



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2006

Jack Bradley
Box 25
Cascade, ID 83611

RE: 77-2068A, 77-10030, 77-10030

Dear Mr. Bardley

We have taken the following actions on you Notices of Reply:

77-10031 – we changed the map to show a different size for the place of use. There is nothing in the file explaining an ownership for Luke & Chenoa Bradley. If it is a change of ownership then we need a change of ownership and a legal document listing the change.

77-2086A – the acreage has been changed to 10 acres and the HES has been changed to HES 49.

77-10031 – the original claim listed 6 acres of irrigation and no storage. We have no evidence that you are doing any irrigation for November 1 to March 14. Again the ownership of Luke & Chenoa Bradley is the same.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', written over a light blue horizontal line.

Kenneth Knoblock
Water Resources Agent

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water right number: 77-10031

~~SANDRA L. BADLEY~~

~~PO BOX 25~~

~~CASCADE ID 83611~~

~~Telephone Number: (208)382-4861~~

JACK R BADLEY

PO BOX 25

CASCADE ID 83611

Telephone Number: (208)382-4861

Luke and Chenoa Badley
P.O. Box 25
Cascade, ID 83611
208-382-4861

RECEIVED
MAR 02 2006
IDWR/North

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

This is of historical beneficial use back to the original homestead entry HES 341.

2. Describe the changes you wish to make in the proposed recommendation:

This is of historical beneficial use back to the original homestead entry HES 341.

3. Give a brief explanation as to why you disagree with these portions:

My home is right next to the original homestead HES 341 from 1915. Nothing has changed. First priority Carlson Creek.

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

2-22-2006

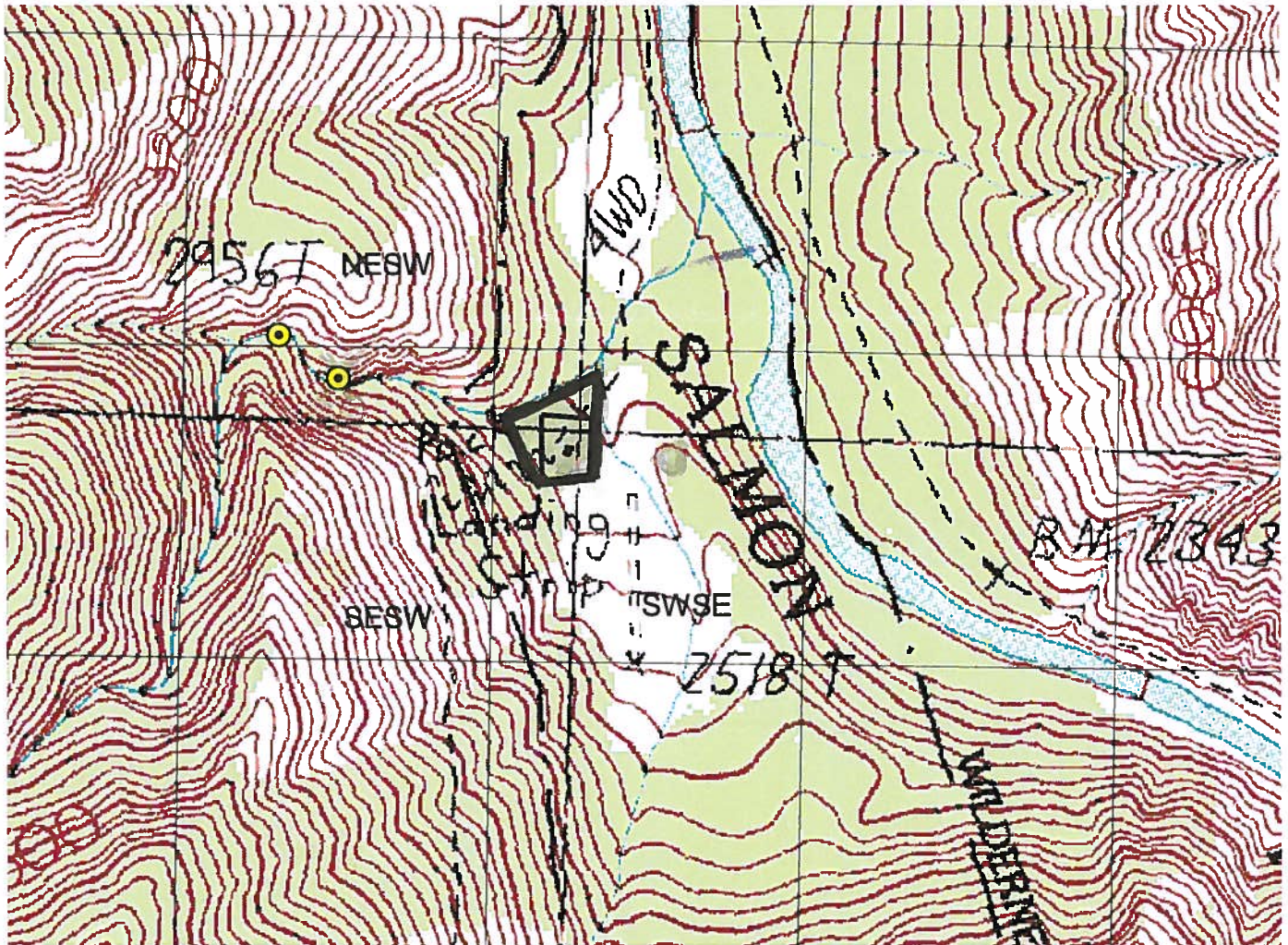
SIGNATURE:

