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Apr 20, 2026

DEPARTMENT OF
WATER RESOURCES

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

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WATER RIGHT 95-
16448

**AFFIDAVIT OF RANDALL SMITH IN
SUPPORT OF PETITION FOR
FORFEITURE OF WATER RIGHT 95-
16448**

STATE OF IDAHO)
 :
COUNTY OF KOOTENAI)

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

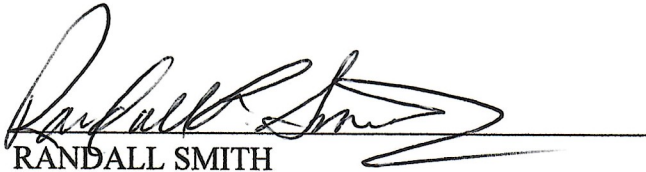
1. My name is Randall Smith and my home address is 22424 N. Pope Rd, Athol, ID 83801.
2. I am over the age of eighteen and legally competent to testify in this matter based upon my personal knowledge of the facts and statements set forth herein.
3. Renay Smith, my wife, and I are the owners of R&R Smith 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 Lake 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 12" pipeline 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 95-16448 to Ed Jameson in the amount of 6.10 AFY for irrigation of 4.7 acres in the SESE of Section 7 of T52N, R03W, B.M. Attachment 2, which is attached hereto and incorporated herein by reference.
13. 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 attached hereto and incorporated herein by reference.
14. 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.
15. The 12" pipeline is the only water delivery system for conveying Chilco storage water to lands located below Chilco Reservoir.
16. There is no water delivery system connecting the LK Erickson Living Trust parcel 52N03W079200 to the Smith lateral pipeline.

17. There is no water delivery system connecting the LK Erickson Living Trust parcel 52N03W079200 to the 12" pipeline.
18. Although storage water has been available for distribution to Chilco storage water right holder(s) of water right 95-16448 has not diverted storage water from Chilco Reservoir for the irrigation of the place of use in more than 5 years.
19. 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 in more than 30 years.
20. I have not observed any use of Chilco storage water on the LK Erickson Living Trust parcel 52N03W079200 for irrigation of the place of use in over 30 years.

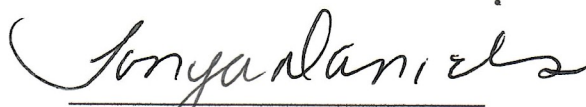
Dated 1st day of April, 2026.


RANDALL SMITH

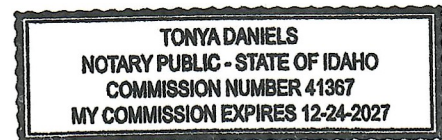
STATE OF IDAHO)
) ss.
COUNTY OF KOOTENAI)

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.



Notary Public of Idaho



Residing at Kensington Ave. Nayden, ID
My Commission Expires: 12/24/2027

CERTIFICATE OF SERVICE

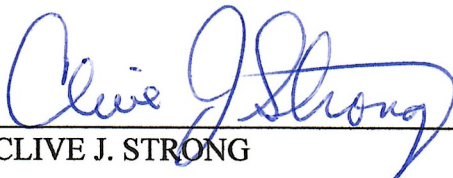
I certify that on the 18th day of April 2026, I served or caused to be served a copy of the *Affidavit of Randall Smith in Support of Petition for Forfeiture of Water Right 95-16448* to the parties by the following method(s):

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 Living Trust
123 Montgomery RD
Gillette. WY 82716-9155

USPS Certified Mail/Return Receipt Requested


CLIVE J. STRONG

ATTACHMENT 1

Idaho Forest Group, LLC

Kootenai County, MT



Randall Smith Declaration, 95-16448 – Attachment 1

Property Ownership

Idaho Forest Group, LLC

Gary W Creagle & Karen B Creagle 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 Creagle & Karen B Creagle 1 -
PIN# 52N03W077725

LK Erickson Living Trust - PIN#
52N03W079200

Water Right POU's

95-16452, Gary W Creagle & Karen B
Creagle 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 Creagle

