

RECEIVED

Apr 09, 2026

DEPARTMENT OF
WATER RESOURCES

Clive J. Strong, ISB No. 2207
Attorney at Law
14512 38th Ave. N.E.
Lake Forest Park, WA 98155
Telephone: (208) 850-7792
Email: clivejstrong@gmail.com

Attorney for Claimant Idaho Forest Group, LLC, Gary Creagle, Gary W. and Karen B. Creagle 1995 Trust, Curtis and Lana Carney, R&R Smith Properties, LLC, R&R Smith Family Trust, and Ryan and Crystal Smith

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF FORFEITURE OF
WATER RIGHT 95-16447

**AFFIDAVIT OF RANDALL SMITH IN
SUPPORT OF PETITION FOR
FORFEITURE OF WATER RIGHT 95-
16447**

STATE OF IDAHO)
 :
COUNTY OF KOOTENAI)

I, **Randall Smith**, being first duly sworn upon oath, deposes and states:

1. My name is Randall Smith and my home address is 22424 N. Pope Rd, Athol, ID 83801.
2. I am over the age of eighteen, and legally competent to testify in this matter based upon my personal knowledge of the facts and statements set forth herein.
3. Renay Smith, my wife, and I are the owners of R&R Smith Properties, LLC.

4. R&R Smith Properties, LLC and Gary W. Creagle Trustee of the Survivor's Trust of the Gary W. Creagle and Karen B. Creagle 1995 Trust are the owners of parcel nos. 07195001001A and 07195001003A and appurtenant Chilco storage water right 95-16452.
5. R&R Smith Properties, LLC is the owner of parcel nos. 0L9890010010 and 0L9890010020 and appurtenant water right 95-16453. R&R Smith Properties LLC acquired this property on October 18, 2022.
6. R&R Smith Properties, LLC is the owner of parcel no. 07520010999A, which is irrigated with Chilco storage water right 95-16452.
7. R&R Smith Family Trust is the owner of parcel no. 07195001002A (aka Serendipity Falls Lot 2, Block 1 EX RW) and appurtenant Chilco storage water right 95-18552. Renay Smith and I are trustees of R&R Smith Family Trust and have owned and resided on this property since 1993.
8. A 12" pipe exiting Chilco Reservoir running Westerly along the North line of the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 8, Township 52N, Range 3W, B.M. and North Line of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$, Section 7, Township 52N, Range 3W, B.M. delivers Chilco storage water for irrigation and commercial use. The pipeline is depicted on Attachment 1, which is attached hereto and incorporated herein by reference.
9. Renay and I own the Smith lateral pipeline depicted on Attachment 1.
10. The Smith lateral pipeline connects to the 12" pipe at the location shown on Attachment 1.

11. The Smith lateral pipeline delivers Chilco storage water accruing to our water rights 95-16452, 95-16453, 95-18552 for the irrigation of our properties listed above. Additionally, the Smith lateral pipeline delivers water accruing to Chilco storage water right 95-18533 owned by Ryan and Crystal Smith and Chilco storage water right 95-18668 owned by Gary W. Creagle. No other water rights are delivered through the Smith lateral pipeline.
12. On December 1, 2020, the CSRBA Court issued partial decree 95-16447 to Jameson Mortgage Company in the amount of 5.20 AFY for irrigation of 4 acres in the SESE of Section 7, T52N, R03W, B.M. Attachment 2 attached hereto and incorporated herein by reference.
13. The Idaho Secretary of State official records show that Jameson Mortgage Company is an "Inactive-Dissolved (Administrative) corporation. Certificate of Existence/Filing dated February 3, 2026, which is attached hereto as Attachment 3 and incorporated herein by reference.
14. The Kootenai County Assessor records list Carl Lowry and Caitlyne Coman as the current owners of parcel 52N03W079100, the place of use of water right 95-16447. Attachment 4 attached hereto and incorporated herein by reference.
15. Lowry/Coman acquired parcel 52N03W079100 on June 9, 2020. Attachment 4.
16. I am personally familiar with the 12" pipeline that provides storage water from Chilco Reservoir for irrigation and commercial. As shown on Attachment 1, there are only two lateral pipelines connected to the 12" pipeline that extends from Chilco Falls to the Idaho Forest Group, LLC Chilco Mill – the Smith and Carney lateral pipelines.

