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Apr 20, 2026
DEPARTMENT OF
WATER RESOURCES

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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 Trust, and Ryan and Crystal Smith

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WATER RIGHT 95-16448	**AFFIDAVIT OF CURTIS B. CARNEY IN SUPPORT OF PETITION FOR FORFEITURE OF WATER RIGHT 95-16448**

STATE OF IDAHO)
:
COUNTY OF KOOTENAI)

I, **Curtis B. Carney,** being first duly sworn upon oath, deposes and states:

1. My name is Curt B. Carney and my home address is 4734 E. Chilco Road, Athol, Idaho.

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. Lana Carney, my wife, and I own parcel nos. 52N03W180100, 52N03W180200 and appurtenant Chilco Storage Water Right 95-16451.

4. A 12" pipe exiting Chilco Lake running Westerly along the North line of the South ½ of the SW ¼ of Section 8, Township 52N, Range 3W, B.M. and North Line of the South ½ of the Southeast ¼, Section 7, Township 52N, Range 3W, B.M. delivers irrigation water from Chilco Reservoir for irrigation and commercial use. The pipeline is depicted on Attachment 1 attached hereto and incorporated herein by reference.

5. Lana and I are the owners of the Carney lateral pipeline depicted on Attachment 1.

6. The Carney lateral pipeline connects to the 12" pipeline at the location shown on Attachment 1.

7. The Carney lateral pipeline is used to deliver storage water accruing to Water Right 95-16451 to our property listed above.

8. On December 1, 2020, the CSRBA Court issued partial decree 95-16448 to Ed Jameson in the amount of 6.10 AFY for irrigation of 4.7 acres in the SESE of Section 7, T52N, R03W B.M. Attachment 2, which is attached hereto and incorporated herein by reference.

9. The Kootenai County Assessor Records list LK Erickson Living Trust as the current owner of parcel 52N03W079200, the place of use of water right 95-16448. Attachment 3, which is attached hereto and incorporated herein by reference.

10. On November 12, 2024, LK Erickson filed a change of ownership form with the Idaho Department of Water Resources for water right 95-16448, which was

acknowledged by the Department on November 18, 2024. Attachment 4 attached hereto and incorporated herein by reference.

11. I am personally familiar with the 12" pipeline that provides storage water from Chilco Reservoir for irrigation and commercial use. As shown on Attachment 1, the only lateral pipelines connected to the 12" pipeline that extend from Chilco Falls to the Idaho Forest Group, LLC are the Smith and Carney lateral pipelines.

12. The 12" pipeline is the only water delivery system for conveying Chilco storage water to lands located below Chilco Reservoir.

13. There is no water delivery system connecting the LK Erickson Living Trust parcel 52N03W079200 to the Carney lateral pipeline.

14. There is no water delivery system connecting the LK Erickson Living Trust parcel 52N03W079100 to the 12" pipeline.

15. Although storage water has been available for distribution to water right 95-16448, the current and prior holders have not diverted storage water for irrigation of the place of use since the entry of the decree, which is more than 5 years.

16. I am not aware of any request for delivery of storage water under water right 95-16448 for irrigation of the place of use in more than 30 years.

17. I have not observed any use of Chilco storage water on the LK Erickson Living Trust parcel 52N03W079100 for irrigation of the place of use in over 30 years.

Dated 13th day of April, 2026.

CURTIS CARNEY

STATE OF IDAHO)
) ss.
COUNTY OF KOOTENAI)

On this 13 day of April, 2026, before me, the undersigned, a Notary Public, in and for said State, personally appeared Curtis Carney, 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.

Notary Public of Idaho
Residing at Kensington Ave, Hayden
My Commission Expires: 12-24-2027

TONYA DANIELS
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 41367
MY COMMISSION EXPIRES 12-24-2027

CERTIFICATE OF SERVICE

I certify that on the 18th day of April 2026, I served or caused to be served a copy of the *Affidavit of Curtis B. Carney in Support of Petition for Forfeiture of Water Right 95-16448* 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

