

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: A25-11479  
Date Received: 2/06/1989  
Receipt No: E004439  
Received By: C. J. S. S.

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LaVAR ALVEY 208-522-3667  
Address: 390 E. 24TH STREET  
IDAHO FALLS, ID 83404  
AND/OR  
Name: ELAINE ALVEY 208-522-3667  
Address: 390 E. 24TH STREET  
IDAHO FALLS, ID 83404
2. Date of Priority: JUN 15, 1925
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:  
Township Range Section 1/4 of 1/4 of 1/4 Lot County  
04N 38E 8 SW NE NW JEFFERSON
5. Description of diverting works:  
2" WELL TO COMMERCIAL BUILDING
6. Water is used for the following purposes:  
Purpose From To C.F.S. (or) A.F.A.  
COMMERCIAL 01/01 12/31 0.040
7. Total Quantity Appropriated is:  
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:  
COMMERCIAL BUSINESS. RESTROOM, DRINKING WATER

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 04N      | 38E   | 8       | NE NW      |     | COMMER |       |

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:  
NONE

14. Remarks:

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 \_\_\_\_\_

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

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ARS-11479

Date Received

11-28-88

Receipt Number

E004439

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) LAVAR E. & Elaine ALVEY Phone (208) 522-3667  
Mailing Address 390 E 24<sup>th</sup> St. Idaho Falls Idaho Zip 83404
2. Date of Priority (Only one (1) per claim) June 15, 1925
3. Source of water supply (a) groundwater  
which is tributary to (b) \_\_\_\_\_
4. a. Location of existing point of diversion is: Township 4N Range 38E Section 8,  
SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Jefferson  
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 \_\_\_\_\_  
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.

2" Well

A2511479



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Commercial purposes from Jan 1 to Dec 31 amount 0.04 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater; Type and number of livestock Etc.) 1 place - Drinking - 2 rest rooms (Toilet & sink only) - Hand Washing Sink

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 |        |
| <u>N 46</u> | <u>38E</u> | <u>8</u> |        |       |       |       | <u>C</u> |       |       |       |        |       |       |       |        |       |       |       |        |
|             |            |          |        |       |       |       |          |       |       |       |        |       |       |       |        |       |       |       |        |
|             |            |          |        |       |       |       |          |       |       |       |        |       |       |       |        |       |       |       |        |
|             |            |          |        |       |       |       |          |       |       |       |        |       |       |       |        |       |       |       |        |
|             |            |          |        |       |       |       |          |       |       |       |        |       |       |       |        |       |       |       |        |
|             |            |          |        |       |       |       |          |       |       |       |        |       |       |       |        |       |       |       |        |
|             |            |          |        |       |       |       |          |       |       |       |        |       |       |       |        |       |       |       |        |
|             |            |          |        |       |       |       |          |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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

12. Do you own the property listed above as place of use? Yes ☒ 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 (☒)

14. Remarks:

Last Name ALVEY Ident No. A25-11479

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Copies: White Nov 11 1992

**Scale: 2 inches equals 1 mile**

A 16x16 grid of graph paper. In the center, there is a handwritten note that reads "SEE ATTACHED MAP." The text is written in a cursive, handwritten style. The grid is composed of 16 columns and 16 rows of squares, each containing a small crosshair symbol. The handwritten note is located in the center of the grid, spanning approximately 8 columns and 4 rows. The text "SEE ATTACHED MAP." is written in a cursive, handwritten style. The word "SEE" is written in a larger, more prominent script, followed by "ATTACHED MAP." in a smaller, more compact script. The entire note is enclosed within a hand-drawn rectangular border.

