing at Challis
Comm. Expires 4-10-92

188419
CUSTER COUNTY
REQUEST OF Merrill Hansen
'88 MAR 25 AM 9 36
ETHEL M. PECK, CLERK
E. M. Peck DEPUTY
FFES \$3.00

BLOCK 3, WILD RIVER ESTATES
SUBDIVISION

extension well

Nov 10 1888 A. L. Hansen (Ray Kinner)

LAND SALE AGREEMENT

It is hereby agreed that Merril F. Hansen and Joy Hansen herein after referred to as "sellers", agree to sell to Randolph Corgatelli and Ruby Ellen Corgatelli herein after referred to as "buyers", 2.83 Acres of land, located in Tract 81-117, Sec. 35, T14N, R19E Custer County, State of Idaho.

To include all fences, 25 inches of irrigation water rites, and all waste water from the natural hot water well that is located on sellers property. Sellers further agree to give buyers access to Hannah Slough for the purpose of livestock water.

The aforementioned sale of land is to be for the sum of \$4,300.00, Forty Three hundred dollars total purchase price as agreed between sellers and buyers. That buyers have paid to sellers \$2,800.00, Twenty Eight hundred dollars, leaving \$1,500.00, Fifteen hundred dollars at one percent per month interest, to be paid to the sellers by the buyers within 12 months of the dating of this document.

Both sellers and buyers agree to give each other a first rite to buy option on adjacent lands that either may sell in the future.

Signed:

BUYERS

SELLERS

Randolph Corgatelli

Merril F. Hansen

Ruby Ellen Corgatelli

Joy Hansen

Dated: 7-20-87

213636
Custer County Reg. of
Randolph Corgatelli
address: Box 1029, Challis
Time 1:29 P.M.
6-17-1997
Ethel M. Pack, Clerk
Wendy J. Murphy
\$ 3⁰⁰ Deputy

STATE OF IDAHO)
County of Custer) ss.

On this 20th day of July, 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared Randolph Corgatelli, Ruby Ellen Corgatelli, Merril F. Hansen, Joy Hansen and acknowledged to me to be the persons

that executed the within and foregoing instrument

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

Norma C. Santhorpe
Notary Public for Idaho
Residing At Challis
My Commission Expires Lifetime



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Charles Warnecke
Randolph and Ruby E. Corgatelli
c/o Law Office of Michael D. Hanson
PO Box 737
Challis, Idaho 83226

RE: Snake River Basin Adjudication (SRBA)

Dear Claimants:

We have received your Notice of Claim to a Water Right for Domestic Use. From the information you submitted on this Notice, it appears that you may want to file an Application for Permit to appropriate water, as all surface water put to use after 1971 is subject to Idaho's mandatory permit statutes. I have enclosed an application, and instructions for filing, for your convenience.

Should you wish to pursue the filing of an adjudication claim, we will require further information before we can process this claim:

- Item 6: The yearly season of use
- Item 7: The amount of water you wish to claim
- Item 10: The complete legal description of the place the water is used
- Item 13: Any water rights used *for the same purpose* and at the same place
- Signature: See Item 1. We must have a Power of Attorney, or Notice of Appearance from your attorney, to accept his signature in your stead, otherwise, all claimants must sign.

I have also enclosed instructions for filing a Water Right Adjudication Claim. If you have any questions, please feel free to contact this office.

Sincerely,

Vikie Hancock
Water Resource Agent

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM RECEIVED TO A WATER RIGHT

Department of Water Resources
Southern Region

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

Charles Warnecke &

1. Name of Claimant (s) Randolph & Ruby Ellen Corratelli Phone (208) 879-5052(attorney)
c/o Law Office of Michael D. Hanson
Mailing Address PO Box 737, Challis, ID Zip 83226

2. Date of Priority (Only one per claim) 7/20/87 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) hot water artesian
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 14N Range 19E
Section 35, SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Custer (Tract 81-117)

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Artesian well waste water: see attached Land Sale Agreement and Warranty Deed.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 7/20/87 to present amount _____ (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed unknown- (cfs) all waste water from spring

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) single household, used to heat water for hot tub (medical)