Jack Badley
JACK BADLEY

Please print your name:

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 297-4800

77-10031



0 500 1000 Feet

Section 7
T23N R8E

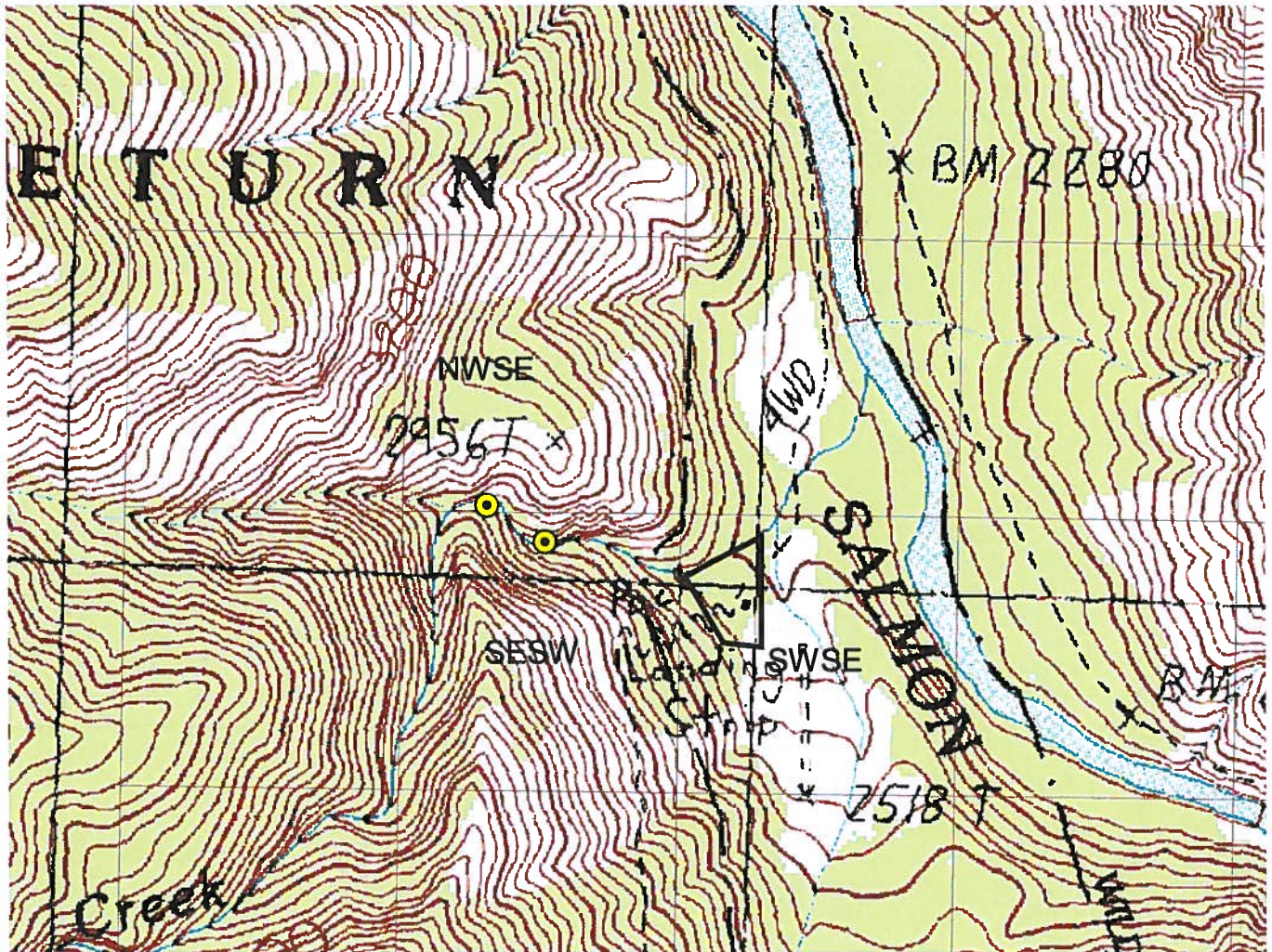


-  Point of Diversion
-  Place of Use

Map prepared on April 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

SCANNED
FEB 23 2006

77-10031



0 500 1000 Feet

Section 7
T23N R8E



● Point of Diversion

□ Place of Use

Map prepared on March 3, 2006
By Kenneth Knoblock
Idaho Department of Water Resources

04/14/2005

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

RIGHT NUMBER: 77-10031

NAME AND ADDRESS: SANDRA L BADLEY
PO BOX 25
CASCADE ID 83611

JACK R BADLEY
PO BOX 25
CASCADE ID 83611

SOURCE: CARLSON CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/01/1915

POINT OF DIVERSION:

T23N R08E S7 SWNESW Within IDAHO County

T23N R08E S7 NESESW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.040 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

