



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 12, 2020

LANDECK, FORSETH, LUNA
ATTN: MELISSA LUNA
220 EAST 5TH ST STE 212
PO BOX 9344
MOSCOW ID 83843

RE: Return of Claim filed on behalf of Arlin Colborg 86-12081 based on License 87-7120

Dear Miss Luna:

The Department of Water Resources has received your clients Palouse River Basin Adjudication (PRBA) Claim. We are returning their adjudication claim for the following reason.

Through the review of your claim, it was discovered that the claimed point of diversion and place of use are located within Basin 86, the Snake River Basin Adjudication (SRBA). As the adjudication of Basin 86, SRBA is complete, late claims must be filed through the court. For that reason, I am returning your adjudication claim to you.

For your convenience, I am enclosing a "Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use" form, along with instructions, for you to file with the court. You may submit the enclosed receipt to the court as proof of payment for this claim.

Please contact our office if you have any questions regarding this matter. We can be reached by phone during business hours at 208-762-2800.

Sincerely,

A handwritten signature in blue ink that reads "Dawn R. Lenon". The signature is written in a cursive, flowing style.

Dawn R. Lenon
Technical Records Specialist 1
Northern Region

Enclosure: Original Notice of Claim to a Water Right
Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use form and
Instructions

LANDECK · FORSETH · LUNA
ATTORNEYS AT LAW
an Idaho professional corporation

Ronald J. Landeck
Danelle C. Forseth*
Melissa Luna

*Licensed in Idaho & Washington

220 East 5th Street, Suite 212
P.O. Box 9344
Moscow, Idaho 83843
Telephone: (208) 883-1505
Fax: (208) 883-4593
attorneys@moscow.com

July 12, 2020

Sent by U.S. mail to:

Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Ste. 100
Coeur D' Alene ID 83815-7763

RECEIVED

JUL 15 2020

IDWR / NORTH

RE: *In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Civil case No. 39576, Identification No. 86-12081*

Sir or Madam,

This law firm represents Arlin Colborg of Latah County, Idaho. Enclosed please find a *Notice of Claim to a Water Rights Acquired Under State Law* and the required \$25.00 filing fee. If any additional documentation is needed, please do not hesitate to contact my office at (208) 883-1505 ext. 3#.

Thank you.

Sincerely,



Melissa Luna

**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: 86-12081
Date Received: 4/1/2020
Receipt No: N036259
Claim Fee: \$25.00
Received By: DL

RECEIVED

JUL 15 2020

IDWR / NORTH

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ARLIN COLBORG
1221 WALLEN RD
MOSCOW ID 83843

Phone: (208) 882-2208

2. Date of Priority: 3/6/1985

3. Source:

GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
39N	04W	6	SE SE		LATAH	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	1/01	12/31	0.02		1.8

7. Total Quantity Appropriated is:

0.02 C.F.S. and/or 1.8 A.F.A.

8. Non-irrigation uses:

9. Place of use:

DOMESTIC within LATAH County

Township	Range	Section	¼	of	¼	Lot	Acres
39N	04W	6	SE		SE		

10. Do you own the property listed above as place of use? At the time of my application for the water right permit in 1985, my wife, Lee'Ann Colborg, and I owned the entire property listed as the place of use. A portion of the property was split and sold to a third-party before the water right license was issued in 1986. Presently, the place of use is the same property as in 1985, a portion of which is owned by me and a portion which is owned by a third-party.

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

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

This claim is based on license 87-7120 which is actually within Basin 86.

13. Basis of Claim: License

14. 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: _____

For Individuals:

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

Signature of Claimant(s):

Arlin Colborg
Arlin Colborg

Date: June 24, 2020

Idaho Department of Water Resources Receipt

Receipt ID: N036259

Payment Amount	\$25.00	Date Received	7/15/2020	Region	NORTHERN
Payment Type	Check	Check Number	3785		
Payer	LANDECK - FORSETH - LUNA, ATTORNEYS AT LAW				
Comments	NOTICE OF CLAIM TO A WATER RIGHT FOR ARLIN COLBORG. CLAIM # 86-12081 BASED ON LICENSE # 87-7120				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	NORTHERN ID ADJUDICATION FILING FEE	75503	0337	1		1155



Signature Line (Department Representative)

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

In Re SRBA

Case No. 39576

Subcase _____

(Insert water right number)

**MOTION FOR DETERMINATION OF
DEFERRED *DE MINIMIS* DOMESTIC OR
STOCK WATER USE**

Please fill in the following information:

NAME AND ADDRESS OF WATER RIGHT CLAIMANT.

Name: _____

Address: _____

Daytime Phone: _____

Name & Address of Attorney, if any:

I HAVE ATTACHED:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock water use pursuant to I.C. § 42-1414. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount required by the statute.

I HAVE READ AND REVIEWED THE FOLLOWING:

- ☐ The procedures governing the filing and prosecution of this Motion as set forth in the Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012, and the *Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, entered October 17, 2017.
- ☐ The *Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on December 18, 2013.

INSTRUCTIONS REGARDING THE HEARING ON THIS MOTION: A hearing on your Motion will be scheduled by the Court after the filing of the *Affidavit of Publication* as required under paragraph B.1. of the *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012, and the *Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, entered October 17, 2017.

Signed: _____

Dated: _____

CERTIFICATE OF MAILING

I certify that on _____, 20__, I mailed original and copies of this form, including all attachments, via certified mail and addressed as follows to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

3. Certified Mail Copies to:

U.S. Attorney's Office
800 Park Blvd., Ste. 600
Boise, ID 83712

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Signature of person or attorney mailing the form

INSTRUCTIONS FOR FILING MOTION FOR DETERMINATION OF DEFERRED *DE MINIMIS* DOMESTIC AND/OR STOCK WATER USE

The attached form is used to file a Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use in the Snake River Basin Adjudication ("SRBA"). Forms may be obtained from the SRBA Court (www.srba.idaho.gov).

The water right number for your deferred *de minimis* domestic and stock water use, which should be obtained from the Idaho Department of Water Resources, must be indicated in the blank space following "Subcase" in the form's caption. You must use a **separate form for each** deferred *de minimis* domestic and stock water use.

Your Motion must be accompanied by a fully completed Notice of Claim form, available from the Idaho Department of Water Resources.

The procedures governing the filing and prosecution of a Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use are set forth in this Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012.

Objections to a Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use should be filed using a Standard Form 1 Objection. Forms may be obtained from the SRBA Court (www.srba.idaho.gov).

By filing a Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