Place of use is: Township: 4N Range 19E

Section 1, 1/4 of 1/4, Govt. Lot , B.M.,

for (Circle One) Domestic Stock ✓ Domestic and Stock

Additional places of use, if any

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or 25 inches of irrigation water - See Land Sale Agreement

14. Remarks:

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court Decree Date Plaintiff vs Defendant

If applicable provide IDWR Water Right Number

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

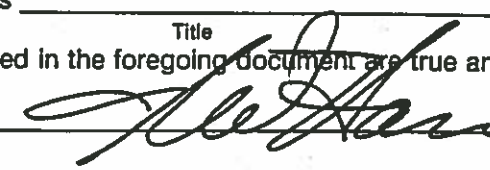
Signature of Claimant (s) Michael D. Hanson-As attorney for Gargatelli
 Date

For Organizations: I do solemnly swear or affirm that I am

of Title , that I have signed the foregoing

document in the space below as of

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 8/4/98

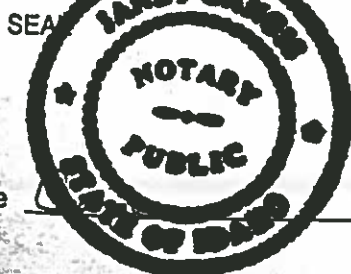
Title and Organization

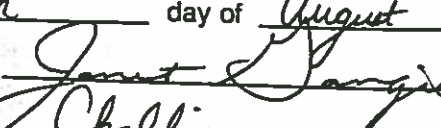
State of Idaho/or)

County of Custer) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this fourth day of August, 19 98.



Notary Public 

Residing at Challis

My Commission Expires 4/30/04

Last Name Ident No.

Copies: White-State, Yellow-Claimant

WARRANTY DEED

For Value Received Merrill F. Hansen and Joy Hansen,
husband and wife, P. O. Box 561, Challis, Idaho 83226

the grantors, do hereby grant, bargain, sell and convey unto Randolph Corgatelli
and Ruby Ellen Corgatelli, P. O. Box 1029, Challis, Idaho 83226

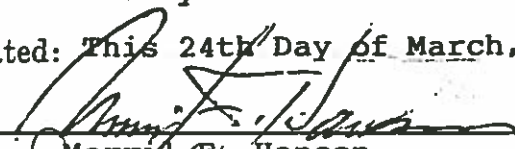
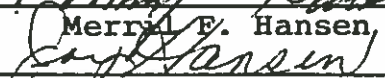
the grantees, the following described premises, in Custer County Idaho, to-wit:

Commencing at the 1/4 Corner between Sections 34 & 35, Township
14 North, Range 19 East, Boise Meridian, Custer County, Idaho;
thence N 0°23'25"E 586.31 feet; thence N2°44'53"E 408.90 feet
to a point on the South Side of River Run Drive of Wild River
Estates Subdivision and the Point of Beginning of this discription;
thence S20°26'04" E 122.86 feet; thence S0°34'41"E 111.23 feet;
thence S44°55'22"E 236.57 feet; thence N85°10'17"E 122.36 feet;
thence N15°13'22"E 352.03 feet to a point of curve on said
River Run Drive; thence N84°06'42"W 427.69 feet on and along
the Southern Right of Way of said River Run Drive to the Point
of Beginning and containing 2.83 acres, more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantor do hereby
covenant to and with the said Grantees, that they 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 24th Day of March, 1988


Merrill F. Hansen


0213636

LAND SALE AGREEMENT

It is hereby agreed that Merrill F. Hansen and Joy Hansen herein after referred to as "sellers", agree to sell to Randolph Corgatelli and Ruby Ellen Corgatelli herein after referred to as "buyers", 2.83 Acres of land, located in Tract 81-117, Sec. 35, T14N, R19E Custer County, State of Idaho.

To include all fences, 25 inches of irrigation water rites, and all waste water from the natural hot water well that is located on sellers property. Sellers further agree to give buyers access to Hannah Slough for the purpose of livestock water.

The aforementioned sale of land is to be for the sum of \$4,300.00, Forty Three hundred dollars total purchase price as agreed between sellers and buyers. That buyers have paid to sellers \$2,800.00, Twenty Eight hundred dollars, leaving \$1,500.00, Fifteen hundred dollars at one percent per month interest, to be paid to the sellers by the buyers within 12 months of the dating of this document.