17. The 12" pipeline is the only water delivery system for conveying Chilco storage water to lands located below Chilco Reservoir.
18. There is no water delivery system connecting the Lowry/Coman parcel 52N03W079100 to the Smith lateral pipeline.
19. There is no water delivery system connecting the Lowry/Coman parcel to the 12" pipeline.
20. Although storage water has been available for distribution to Chilco storage water Lowry/Coman have not diverted any storage water for the irrigation of the place of use of water right 95-16447 for more than 5 years.
21. I not aware of any request for delivery of storage water under water right 95-16447 for irrigation of the place of use for more than 30 years.
22. I have not observed any use of Chilco storage water on the Lowry/Coman place of use for over 30 years.

Dated 1st day of April, 2026.


RANDALL SMITH

STATE OF IDAHO)
) ss.
COUNTY OF KOOTENAI)

On this 1 day of April, 2026, before me, the undersigned, a Notary Public, in and for said State, personally appeared Randall Smith, known to me to be the

person whose name is subscribed above, and acknowledged to me that he executed this document.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Tonya Daniels

Notary Public of Idaho

Residing at Kensington Ave, Hayden, ID

My Commission Expires: 12/24/2027



CERTIFICATE OF SERVICE

I certify that on the 9th day of April 2026, I served or caused to be served a copy of the *Affidavit of Randall Smith in Support of Petition for Forfeiture of Water Right 95-16447* to the parties by the following method(s):

Idaho Department of Water Resources
322 E. Front St Ste 648
P.O. Box 83720
Boise, ID 83720-2707

USPS(postage paid)
email file@idwr.idaho.gov

Carl Lowry and Caitlyne Coman
22128 N. Pope Rd.
Athol, ID 83801

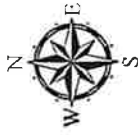
USPS Certified Mail/Return Receipt Requested


CLIVE J. STRONG

ATTACHMENT 1

Idaho Forest Group, LLC

Kootenai County, MT



Randall Smith Declaration, 95-16447 – Attachment 1

Property Ownership

-  Idaho Forest Group, LLC
-  Gary W Crengle & Karen B Crengle 1995 Trust, R & R Smith Properties - PIN# 07195001001A, 07195001003A
-  R & R Smith Properties - PIN# 0L9890010010, 0L9890010020, 07520010999A
-  R & R Smith Family Trust - PIN# 07195001002A
-  Ryan Smith, Crystal Smith - PIN# 07195001004A
-  Gary W Crengle & Karen B Crengle I - PIN# 52N03W077725
-  Carl Lowry, Caillyne Conan - PIN# 52N03W079100
- Water Right POUs**
 -  95-16452, Gary W Crengle & Karen B Crengle 1995 Trust, R & R Smith Properties, LLC
 -  95-16453, R & R Smith Properties, LLC
 -  95-18552, R & R Smith Family Trust
 -  95-18553, Crystal Smith, Ryan Smith
 -  95-18668, Gary Crengle
 -  95-16447, Carl Lowry, Caillyne Conan