LK ERICKSON
LK Erickson Living Trust
123 Montgomery RD
Gillette. WY 82716-9155

USPS Certified Mail/Return Receipt Requested

Clive J. Strong

CLIVE J. STRONG

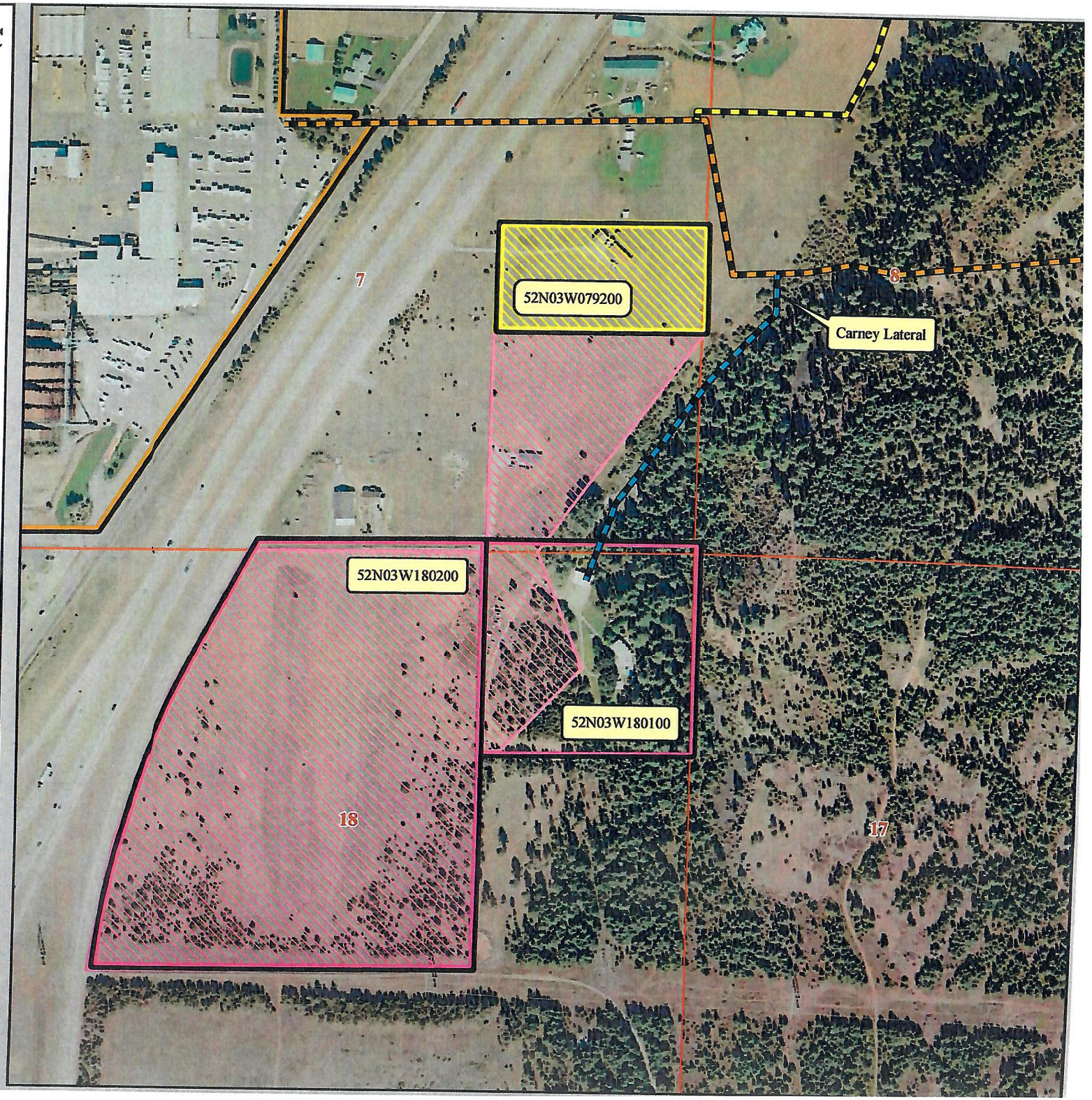
ATTACHMENT 1

Idaho Forest Group, LLC

Kootenai County, MT

N
W E
S

Curt Carney Declaration, 95-16448 – Attachment 1



Property Ownership

- Idaho Forest Group, LLC
- Curtis B. Carney, Lana J. Carney - PIN# 52N03W180100, 52N03W180200
- LK Erickson Living Trust - PIN# 52N03W079200

Water Right POUs

- 95-16451, Curtis Carney, Lana Carney
- 95-16448, LK Erickson Living Trust

Created 3/16/2026
Aerial Imagery: 2023 NAIP

DMS NATURAL RESOURCES

0 0.05 0.1
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 _____

RECEIVED
DEC 10 2020
DEPARTMENT OF
WATER RESOURCES

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

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 SESW 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

Return | New Search | Tax Info | Print | PDF Plat Map | GIS Online Map

General Information

Owner: Lk Erickson Living Trust
Mailing Address: 123 Montogomery Rd Gillette Wy 82716
Property Address: 21966 N Pope Rd
Neighborhood: 3010 Corbin Hill-Garwd W Of Rimrock
District (TCA): 191000

Parcel ID (PIN): 52N03W079200
Alternate ID (AIN): 189029
Property Class: 548- NREV
Deeded Acres: 4.8500

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

Legal Descriptions

Description
S2-NE-SE-SE
07 52N 03W

Net Taxable Value

Tax Year	Value
2025	$572,984.00
2024	$544,922.00
2023	$366,102.00
2022	$375,161.00
2021	$312,624.00
2020	$297,068.00

Value History

Year	Reason	Land Value	Improvement Value	Total Value
2025	Assessment Update	$330,034.00	$242,950.00	$572,984.00
2024	Assessment Update	$324,681.00	$220,241.00	$544,922.00
2023	Assessment Update	$314,681.00	$176,421.00	$491,102.00
2023	Assessment Update	$314,681.00	$176,421.00	$491,102.00
2022	Assessment Update	$324,681.00	$175,480.00	$500,161.00

1 2 3 4 5 6 5 items per page

1 - 5 of 27 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	3.85	$80,034
Homesite	1.00	$250,000

Improvements

Property Record	Improvement ID	Use Code	Description	Year Built	Length (ft.)	Width (ft.)	Area	Area Units
R02	M	MHOME	Manufactured Home	1977	66.00	28.00	1848	
R02	02	POLEBLDG	General Purpose Bldg Wood Pole Frame	2016	40.00	30.00	1200	SF
R02	03	MHHOOKUP	MH Site w/Util - Noncommercial	1977	n/a	n/a	n/a	

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
2961667	2/28/24	Erickson Leann	Lk Erickson Living Trust	Single Parcel Transfer
2939934	6/21/23	West Donald R	Erickson Leann	Single Parcel Transfer
2871860	11/16/21	Hall Theodore J	West Donald R	Single Parcel Transfer
2666130	10/16/18	Multiple Owners	Multiple Owners	Single Parcel Transfer
2560827	8/31/16	Panhandle State Bank Fbo Ed D Jameso	Multiple Owners	Single Parcel Transfer

1 2 5 items per page

1 - 5 of 8 items