Both sellers and buyers agree to give each other a first rite to buy option on adjacent lands that either may sell in the future.

Signed:

BUYERS

SELLERS

Randolph Corgatelli

Merrill Hansen

Ruby Ellen Corgatelli

Joy Hansen

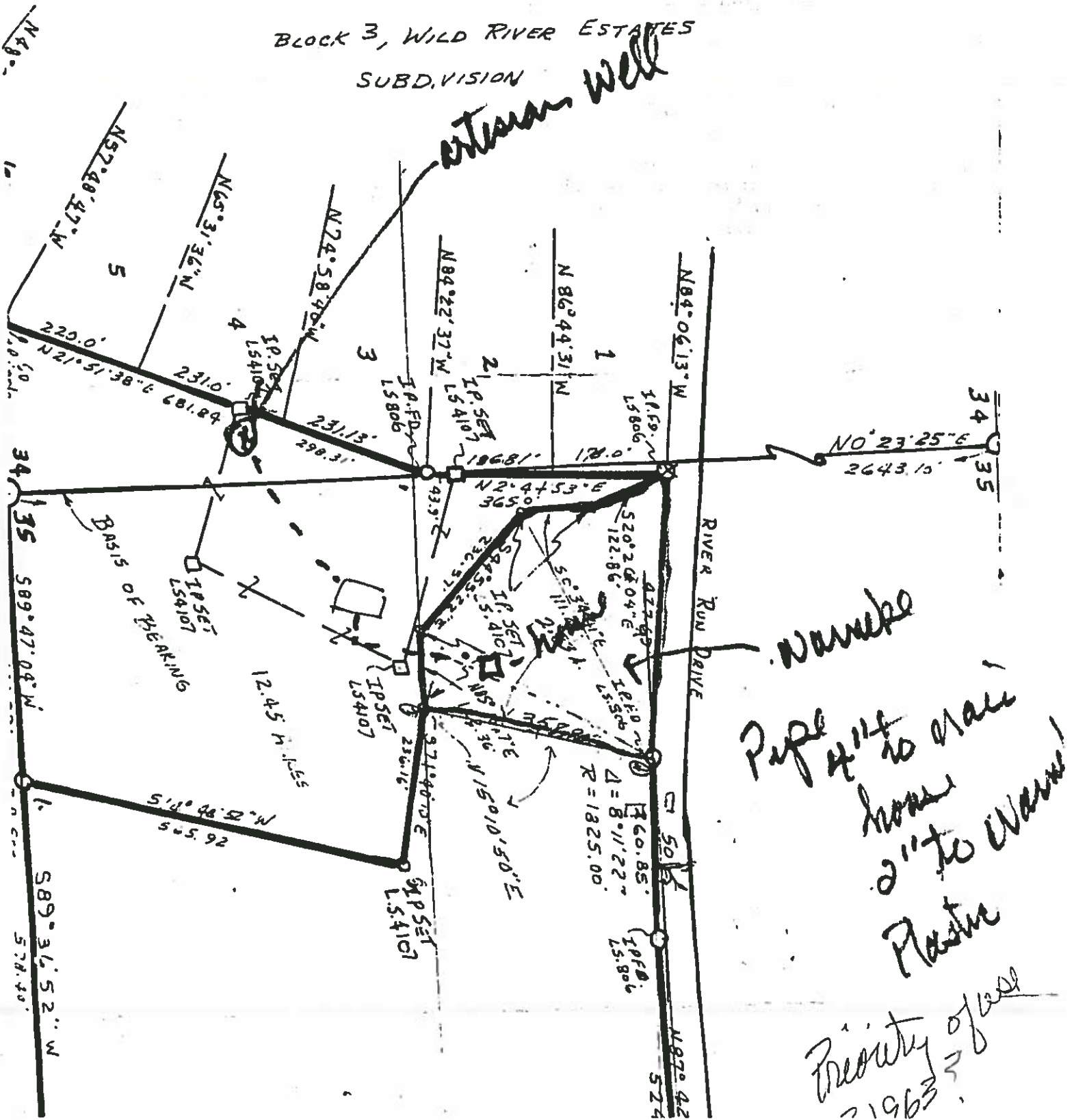
Dated: 7-20-87

213636
Custer County Rec. of
Randolph Corgatelli
address: Box 1029, Chaco
Time 1:29 P.M.
6-17-1997
Ethel M. Pack, Clerk
Wendy Murphy
Deputy
\$ 3⁰⁰

STATE OF IDAHO)
County of Custer) ss.