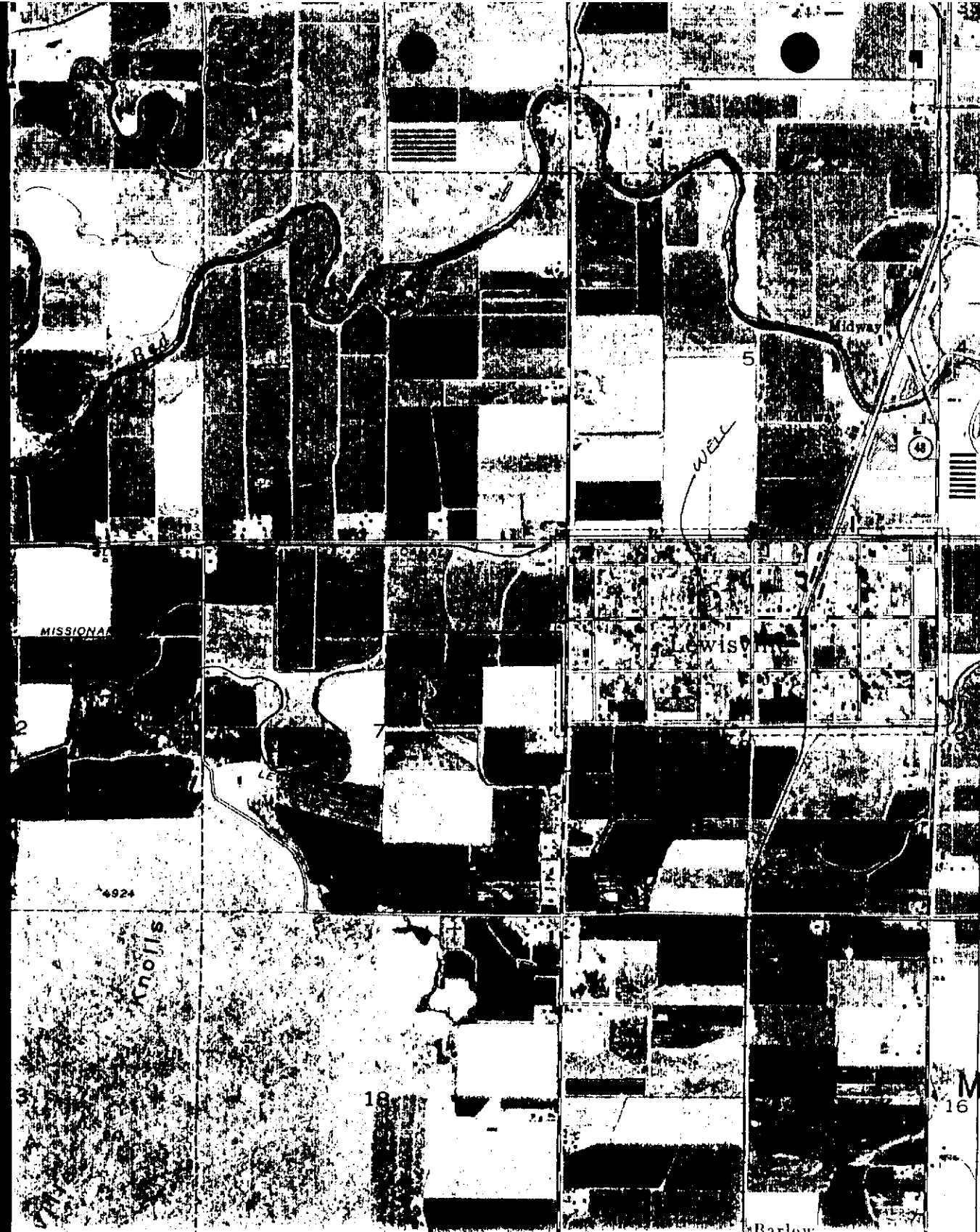
ALVEY

Ident No. A25-11479

**Copies: White-State, Yellow-Claimant**

T4M

A25-11479



15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

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 \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments \_\_\_\_\_

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

Signature of Claimant (s) Lavar J. Olvey Date 11-28-88

Date \_\_\_\_\_

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 \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 28th day of Nov 19 88

SEAL

Notary Public Betty J. Thompson

Residing at Idaho Falls

My Commission Expires 6-94

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 \_\_\_\_\_

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Last Name ALVEY Ident. Number A25-11479

Copies White-State, Yellow-Claimant

This property was a lumber  
yard in 1925. It was owned  
by a man named Ball.

I observed the use of the  
water drawn with Pitcher Pump.

5-21-91 Charles W. Carpenter  
Main St  
Lewisville Ohio

Mr Carpenter Property  
is on the same block  
as my property in Lewisville.

A 25-11479

Lela C. Clevary

390 E 24

It- Idy

83404

RECEIVED

MAY 30 1991

Department of Water Resources  
Eastern District Office

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NOV 11 1992

April 29, 1991

LaVar Alvey  
390 E. 24th Street  
Idaho Falls, ID 83404

RE: Evidence of Priority

Dear LaVar Alvey:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

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LaVar Alvey

Page 2

Please submit the required evidence supporting the priority date by **May 29, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen  
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"  
Proof Report

A25-11479  
LAVAR ALVEY  
ELAINE ALVEY  
390 E. 24TH STREET  
IDAHO FALLS ID 83404

INFORMATION  
SERIAL 1100