T23N R08E S07 SWSE

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

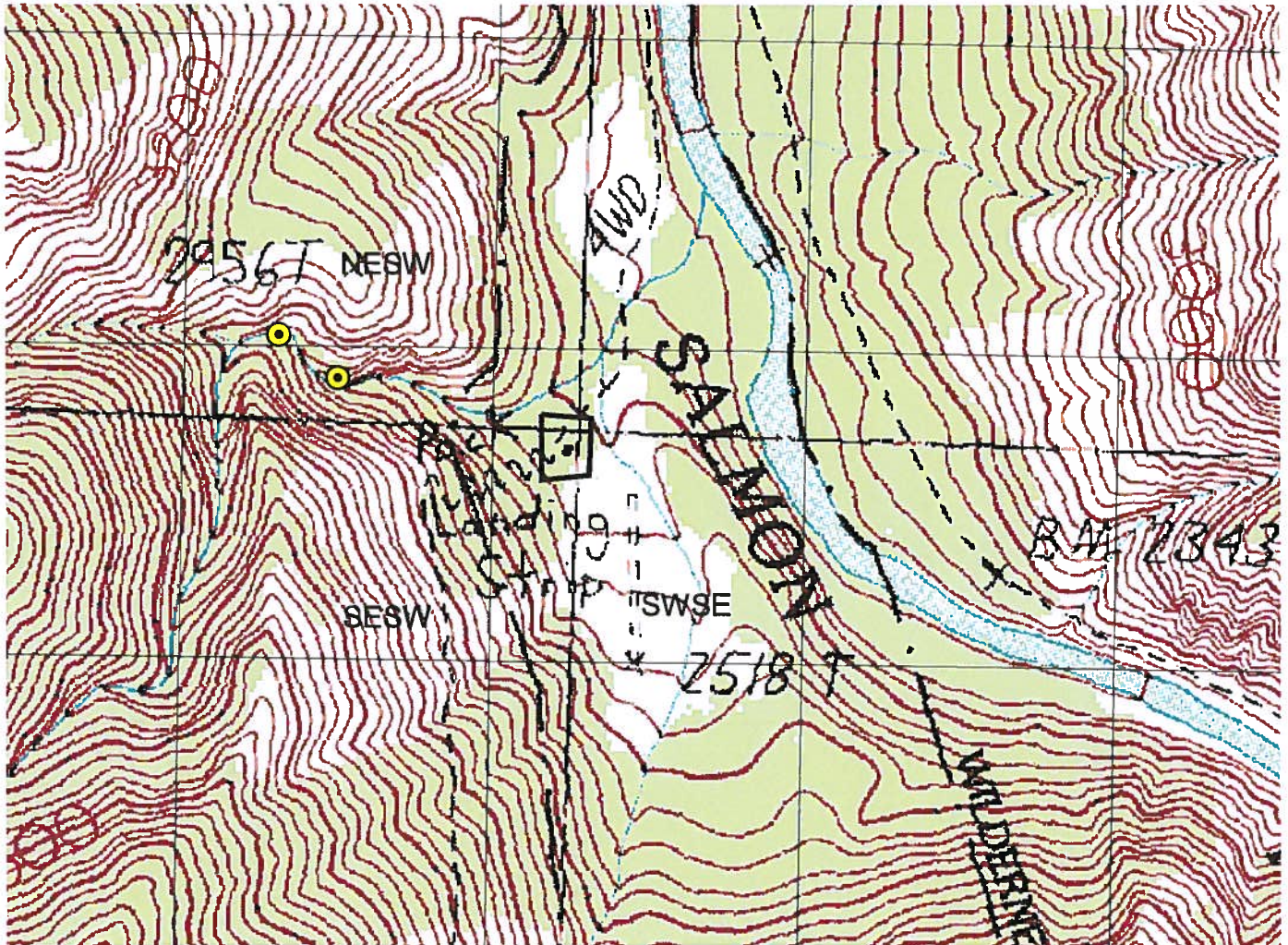
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

PROPERTY IS ~~QAS~~ KNOWN AS HOMESTEAD ENTRY SURVEY NO. 341.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

77-10031



0 500 1000 Feet

Section 7
T23N R8E



-  Point of Diversion
-  Place of Use

Map prepared on April 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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: A77-10031
Date Received: 5/24/1988
Receipt No: C000869

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK R. BADLEY 208-382-4861
Address: P. O. BOX 25
CASCADE, ID 83611
AND/OR
Name: SANDRA L. BADLEY 208-382-4861
Address: P. O. BOX 25
CASCADE, ID 83611
2. Date of Priority: OCT 01, 1915
3. Source: CARLSON CREEK Trib. to: SALMON RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	08E	7	SW	NE	SW		IDAHO
			NE	SE	SW		IDAHO
5. Description of diverting works:
2" X 935' AND 1 1/4" X 585' PIPELINES TO HOUSE, YARD AND ORCHARD
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	2.070		
7. Total Quantity Appropriated is:
2.070 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	08E	7	SW	SE		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

PLACE OF USE IS HES 341 (SURVEY AND MAP ATTACHED). PRIORITY DATE
SUPPORTED BY HOMESTEAD SURVEY NOTES ATTACHED.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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: 3

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): Jack Badley Date: 5/24/88
Landra Badley Date: 5/24/88