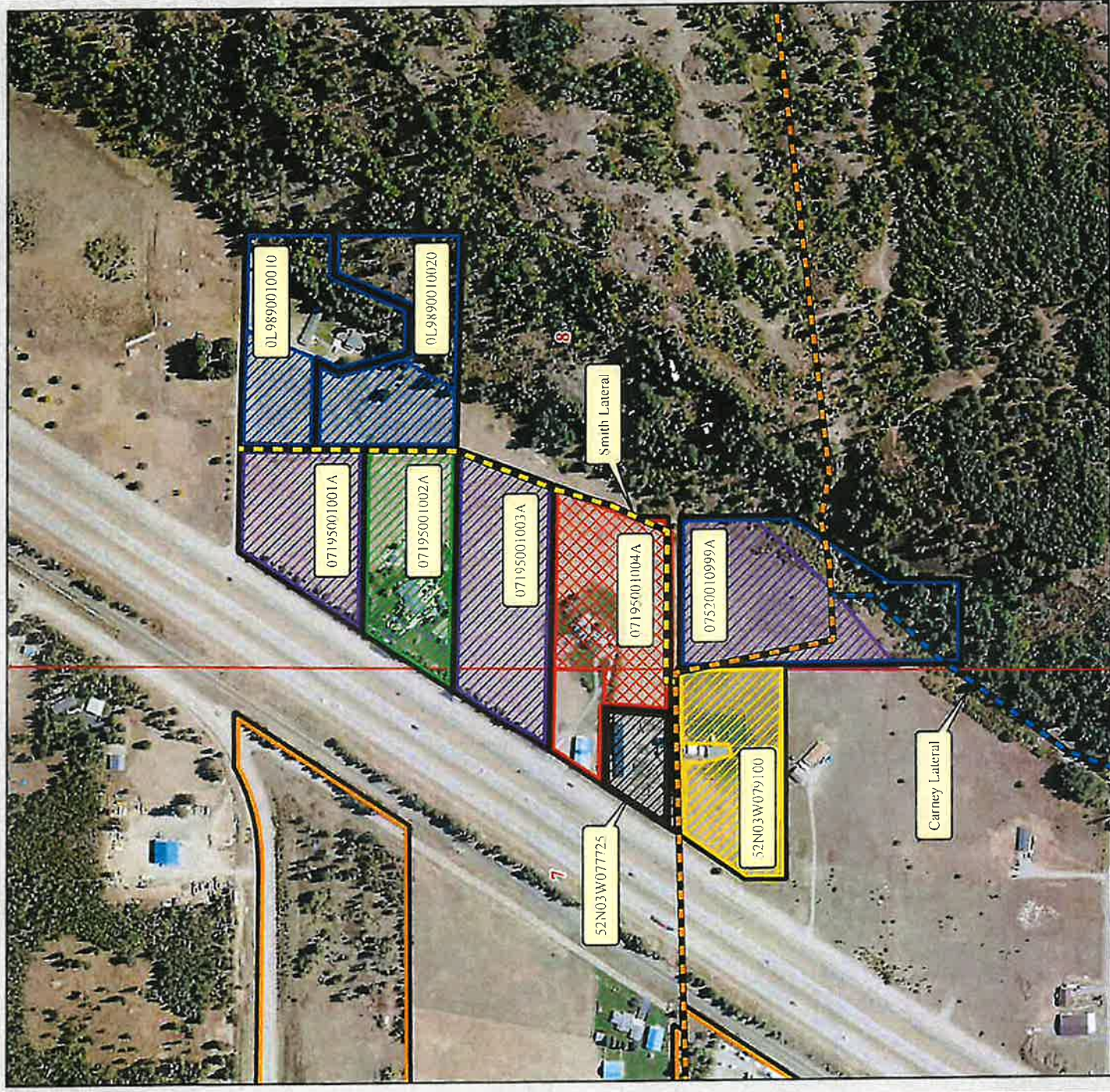
Created 3/18/2026

Aerial Imagery: 2023 NAIP



Miles

Geographic features displayed on the map have not been surveyed by DMS and should not be construed as surveyed. This map includes publicly available data obtained from third-party sources. DMS makes no warranties as to the accuracy of data obtained from third-party sources.



ATTACHMENT 2

2020 DEC 01 PM 02:00
DISTRICT COURT - CSRB
TWIN FALLS CO., IDAHO
FILED _____

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

RECEIVED

DEC 10 2020

DEPARTMENT OF
WATER RESOURCES

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-16448

NAME AND ADDRESS:

ED D JAMESON
2243 W DAKOTA AVE
HAYDEN, ID 83835

SOURCE:

CHILCO LAKE TRIBUTARY: CHILCO CREEK

QUANTITY:

6.10 AFY

PRIORITY DATE:

09/03/1910

POINT OF DIVERSION:

T52N R03W S08 SESE Within Kootenai County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	6.10 AFY
Irrigation from Storage	03-15 TO 11-15	6.10 AFY

PLACE OF USE:

Irrigation from Storage Within Kootenai County
T52N R03W S07 SESE 4.7
4.7 Acres Total