On this 20th day of July, 1987, before me,
the undersigned, a Notary Public in and for said State

BLOCK 3, WILD RIVER ESTATES
SUBDIVISION



MICHAEL D. HANSON ESQ.
PO BOX 737
CHALLIS, ID 83226-0737

RECEIVED

AUG 06 1993

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301



IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

10/11/2000
Revised
SCC

RIGHT NUMBER: 72-16553

NAME AND ADDRESS: CHARLES WARNECKE
PO BOX 628
CHALLIS, ID 83226

SOURCE: GROUND WATER

QUANTITY: 0.056 CFS

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

PRIORITY DATE: 07/20/1987

POINT OF DIVERSION: T14N R19E S35 SWSNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC 1 HOMES	1-01 12-31	0.06 CFS

PLACE OF USE:

DOMESTIC Within CUSTER County
T14N R19E S35 SWNW

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water Right Number - R72-16553

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***

HANSON

MICHAEL D

1 - PO BOX 737

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-879-5052

*** C - CURRENT OWNER ***

WARNECKE

CHARLES

1 - PO BOX 628

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

CORGATELLI

RANDOLPH

1 - PO BOX 628

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-000-0000

CORGATELLI

RUBY ELLEN

1 - PO BOX 628

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/20/1987 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
WASTE WATER *Groundwater from WELL* *change source to as dammed* HANNAH SLOUGH+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

14N 19E 35 SW SW NW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.056

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.056 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

14N 19E 35 SW NW

43 DOMESTIC

(37) CUSTER

+ - - Diversion Means - WELL HEAD, 4 IN. PIPE, 1ST HOUSE, 4 IN. PIPE, 2 IN. PIPE, 2ND HOM

+ - - Non-Irrigation Use - 1 HOUSE

Water right number - R72-16553

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.
C18 X N16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 12/14/98 SCLELLAN 12/15/98 SCLELLAN 12/17/98 SCLELLAN 12/22/98 SCLELLAN

+ - - - - - Comments - - - - -

Date: 12/14/1998 User Id: SCLELLAN Subject: COPIED FROM REMARKS

25 INCHES OF IRRIGATION WATER - SEE LAND SALE AGREEMENT.

Date: 12/14/1998 User Id: SCLELLAN Subject: NOE RESPONSE

CLAIM JUST FILED, APPEARS TO BE JUSTIFIED USE OF A HOT WELL. THE FIRST USE OF THE WATER IS UNDER 72-16024.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/22/1998	Old Judicial District	-
Claim Received Date	- 12/14/1998	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S021670	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

LAW OFFICE OF MICHAEL D. HANSON

**P.O. BOX 737
Challis, ID 83226
Telephone: (208) 879-5052
Facsimile: (208) 879-5053**

RECEIVED

NOV 08 1999

**Department of Water Resources
Southern Region**

November 5, 1999

Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Attn: James E. Stanton

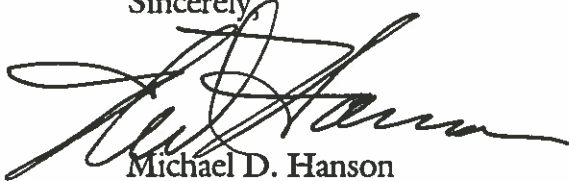
RE: Application for permit/water right/Warnecke & Corgatelli

Dear Jim:

Back in May when we spoke concerning the above water matter, you indicated that if there were no objections that the permit/right would be granted in June. When I spoke to my clients recently, they indicated that they had heard nothing and neither have I.

Would you please let me know where we are on this. I note that this was to have been complete prior to the Idaho State Supreme Court's decision.