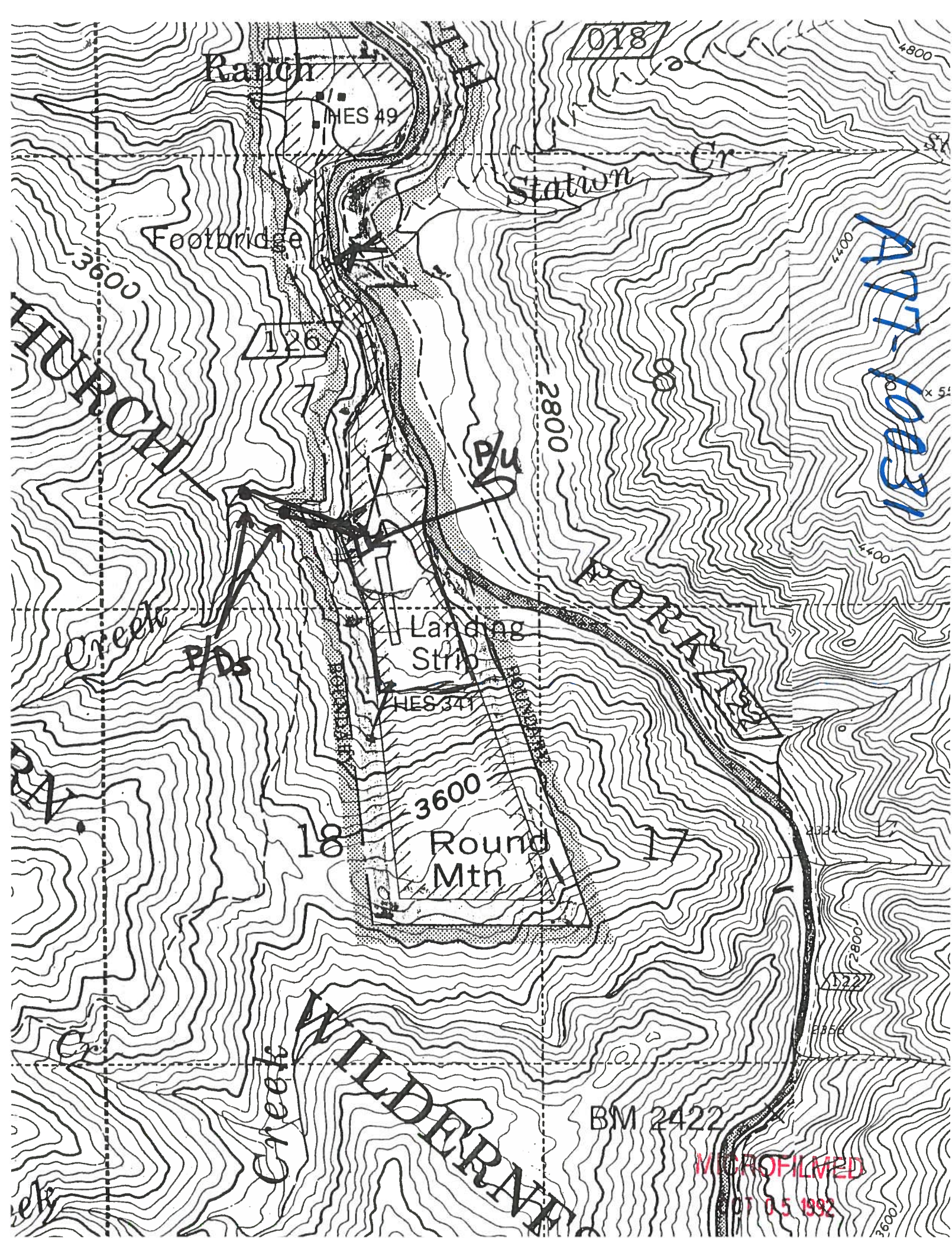
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of May 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1988



FIELD NOTES

OF
HOMESTEAD ENTRY SURVEY, NO. 341
SITUATED IN THE Idaho NATIONAL FOREST
ADMINISTRATIVE DISTRICT NO. 4

In Section 15-24 unsurveyed, Township 23 N., Range 7 E.

of the

Base Base and Meridian.

State of Idaho.

Applicant for listing Adrian Carlson

Residence Warren, Idaho

Application No. 42, dated March 24, 1911 ✓
Application No. 42, dated October 1, 1915 ✓
List No. 4-1168, dated March 14, 1913 ✓

Applicant for survey Adrian Carlson

Residence Warren, Idaho

H. E. No. 014744, dated August 25, 1913 ✓

Land District Boise.

Survey executed by Frank D. McDowell, Ranger-First Service

Under special instructions dated March 27, 1915 ✓

Survey commenced Oct 1, 1915 ✓

Survey completed Oct 3, 1915 ✓

Under Acts of June 11, 1906 and March 4, 1915 ✓

4153 341

OATH OF ASSISTANTS

We hereby certify that we assisted Frank D. Mapwell
Surveyor - Forest Service in surveying all those
(Forest Service Title)

parts or portions of Homestead Entry Survey No. 341, in the State
 of Idaho, which are represented in the following field notes
 as having been surveyed by him and under his direction; and that said
 survey has been in all respects, to the best of our knowledge and
 belief, well and faithfully surveyed, and the corner monuments estab-
 lished, according to the instructions furnished by the United States
 Surveyor General for Idaho

David H. Moody (Chamney)
Frank F. McChamney (Chamney)

Subscribed and sworn to before me this 3d day of

October, 1915.

