

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: A37-07100
Date Received: 12/30/1988
Receipt No: C004885
Received By: SS entered

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BAVARIAN VILLAGE WATER CO. 208-788-4751
Address: P.O. BOX 1028
KETCHUM, ID *off Del 12/3*
PO Box 1322 83340

2. Date of Priority: JUN 24, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	17E	13	SE	SE	SE		BLAINE

5. Description of diverting works:
WELL, 52' DEEP, 3 HP PUMP, 6" CASING, 2 (315g) STORAGE TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.700		

7. Total Quantity Appropriated is:
0.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
35 APARTMENT UNITS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	17E	13	SE	SE		DOMEST	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
LEGAL LAND DESCRIPTION FOR THIS CLAIM IS ALSO KNOWN AS LOT 1 OF
BAVARIAN VILLAGE SUB.

15. Basis of Claim: LICENSE

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 _____

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 A37-07100Date Received 10-24-88Receipt Number C004885

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 24 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) BAVARIAN VILLAGE WATER CO. Phone (208) 788-4751Mailing Address P.O. BOX 1028 KETCHUM, IDAHO Zip 833402. Date of Priority (Only one (1) per claim) 6-24-713. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 4N Range 17E Section 13,
SE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BLAINE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.1 WELL WITH A 6" CASING, 52' IN DEPTH; 2-3 h.p. submersible
PUMPS WHICH FEED 2-315 GALLON STORAGE TANKSMICROFILMED
FEB 24 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from 1-1 to 12-31 amount 0.70 or 21 ACRE FEET

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.70 (cfs) and/or (b) 21 ACRE FEET (acre feet)

8. Total consumptive use claimed is DE MINIMUS acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC - SERVES 35 APARTMENT UNITS

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	17E	13																D	0.70 cfs

Total number of acres irrigated < 1/2 ACRE

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

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.
_____ or None (X)

14. Remarks: POINT OF DIVERSION IS LOCATED ON LOT 1, BAVARIAN VILLAGE SUBDIVISION, CITY OF KETCHUM, BLAINE COUNTY, IDAHO

Last Name BAVARIAN VILLAGE WATER CO. Ident No. _____

Copies: White -State, Yellow-Claimant

MICROFILMED
FEB 24 1993

Scale: 2 inches equals 1 mile

SE 1/4 SE 1/4
of T4N R17E SECTION 13

A 16x16 grid of squares. Each square contains a crosshair pattern formed by dashed lines. A single red dot is located in the 4th row and 4th column of the grid.

Last Name BAVARIAN VILLAGE
WATER CO.

Ident No. _____

Copies: White-State, Yellow-Claimant

White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-7100
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

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

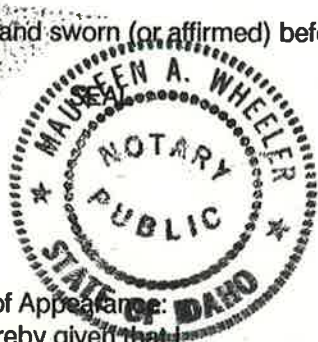
Signature of Claimant (s) Dennis M. Hanger for Date 10/19/88
Bavarian Village Water Co. Date _____

For Organizations: I do solemnly swear or affirm that I am the DESIGNATED REPRESENTATIVE
of BAVARIAN VILLAGE WATER CO. Title _____, that I have signed the foregoing
document in the space below as DESIGNATED REPRESENTATIVE of BAVARIAN VILLAGE WATER CO.
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dennis M. Hanger
Title and Organization DESIGNATED REP. BAVARIAN VILLAGE WATER CO. Date 10/19/88

State of Idaho/or Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 19th day of October 19 88



Notary Public Maureen A. Wheeler

Residing at Hailey

My Commission Expires 1/24/94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be 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 _____

Last Name BAVARIAN VILLAGE Ident. Number _____
WATER CO.