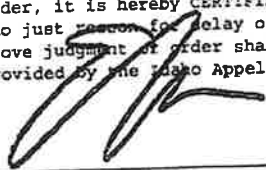
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The remainder of this right was not claimed in the Coeur d
Alene-Spokane River Basin Adjudication.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

ATTACHMENT 3



STATE OF IDAHO

Phil McGrane | Secretary of State

Business Office

450 North 4th Street

PO Box 83720

Boise, ID 83702

March 24, 2026

Request Type: Certificate of Existence/Filing

Request #: 0006721825

Receipt #: 001299645

Issuance Date: 03/24/2026

Copies Requested: 0

Regarding: JAMESON MORTGAGE COMPANY

Filing Type: General Business Corporation (D)

Formation/Qualification Date: 08/29/1990

Status: Inactive-Dissolved (Administrative)

Duration Term: Perpetual

File #: 289120

Delayed Effective Date:

Formation Locale: IDAHO

Inactive Date: 11/15/2024

I, Phil McGrane, Secretary of State of the State of Idaho, do hereby certify that effective as of the issuance date noted above

JAMESON MORTGAGE COMPANY

A handwritten signature of Phil McGrane, enclosed in an oval.

Phil McGrane

Idaho Secretary of State

Processed By: Business Division

Verification #: 039048531

ATTACHMENT 4

General Information

Owner: Lowry Carl, Coman Caitlyne
Mailing Address: 22128 N Pope Rd Athol Id 83801
Property Address: 22128 N Pope Rd
Neighborhood: 3010 Corbin Hill-Garwd W Of Rimrock
District (TCA): 191000

Parcel ID (PIN): 52N03W079100
Alternate ID (AIN): 141029
Property Class: 548- NREV
Deeded Acres: 4.2347

Last updated: 1/26/2026 01:53:44 AM

Legal Description

Description

N2-NE-SE-SE EX RW

Section 07 Township 52N Range 03W

Net Taxable Value

Tax Year	Value
2025	\$508,804.00
2024	\$498,794.00
2023	\$573,819.00
2022	\$581,183.00
2021	\$352,794.00
2020	\$311,945.00

Value History

Year	Reason	Land Value	Improvement Value	Total Value
2025	Assessment Update	\$317,744.00	\$191,060.00	\$508,804.00
2024	Assessment Update	\$314,674.00	\$184,120.00	\$498,794.00
2023	Assessment Update	\$304,674.00	\$269,145.00	\$573,819.00
2022	Assessment Update	\$314,674.00	\$266,509.00	\$581,183.00
2021	Assessment Update	\$192,337.00	\$160,457.00	\$352,794.00

◀ ◻ 1 2 3 4 5 ▶ 5 ▼ items per page

1 - 5 of 24 items

Exemption History

Effective Year	Exemption Type	Percent	Total Value	Exemption Value	Net Taxable Value
No modifier data is available for this record.					

Land Details

Land Type	Acres	Total Value
Remaining Land Market Value	3.23	\$67,744
Homesite	1.00	\$250,000

 Improvements

Property Record	Improvement ID	Use Code	Description	Year Built	Length (ft.)	Width (ft.)	Area	Area Units
R01	M	MHOME	Manufactured Home	1994	67.00	27.00	1755	
R01	04	POLEBLDG	General Purpose Bldg Wood Pole Frame	2011	24.00	24.00	576	SF
R01	02	LEANTO	Lean-to	2002	16.00	10.00	160	SF
R01	03	MHHOOKUP	MH Site w/Util - Noncommercial	1994	n/a	n/a	n/a	
R01	01	DETGAR	Residential Detached Garage	1950	20.00	12.00	240	SF

Additional Commercial Info.

Property Record	Use Code	Description	Gross Square Footage
No additional commercial improvements data present.			

 Permits

Filing Date	Sq Ft	Permit Description
No permits data is available.		

 Sales History

Document Number	Date	Owner	Grantee	Type
2757413 JTWROS	6/12/20	Moses Justin R	Lowry Carl	Single Parcel Transfer
2561101 JT	9/2/16	Jameson Mortgage Co	Moses Justin R	Single Parcel Transfer