Frank D. Mapwell
Surveyor - Forest Service

OATH OF SURVEYOR

I, Frank D. Mapwell, Surveyor - Forest Service,
(Forest Service Title)

do solemnly swear that, in strict conformity with the special instruc-
 tions of the United States Surveyor General for Idaho, dated
March 27, 1915, and the laws of the United States, I have
 well, faithfully, and truly, in my own proper person, surveyed a tract
 of land embraced in application No. 92, dated
Oct. 1, 1915, and embraced in

Patent No. 4-1168, dated March 14, 1913, for
Patent, under the Act of June 11, 1906,
 the same to be known as Homestead Entry Survey No. 341
 situated within the Idaho National Forest, in
 surveyed Sections 13-24, Township 23 N., Range 7 E., and
 surveyed Section 1, Township 23 N., Range 7 E.

of the Basis Base and meridian, Idaho, and the
 related retracements and resurveys and section subdivisions, which are
 represented in the following field notes as having been surveyed by me;
 and I further solemnly swear that all the corners of said survey have been
 established and perpetuated in strict accordance with the stated special
 instructions, and in the specific manner described in the field notes,
 and that the following are the original field notes of such survey.

Frank D. Mapwell
Surveyor - Forest Service
(Forest Service Title)

Subscribed and sworn to before me this 30th day of

November, 1915.

H. D. McReynolds

Clerk U. S. District Court

By Pearl E. Janger
 Deputy



MICROFILMED

OCT 05 1992

Chains

Composite Survey

Adrian Carlson, applicant for listing, application No. 42, dated March 24, 1911, and *Application No. 92, dated October 1, 1915*.
Special Instructions dated March 27, 1915, for H. E. Survey No. 341.

Claim situated in unsurveyed Secs. 13 and 24, T. 23 N., R. 7 E., of the Boise Base and Meridian, Idaho, in the Idaho National Forest.

Authority contained in the Acts of June 11, 1906, and March 4, 1915.

Survey commenced Oct. 1, 1915, and executed with W. and L. E. Gurley Light Mountain Transit No. 11930,

equipped with Burt Solar attachment, the horizontal limb having two double verniers placed opposite each other and reading to single minutes of arc.

Measurements made with a Lufkin 2-chain tape, graduated to links and tenths. A clinometer was used to determine slope angles and measurements reduced to true horizontal distances. I examined the adjustments of the transit, finding all adjustments correct.

Oct. 1, 1915, at apparent noon, near claimant's house.

I set off $2^{\circ} 58'$ S. on the declination arc, and observe the sun on the meridian, the resulting latitude is $45^{\circ} 20\frac{1}{2}'$ N., which agrees with other data.

Oct. 1, 1915, at point near claimant's house, at 6 h.

50 m., P.M., 1.m.t., I begin to observe the eastern progress of Polaris; when the star begins to recede

I mark the maximum position in azimuth upon the ground, by a stake firmly set, centered with a

tack, 5 chs. dist. from my station.

Latitude previously stated.

Longitude $115^{\circ} 23'$ W. from special instructions.

Chains

Oct. 2, 1915, at 7 h. 45 m., A.M., l.m.t., I lay off the azimuth of Polaris, $1^{\circ} 37' 30''$ to the west, and mark the meridian thus determined by a stake, firmly set, centered with a tack, 5 chs. dist. from my station.

Oct. 2, 1915, at the same station at 8 h. 20 m., A.M., l.m.t., I set off $45^{\circ} 20\frac{1}{2}'$ N. on the latitude arc, $3^{\circ} 17' 45''$ S. on the decl. arc, and determine a meridian with the solar. This meridian coincides with the Polaris meridian.

Oct. 2, 1915, at the same station, at 3 P.M., l.m.t., I set off $45^{\circ} 20\frac{1}{2}'$ N. on the latitude arc, $3^{\circ} 24'$ S. on the decl. arc, and determine a meridian with the solar. This meridian agrees with the polaris meridian within 1 minute of arc. I therefore conclude the solar attachment is in adjustment.

The solar attachment was thoroughly tested by A.M. and P.M. observations on the Standard meridian at Boise, Idaho, on Sept. 20, 1915, and found to be correct.

Mean Mag. Declination $21^{\circ} 00'$ E.

Beginning at Cor. No. 1 of this survey, identical with Cor. 14 of H.E.S. No. 49, survey accepted, a granite stone, firmly set, $18 \times 12 \times 10$ ins. above ground, mkd. and witnessed as described by the Sur. Gen.

I mark 1-HES-341 on S. face for Cor. No. 1 of this survey, and M.C. on E. face for meander corner.

A pine, 10 ins. dia., blazed and scribed +1-HES-341-BT, bears S. $40^{\circ} 15'$ W., 34 lks. dist.

A pine, 8 ins. dia., blazed and scribed +1-HES-341-BT, bears N. $56^{\circ} 30'$ W., 39 lks. dist.

Cor. H-5 of listing survey, a stone, mkd. and witnessed as described by the Sur. Gen., bears S. $2^{\circ} 49'$ E.