Sincerely,



Michael D. Hanson
MDH/jlu

LAW OFFICES OF MICHAEL D. HANSON

P.O. Box 737
521 Main Street
Challis, Idaho 83226

Telephone: (208) 879-5052
Facsimile: (208) 879-5053

January 11, 1998

RECEIVED

JAN 12 1999

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

ATTN: Steve Clelland

Re: Recommendation of SRBA Claim No. 72-16553

Dear Mr. Clelland:

Recently we received a copy of the recommendation of the Warnecke/Corgatelli SRBA claim. My clients have reviewed the same and everything is in order except the names. Charles Warnecke's name is correct however "Randolph & Ruby Ellen Warnecke" should be Randolph & Ruby Ellen Corgatelli.

I would appreciate it if you would have someone make that correction. Thank you.

Sincerely,



Michael D. Hanson
MDH/jlu

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

She told me the Warneckes will be out of town for several weeks but can be contacted through the Corgatellis if needed.

RIGHT NUMBER: 72-16553

NAME AND ADDRESS:

RANDOLPH WARNECKE
RUBY ELLEN WARNECKE
CHARLES WARNECKE
PO BOX 628
CHALLIS ID 83226

3 not owners Per Decd ... previous owners

SOURCE: WASTE WATER

TRIBUTARY: HANNAH SLOUGH

QUANTITY: 0.056CFS

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

PRIORITY-DATE: 07/20/1987

POINT OF DIVERSION

T14N R19E S35

SWSWNW

Within CUSTER County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOUSEPERIOD OF USE
01-01 12-31QUANTITY
0.056 CFS

PLACE OF USE:

DOMESTIC
T14N R19E S35Within CUSTER County
SWNW

OTHER MATTERS 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.THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:WATER RIGHT NO. SOURCE
NONE NONETHE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:WATER RIGHT NO. SOURCE
NONE NONEALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

12/17/98 see
address:other claim lists PO Box 628.
(72-4080M)

letter w/ check listed an incorrect #.

12/22/98 Randolph & Ruby Ellen are "Congatelli's" not "Warnecke"
Revised Data Entry - forward to warnecke only

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
41 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

ADDRESS SERVICE REQUESTED



628

New Address
P.O. Box 628
Challis, Id 83226



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES WARNECKE
RANDOLPH & RUBY ELLEN WARNECKE
PO BOX 268
CHALLIS ID 83226

RE: RECOMMENDATION OF SRBA CLAIM NO. 72-16553

Dear Claimants,

Enclosed is a copy of the recommendation of your SRBA claim as it is preliminarily reported by IDWR. Please review the information and confirm that it reflects the water right you have claimed. If you disagree with any element of this recommendation please follow similar procedures as outlined earlier for the Notice of Error and contact me at our office.

Feel free to call us if you have questions or need additional assistance.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

cc: Michael D. Hanson, w/ENC.

AJ0749NP
No. R72-16553

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/14/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES WARNECKE	07/20/1987	DOMESTIC	01-01 12-31	0.05 CFS	
C	RANDOLPH WARNECKE					
C	RUBY ELLEN WARNECKE					
	PO BOX 268			TOTAL DIVERSION:	0.05 CFS	
	CHALLIS ID 83226					

Water Source: WASTE WATER

Tributary to: HANNAH SLOUGH

Stage: BENEFICIAL USE

Point(s) of Diversion:

T14N R19E S35

SWSWNW

CUSTER County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
14N	19E	35	:																	:
			:																	:

POU County: CUSTER

Non-Irrigation Uses: 1 HOUSE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

12/14/1998

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

WARNECKE

A72-16553

12/14/98
SCC

I reviewed this claim with IDWR attorney, Nick SPENCER, during our NOE meetings in Challis, ID on 12/9/98. We reviewed the deeds and land sale agreement of 1987 and concluded a recommendation can be made for this claim.

From my exams in 1993, I am familiar with the existence of the claimed artesian hot water well.

Basically, the well serves the first home, Cook, and then the water flows to the second home, Warncke. This arrangement is outlined by the land sale agreement of 7-20-1987. The first home is covered by water right A72-16024.

In accordance with the agreement, this claim will be recommended to the source "Waste Water".

Q claimed under 72-16024 = 0.06 cfs, ok to allow 0.056 cfs under this claim.