95-16448, LK Erickson Living Trust

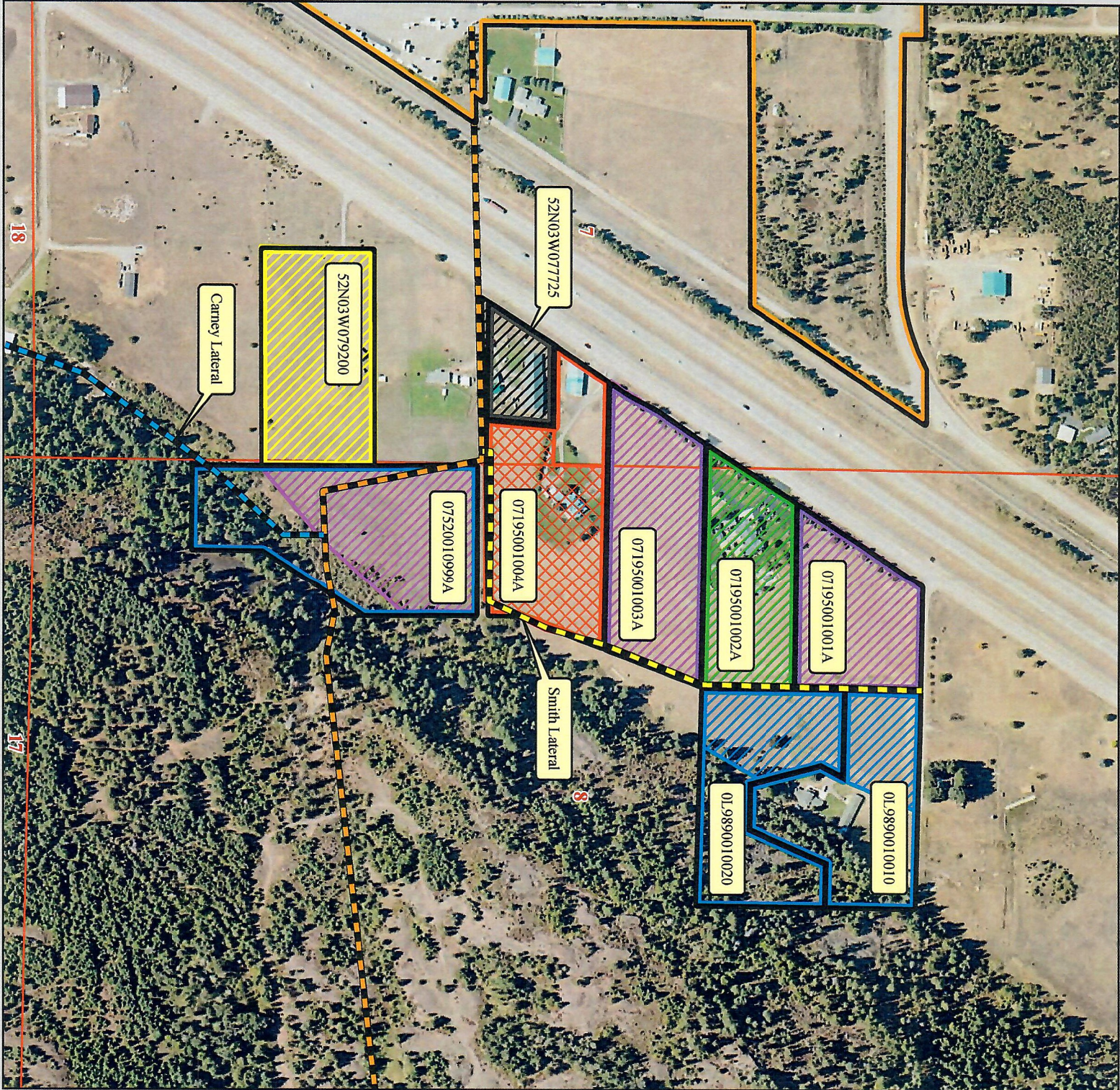
Created 3/18/2026

Aerial Imagery: 2023 NAIP



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

In Re CSRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.F. 54(b) FOR
Case No. 49576	)	
<u> </u>	)	Water Right 95-16448

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ATTACHMENT 3

[Return](#)[New Search](#)[Tax Info](#)[Print](#)[PDF Plat Map](#)[GIS Online Map](#) General Information

Owner: Lk Erickson Living Trust
Mailing Address: 123 Montgomery Rd Gillette Wy 82716
Property Address: 21986 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

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 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

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