Chains

1. of 3.14 chs. dist. to destroy same and its witnesses.
U.S.L.M. No. 1 Idaho National Forest. A large granite
boulder, mkd. and witnessed as described by the
Sur. Gen., bears N. 15° 08' W. 48.68 chs. dist.,
by traverse (computations of which are hereto
attached).
Thence
S. 27° 00' W.
Along line bet. cors. 14 and 15 of H.E.S. 49, the latter
being in sight, over rolling land, thru scattering
timber. Ascend over unlisted land.
9.60 To Cor. 2, about 75 ft. above Cor. 1, identical with
Cor. H-6 of the listing survey, which is a granite
slab, mkd. and witnessed as described by the Sur.
Gen., firmly set along side Cor. 15 of H.E.S. No.
49, survey accepted, which is a granite stone,
12 x 10 x 5 ins. above ground, firmly set, mkd. and
witnessed as described by the Sur. Gen. I destroy
the listing corner and its witnesses and mark the
stone last described 2-HES-341 on east face, for
Cor. 2 of this survey.
A pine, 14 ins. in dia., blazed and scribed +-2-HES-341-
BT, bears North, 32 lks. dist.
A pine, 12 ins. in dia., blazed and scribed +-2-HES-341-
BT, bears S. 24° 45' E., 35 lks. dist.
Thence
S. 26° 30' E.
Along line bet. corners 15 and 16 of H.E.S. 49, the
latter being in sight, over rolling land, thru
scattering timber.
Ascend. Leave unlisted land, enter List 4-1168.
2.23 Camp Creek, 4 lks. wide and 2 ins. deep, flows E.
3.00 Leave timber, enter meadow land, bears E. and W.

Chains
7.00

To Cor. 3, about 75 ft. above Cor. 2, identical with
Cor. H-7 of the listing survey, which is a granite
slab, mkd. and witnessed as described by the Sur.
Gen., firmly set alongside Cor. 16 of H.E.S. No.
49, survey accepted, which is a granite stone,
10 x 5 x 6 ins. above ground, firmly set, mkd. and
witnessed as described by the Sur. Gen. I destroy
the listing cor. and its witnesses and mark the
stone last described 3-HES-341 on SE. face, for
Cor. 3 of this survey.
A fir, 8 ins. dia., blazed and scribed +3-HES-341-BT,
bears S. 24° 00' E., 113 lks. dist.
A fir, 12 ins. in dia., blazed and scribed +3-HES-341-
BT, bears S. 16° 15' W., 165 lks. dist.

Thence

West

Along line bet. corners 16 and 17 of H.E.S. 49, survey
accepted, the latter being in sight, over rolling
meadow land. Ascend.

2.25 Leave meadow land, enter orchard, bears N. and S.

3.27 Leave orchard, enter meadow land, bears N. and S.

5.70 Wire fence, bears NE. and SW.

5.80 Trail, bears NE. and SW.

6.37 Cor. 17 of H.E.S. 49, survey accepted, which is a
granite stone, 8 x 8 x 5 ins., above ground, firmly
set, mkd. and witnessed as described by Sur. Gen.

Cor. H-1 of the listing survey, which is a granite

stone, firmly set, alongside the above corner.

mkd. and witnessed as described by the Sur. Gen.

I destroy it and its witnesses.

Leave list 4-1168 and enter unlisted land.

6.38 Telephone line, bears NE. and SW.

Leave meadow land, enter scattering timber, bears

N. and S.

Chains

- 1.14 Camp Creek, 4 lks. wide and 2 ins. deep, flows NE.
- 1.35 To Cor. 4, 39 ft. above Cor. No. 3, I set a granite stone, 28 x 14 x 10 ins., 18 ins. in the ground, for Cor. No. 4 of this survey, mkd. 4-HES-341 on SE. face, and a cross (+) on top.
- A pine, 6 ins. dia., blazed and scribed 4-4-HES-341-BT, bears S. 73° 30' E., 36 lks. dist.
- A pine, 6 ins. dia., blazed and scribed 4-4-HES-341-BT, bears N. 50° 00' W., 14 lks. dist.
- October 1, 1915.
- Thence
- S. 20° 10' E.
- Over rolling land along foot of mountain, thru scattering timber, ascending.
- 1.58 Camp Creek, 4 lks. wide, 2 ins. deep, flows E.
- 1.75 Forest Service Telephone line, bears NE. and SW.
- 2.03 Trail, bears NE. and SW.
- 2.35 Fence, bears NE. and SW.
- 4.37 Irrigation ditch, 3 lks. wide, 3 ins. deep, course SE.
- 5.00 Leave undergrowth and timber, enter meadow land, bears NW. and SE.
- 8.40 Fence bears NE. and SE.
- 9.31 Pass from unlisted land to List 4-1168.
- 16.00 To Cor. No. 5, 88 ft. above Cor. No. 4, I set a granite stone, 24 x 10 x 10 ins., 14 ins. in the ground, for Cor. No. 5, mkd. 5-HES-341 on NE. face, and a cross (+) on top.
- A pine, 6 ins. dia., blazed and scribed 4-5-HES-341-BT, bears N. 5° 40' E., 49 lks. dist.
- A pine, 15 ins. dia., blazed and scribed 4-5-HES-341-BT, bears S. 59° 00' E., 129 lks. dist.