MICROFILMED
FEB 24 1993

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UN
02 1A
0004389393
MAILED FROM ZIP CODE 83702
FIFTY ROWS
\$ 00.87⁰
NOV 24 2006

RECEIVED
NOV 27 2006
DEPARTMENT OF
WATER RESOURCES

B-7/7

37-7100

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

BAVARIAN VILLAGE WATER CO
PO BOX 1028
KETCHUM ID 83340

MEMORANDUM

To: Claim file 37-7100

From: Cynthia Bridge Clark

Date: January 17, 2007

Re: SRBA Claim Review

I met with the claimant at the public meeting in Sun Valley. Dennis Hanggi filed a change of address form. We also discussed the claim. The original license did not recognize the small amount of irrigation currently existing for the apartment complex. As per a discussion with Dave Tuthill, the claimant intended to file an amended claim to include irrigation. An amended claim has not been received to date.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

☒ Water Right Number(s): A37-07100

☒ Name(s): BAVARIAN VILLAGE WATER CO.
c/o DENNIS HANGGI

☒ Old Mailing Address: P.O. Box 1028
KETCHUM ID 83340

☒ New Mailing Address: P.O. Box 1322
KETCHUM ID

Telephone Number: (208) 720 - 0296

☒ Signature(s) of Owner(s) Dennis M. Hanggi
Owner
(Include your title if on behalf of company or organization)

Date: _____

- data entered
cbu

05/06/2005

**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:

Water right number: 37-7100

BAVARIAN VILLAGE WATER CO

PO BOX 1028

KETCHUM ID 83340

Telephone Number: (208)788-4751

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

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

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

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

DATE: _____ **SIGNATURE:** _____

Please print your name: _____

IDWR Regional Office,

05/06/2005

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

RIGHT NUMBER: 37-7100

NAME AND ADDRESS: BAVARIAN VILLAGE WATER CO
PO BOX 1028
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.700 CFS
21.000 AFY

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

PRIORITY DATE: 06/24/1971

POINT OF DIVERSION:

T04N R17E S13 SESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.700 CFS
21.00 AFY

PLACE OF USE: DOMESTIC Within BLAINE County

T04N R17E S13 SESE

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.

LEGAL LAND DESCRIPTION FOR THIS CLAIM IS ALSO KNOWN AS LOT 1
OF BAVARIAN VILLAGE SUB.

EXPLANATORY MATERIAL: License

VERIFIED BY NT

File No.
A37-07100

Owner
Bavarian Village Water Co.
P.O. Box 1028
Ketchum
% Dennis Hanggi
P.O. Box 1322
Ketchum

Date
5/3/05

726-8061 1511-720-0296

With an appointment made previous I met with Dennis Hanggi Manager of Bavarian Village Water Co. At 9:15 A.M. at his home at 118 Aspen Grove Lane to discuss this file . To start I gave him a change of Address and ownership forms and showed him on the claim and License the owner John Newcomb should Be eliminated and the Water Co. should be the proper owner. I gave him a card and suggested he call Kelly or Nick and make an appointment to go down to IDWR and update this file so it is all correct, he assured me that he would do the calling and go down and take care of the problems. Dennis said that this POU is still the same as on file for the 35 unit apartments. He also marked on photo the approx location of these apartments and the POD of well.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Photo looking N	Bavar 1	2470189	1386155	A0016182	1050580

Lee R. Peterson

5/3/05

RECEIVED

MAY 04 2005

Department of Water Resources
Southern Region

clan 37-7100

Bavarian Village



Well House

Tag # A0016182

photo # 1050580

Contacts Data Entry Form

Claim(s): 37 - 7100

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. A vertical red margin line is present on the left side, creating a narrow left margin. The paper appears to be from a notebook or a standard ruled sheet.

Reviewer: _____

Date: _____

GPS file name	Easting	Northing	Plate No.	Photo Id.

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

Date: _____

Place Of Use Data

Place of Use- the licensed POU is in the described legal. However I am wondering if there has been a change of ownership in the past few years because the tax lots show no names from the claim nor the license. Need to find out the current owner of these apartments and fill out a *Change of Ownership* if that is the case.

Also find the exact location of the apartments and GIS the well.

