

11/10/2005

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

RIGHT NUMBER: 79-14094

NAME AND ADDRESS: LARRY J BARANY
HC 01 BOX 58J
WHITE BIRD ID 83554

JANET F BARANY
HC 01 BOX 58J
WHITE BIRD ID 83554

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 04/20/1999

POINT OF DIVERSION:

T27N R02E S32 NWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.010 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T27N R02E S32 NWNW

DOMESTIC Within IDAHO County

T27N R02E S32 NWNW

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

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 79-14094
Date Received: 8/4/2004
Receipt No: C074625
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LARRY J BARANY Phone: (208)839-2833

HC 01 BOX 58J
WHITE BIRD ID USA 83554

JANET F BARANY Phone: (208)839-2833

HC 01 BOX 58J
WHITE BIRD ID USA 83554

2. Date of Priority: 04/20/1999

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
27N	02E	32	NW NW	IDAHO	

5. Description of diverting works:

WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.001	
DOMESTIC	01/01	12/31	0.039	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 10 MULES AND HORSES AND 100 CHICKENS

Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
27N	02E	32	NW	NW	STOCKWATER	
			NW	NW	DOMESTIC	

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:

14. Remarks:

WELL DRILLERS REPORT ATTACHED.

15. Basis of Claim: Beneficial Use

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

RECEIVED
JUL 26 2004

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

CIVIL CASE NUMBER: 39576 Department of Water Resources
Identification No. 79-14094
Date Received 7-26-04
Receipt Number 6074625

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

RECEIVED
NOV 22 2004
Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Larry J. & Janet F. BARANY Phone (208) 839-2833
Mailing Address HCO1 Box 585 White Bird Id Zip 83554

2. Date of Priority (Only one per claim) APR 120 199 Month/Day/Year

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

4. Location of point of diversion is: Township 27 N Range 2 E
Section 32 NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Idaho

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. Well

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

For Domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount 1.039 (cfs)
For Stockwater purposes from 1/1 Month/Day to 12/31 Month/Day amount 1.001 (cfs)
(Both dates are inclusive)

7. Total quantity claimed .04 (cfs) 11/16/04

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) Horses & mule - 4-10 chickens - 100 one household

SCANNED
NOV 22 2004

11/16/04
11/16/04

10. Place of use is: Township: 27N Range 2E
Section 32, NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of Idaho 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? Idaho

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.

14. Remarks: Included Well Drillers Report

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 1

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

Signature of Claimant (s) Janet F. Barany Date July 23, 04
Janet F. Barany Date Nov 16, 04

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

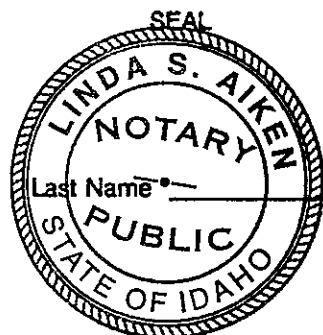
_____ Title
of _____ that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho }
County of Idaho } SS.

Subscribed and sworn (or affirmed) before me this 23rd day of July 2004



Notary Public Linda S. Aiken

Residing at Grangeville, Idaho

My Commission Expires 01/31/08

Ident No. 79-14094

Barany

SCANNED

NOV 22 2004

State of Idaho
County of Idaho

Subscribed and sworn/affirmed to before me this 16th day of November,
~~2004~~, by Janet F. Barany.

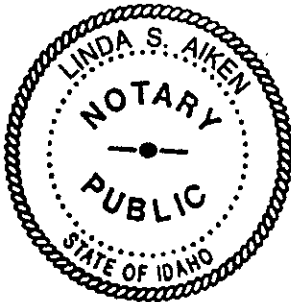
Linda S Aiken
Notary Public

My Commission Expires: 01/31/08

Attribution Clause: This Jurat Certificate is prepared for, and exclusively belongs to, the
accompanying document entitled Notice of Claim to A water right, which
consists of 3 page(s) and is dated 11-16-04. If this Certificate is
appropriated to any document other than the one described herein, it shall be deemed null and void.

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10422



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NOV 22 2004

Hi Sally,

July 23, 2004

Thanks for all your patient help. Here are the (hopefully) completed forms. Rather than drawing maps I have attached section maps. I hope these will be adequate. I am still a little confuse by the consumptive acre per anum use, but have followed the instructions. If you need more information, or find any discrepancies please let me know. On the irrigation properties I have include copies of the original homestead patents, which I understand to be adequate proof of priority date. If further details are needed please let me know as soon as possible.

Thanks again

Jan Barany

Jan Barany

HC01 Box 58J

White Bird, Idaho 83554

(208)-839-2833

RECEIVED
JUL 26 2004
Department of Water Resources

Enclosed Check # 1341

Domestic — \$25.00

• Irrigation

Slate Creek — 53.50

Nelson Creek — 60.00

Total

\$138.50

79-14094
79-14095
79-14096

4/3/1999

ORDER CLAIMS RECEIVING CHECKLIST #1

CLAIMANT'S NAME

Barany, Larry/Janet

CLAIM IDENT. NO.

79-A094

DATE RECEIVED

7-26-04

CK #

2074625

AMOUNT \$

25.00

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by: _____

Date: _____

Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)Receipt Prepared by: M. MickleDate: 7-26-04Claim data entered by: S. SharmaDate: 11-30-04

Sent to claimant by: _____

Date: _____

Checked by: _____

Date: _____

Comments: p-dte; CFS #6+7, # of homes?Carter said drillers report is dtd 4-20-99, so P-dte ok.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2004

LARRY AND JANET BARANY
HC 01 BOX 58J
WHITE BIRD ID 83554

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #79-14094, 79-14095 and 79-14096

(Ed C.)

Dear Claimants:

We are returning Notice of Claim to a Water Right #79-14094 because we need your help before we can process it. Your other two claims referenced above have been data entered. We have also enclosed your receipt #C074625 for the filing fees. Please retain the receipt for your records.

At Item #6, you have omitted the amount of water you actually use. Please refer to the instruction booklet for the Department's recommendations for cfs of use. (I have enclosed a copy for your use.) Item #7 is the total diversion capacity or total of the lines for cfs from Item #6, whichever is less.

Please write in the number of homes served by this well at Item #9.

Please initial at each change you make to your claim, make a copy for your file, sign it in front of a Notary Public and return it to my attention as soon as possible. Please call me if you have any questions or concerns.

Sincerely,


Carter Fritschle
Water Rights Supervisor
Adjudication Technical Section

CLF:ss:region

Enclosures:

Incomplete Notice of Claim #79-14094
Receipt #C074625