Idaho NATIONAL FOREST

STATE OF Idaho

5.

Chains	
	Thence S. 6° 00' E.
	Over rolling land; ascending.
9.00	Leave meadow land, enter dense undergrowth and scattering timber, bears NE. and SW.
12.00	Enter mountainous land, bears NW. and SE. Ascend N. slope.
40.00	Leave mountainous and enter rolling land, bears E. and W.
50.45	To Cor. No. 6, 1269 ft. above Cor. No. 5, I set a granite stone, 30 x 12 x 10 ins., 20 ins. in the ground, for Cor. No. 6, mkd. 6-HES-341 on NE. face, and a cross (+) on top. A pine, 10 ins. dia., blazed and scribed +6-HES-341-BT, bears N. 60° 00' E., 49 lks. dist. A pine, 6 ins. dia., blazed and scribed +6-HES-341-BT, bears N. 44° 00' W., 15 lks. dist. Cor. H-2 of List 4-1168 which is a granite stone, firmly set, mkd. and witnessed as described by Sur. Gen., bears S. 68° 00' W., 5.50 chs. dist. I destroy the above cor. and its witnesses.
	Thence East
	Over rolling land, thru scattering timber, Descending.
18.36	Pass from List 4-1168 to unlisted land, from this point Cor. H-3 of List No. 4-1168, which is a granite stone, firmly set, mkd. and witnessed as described by the Sur. Gen., bears S. 26° 00' W., 1.70 chs. dist. I destroy the above cor. and its witnesses.
26.46	To Cor. No. 7, about 147 ft. below Cor. No. 6, I set a granite stone, 24 x 16 x 8 ins., 14 ins. in the ground, for Cor. No. 7 of this survey, mkd. 7-HES-341 on NW. face, and a cross (+) on top.

1,202

1,746.36

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Chains

A mahogany, 10 ins. dia., blazed and scribed +-7-HES-

341-BT, bears N. 76° 15' E., 9 lks. dist.

A mahogany, 12 ins. dia., blazed and scribed +-7-HES-

341-BT, bears N. 68° 00' W., 19 lks. dist.

October 2, 1915.

Thence

N. 19° 00' W.

Over rolling land, thru scattering timber, ascending.

10.30 Cor. H-4 of List No. 4-1168, which is a granite stone,

firmly set, mkd. and witnessed as described by the

Sur. Gen. I destroy the listing cor. and its

witnesses.

Pass from unlisted land to List 4-1168.

On spur ridge, bears E. and W., 141 ft. above Cor. No. 7.

Descend.

18.40 Leave rolling and enter mountainous land, bears E. and W.

Enter dense undergrowth, bears E. and W.

Descend N. slope.

58.75 Fence bears NE. and SW.

67.14 To Cor. 8, about 1492 ft. below point of descent, at
mean high water line on the left bank of the South
Fork of Salmon River; for which I use a granite
boulder in place, 4 x 2 x 1 ft. above ground, for
meander corner and Cor. 8 of this survey, mkd. MC
on E. face, and 8-HES-341 on W. face and a cross
(+) on top.

A fir, 6 ins. dia., blazed and scribed +-8-HES-341-BT-
MC, bears S. 45° 40' W., 30 lks. dist.

A pine, 6 ins. dia., blazed and scribed +-8-HES-341-BT-
MC, bears N. 53° 35' W., 41 lks. dist.

Pass from List 4-1168 to unlisted land.

Thence with meanders.

Along the mean high water line of the left bank of the

Chains

South Fork of the Salmon River down stream thru
scattering timber

N. 6° 30' W., 12.00 chs.

8.05 mouth of Camp Creek

N. 36° 36' W., 5.66 chs., 4 lks. wide, course East.

To Cor. No. 1, about 40 ft. below Cor. 8, identical

with Cor. 14-HES 49, survey accepted, heretofore

described, the place of beginning.

Area.

Total area of H.E.S. No. 341 132.82 acres

Area containing original listing 124.58 "

Area to be listed 8.24 "

October 3, 1915.

Improvements.

The improvements on this claim, the property of the
claimant herein, consist of the following:

A log house, 12 x 18 ft., 1½ stories high, course

of long sides N. and S., the NW. cor. of which

bears from Cor. No. 17 of H.E.S. No. 49, Patented,

S. 27° 27' E., 2.28 chs. dist. Value \$300.

A log barn, 14 x 18 ft., course of long sides E.

and W., the SW. cor. of which bears from Cor.

No. 6 of this survey, N. 60° 10' E., 9.23

chs. dist. Value 100.

Claimant has barn started to build at Cor. No.

17 of H.E.S. No. 49. No value.

About 200 rods of fencing. Value 75.

About 50 rods of irrigation ditches. Value 25.

Total value of improvements \$500.

Description.