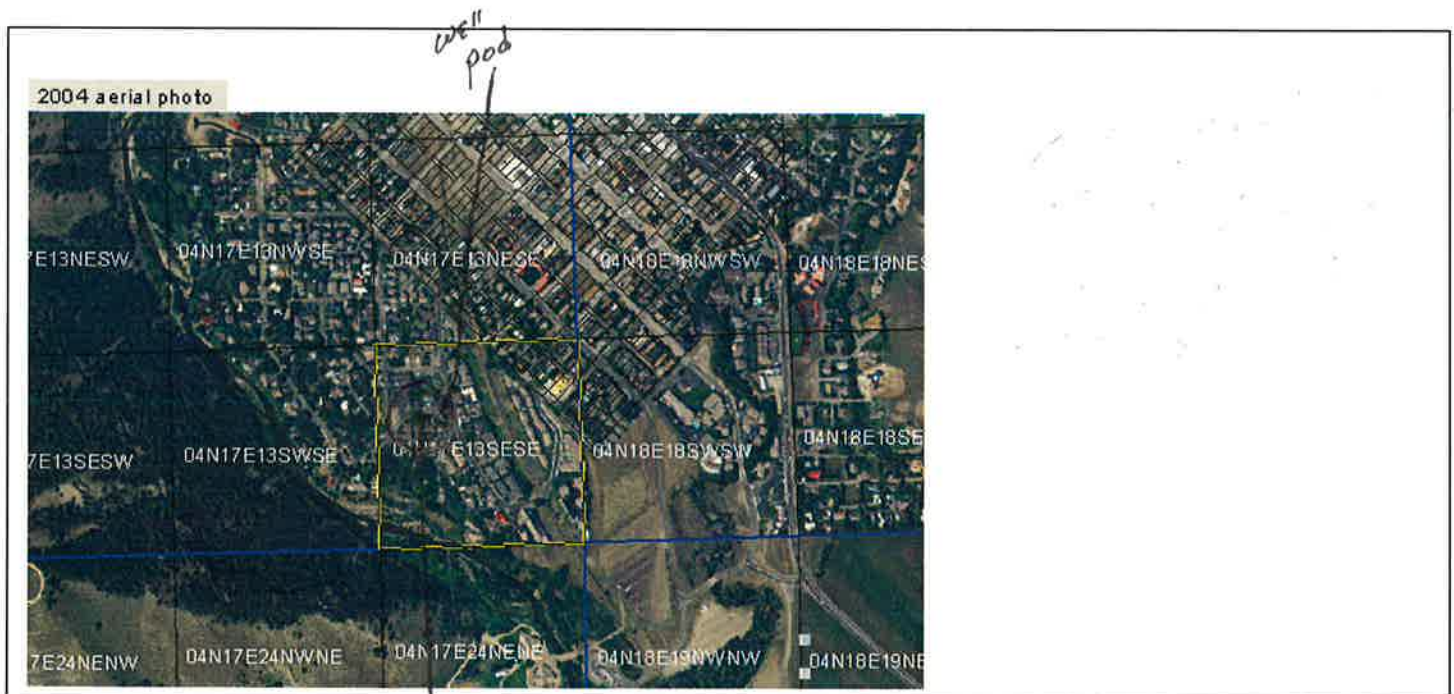
Bavarian Condos

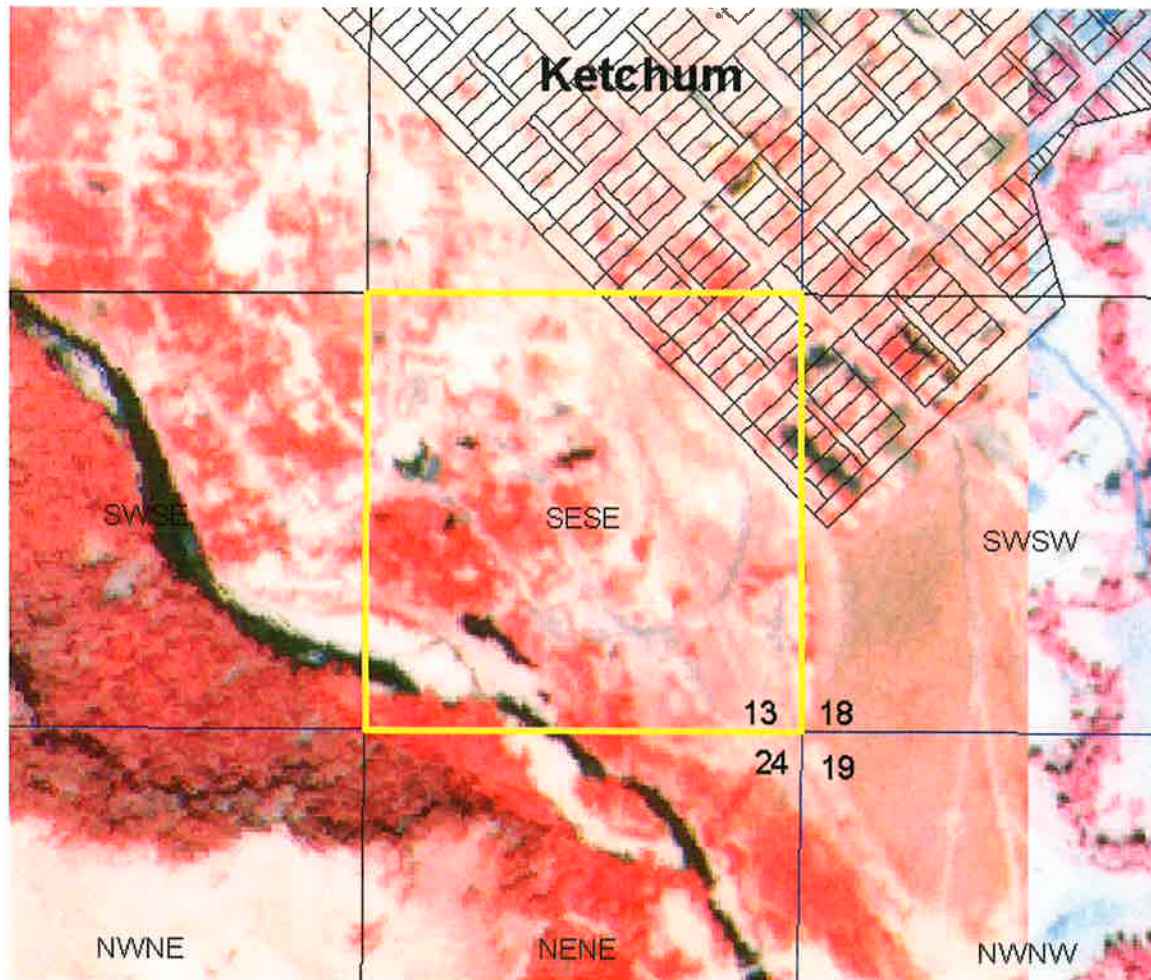
Patrick Cannon LLC

Box 2413

Sun Valley, ID 83753

o/p
David's 11/11/2011
cell 720-0296
Home 726-8061





WATER RIGHT LICENSE

THIS IS TO CERTIFY, that JOHN NEWCOMB

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from Jan. 1 to Dec. 31	at 0.70 cfs and	21 acre feet
	from () to ()	at () cfs and	
	from () to ()	at () cfs and	

(both dates inclusive)

21 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13.

Twp. 4 N, Rge. 17 E, B.M. in the County of Blaine

Description and location of place of use: (35 apartment units)

[illegible]

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of September 19 76

Director

Water Right Number - 37-07100

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
NEWCOMB

JOHN

1 - BAVARIAN VILLAGE
2 - 156 BIRD DR.
3 -
City- KETCHUM
Phone -

State- ID Zip- 83340

*** O - ORIGINAL OWNER ***
WICK

CARL

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/24/1971 17 L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
04N 17E 13 SE SE (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.700 21.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.700 21.00+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
04N 17E 13 SE SE 43 DOMESTIC (13) BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

Water right number - 37-07100 Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - - +
R01 - A measuring device of a type approved by this Department shall be
- maintained as a part of the diverting works.

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

+ - - Microfilm Rolls -

+ - - Audit Fields - 04/08/85 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/17/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

RECORDED
FEB 24 1993

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C004885

Date: 12/30/88
Time: 11:40:54

Received
From: HANGGI, DENNIS/ PATRICIA

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE FOR BAVARIAN VILLAGE	0410162 9337 6490	\$25.00
	Total	\$25.00

CHECK 4218

WR/NO: A37-07100

Idaho Department of Water Resources

Region: STATE

Signature:

Carter Futchelle

MICROFILMED
FEB 24 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Bavarian Mlage Water Co. CLAIM INT. NO. A37-07100

DATE RECEIVED 10-24-88 CK # 4218 AMOUNT \$ 25

- | | YES | NO |
|--|--|----------------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | ☒ N/A | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 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. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? | ☒ N/A | ☐ |
| Is the consumptive use correct? | ☒ N/A | ☐ |
| 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. | ☒ N/A | ☐ |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 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.) | ☒ N/A | ☐ |
| 15. Is the basis of the claim indicated? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | ☒ Exempt | ☐ ? |
| If this claim is based on an existing water right, has the identification number been entered? | ☒ N/A | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ comment |

Claim checked by: CT

Comments: Use probably exceeds 13,000 gals/day

Are apartments under single ownership? May require additional fee of \$95.00!