This claim is situated on the west bank of the South
Fork of Salmon River, about 17 miles in a north-
easterly direction from Warren, Idaho, the nearest

WARRANTY DEED

For Value Received :

Jerry W. Badley and Clayton Badley

the grantors , do hereby grant, bargain, sell and convey unto

Jack R. Badley and Sandra L. Badley

whose current address is

Box 25, Cascade, Idaho 83611

the grantee , the following described premises, in.....County Idaho, to wit:

A portion of Homestead Entry Surveys N0.49 and 341 situate in Sections 6, 7 & 18, T.23N., R.8E., B.M., Idaho County, Idaho. More particularly described as follows:
Commencing at Corner 17 of H.E.S. No.49, the REAL POINT OF BEGINNING; thence N5°26'22"E a distance of 73.24 feet to a point on the apparent high water line of the South bank of Carlson Creek and a 1/2 inch iron pin; thence along said high water line the following courses,N69°07'51"E a distance of 210.63 feet; thence N31°40'39"E a distance of 118.14 feet; thence S88°07'55"E a distance of 92.65 feet;thence S66°00'17"E a distance of 60.30 feet; thence S80°00'15"E a distance of 312.45 feet; thence S87°35'10"E a distance of 65.70 feet to the East Boundary of H.E.S. No. 341; thence S05°10'17"E a distance of 293.64 feet to Meander Corner No 8 of H.E.S. No.341; thence S17°47'53"E a distance of 1711.37 feet to a 1/2 inch iron pin; thence N83°38'07"W a distance of 380.41 feet to 1/2 inch iron pin; thence S57°09'33"W a distance of 449.83 feet to a 1/2 inch iron pin; thence N71°44'47"W a distance of 384.81 feet to a 1/2 inch iron pin; thence N4°41'55"W a distance of 848.28 feet to Corner No. 5 of H.E.S. no. 341; thence N18°58'43"W a distance of 1052.69 feet to Corner No.4; thence S89°30'27"E a distance of 196.90 feet to the REAL POINT OF BEGINNING.
Containing 45.03 acres more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that t he y the owner s 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:

STATE OF IDAHO, COUNTY OF

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

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

Residing at
Comm. Expires

Notary Public
Idaho

321602

WARRANTY DEED

For Value Received

Orland L. Badley

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

Jack R. Badley and Sandra L. Badley

whose current address is

Box 25, Cascade, Idaho 83611

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

An undivided one third intrst in the following described tract:

A portion of Homestead Entry Survey No. 49 and Homestead Entry No. 341 situate in Sections 6, 7, and 18 of T.23N., R.8E., Idaho County, Idaho.

More particularly described as follows:

Commencing at Corner No.1 of H.E.S. No.49, thence S1°57'43"E a distance of 708.63 feet to a 1/2 inch iron pin and the Real Point of Beginning; thence N80°54'23"E a distance of 67.95 feet; thence S2°16'12"E a distance of 130.95 feet; thence S15°06'05"E a distance of 529.41 feet; thence S43°53'10"E a distance of 394.13 feet; thence S22°07'28"E a distance of 283.35 feet; thence S9°44'54"E a distance of 1199.71 feet; thence S35°22'10"E a distance of 373.56 feet; thence S5°10'17"E a distance of 792.00 feet; thence S17°47'52"E a distance of 4415.94 feet; thence N89°05'22"W a distance of 1745.62 feet; thence N04°41'57"W a distance of 3322.75 feet; thence N18°58'43"W a distance of 1052.69 feet; thence S89°30'28"E a distance of 196.90 feet; thence N05°26'22"E 1143.49 feet; thence N30°53'35"E a distance of 525.08 feet; thence N10°47'19"W a distance of 515.00 feet; thence N38°17'19" a distance of 529.38 feet; thence N23°25'32"E a distance of 527.78 feet; thence N01°57'25"W a distance of 330.69 feet to the Real Point of Beginning. Containing 146.93 acres more or less.

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

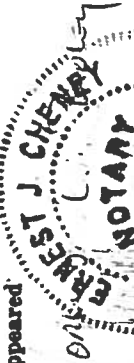
and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8-12-85

Orland L. Badley 8-12-85

STATE OF IDAHO, COUNTY OF

On this 12th day of August, 1985, before me, a notary public in and for said State, personally appeared



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

Residing at [Signature] Notary Public, Idaho
Comm. Expires [Signature]

STATE of IDAHO } ss
County of Idaho
Recorded at request of Sandra Badley

at 55 minutes past 4 o'clock P.M.
this 16 day of Aug, 1985
JOYCE C. HARR
By Edith L. Anderson
Recorder
Deputy
Fees \$2.00

My Grantee

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-13-1998

PAGE: A-14

RIGHT NUMBER: 77-10031

NAME & ADDRESS: JACK R BADLEY ✓
SANDRA L BADLEY
P O BOX 25 ✓
CASCADE ID 83611 ✓

SOURCE: CARLSON CREEK

TRIBUTARY: SALMON RIVER, SOUTH FORK

QUANTITY: 2.07 CFS

PRIORITY DATE: 10/01/1915

POINT OF DIVERSION: T23N R08E S07

SWNESW
NESESW

Within IDAHO County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
DOMESTIC ✓

PERIOD OF USE
01-01 12-31

QUANTITY
2.07 CFS

PLACE OF USE: DOMESTIC
T23N R08E S07 ✓

Within IDAHO County
SWSE

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

PLACE OF USE IS HES 341 (SURVEY AND MAP ATTACHED). PRIORITY DATE
SUPPORTED BY HOMESTEAD SURVEY NOTES ATTACHED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 23N08E07 1215 = SWNE

Hold - Non-Deminimus

03-16-98