

**DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho**

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DEC 19 2025

By pd Clerk

Deputy Clerk

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

**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

Subcase No. 95-18274

**DECLARATION OF DAN HOISINGTON
IN SUPPORT OF IRRIGATORS'
MOTION FOR SUMMARY JUDGMENT**

I, **Dan Hosington**, declare as follows:

1. I am over the age of eighteen, and I am legally competent to testify in this matter based upon my personal knowledge of the facts and statements set forth herein.

2. I was employed by Louisiana Pacific as a lead mill wright at the Chilco mill from 1975 until Riley Creek Lumber Company purchased the mill on October 1, 2003.

3. I continued to work as a mill wright for Riley Creek Lumber Company and its subsidiary Idaho Forest Group, LLC from October 1, 2003, until I retired in 2014.

4. I was responsible for overseeing maintenance and operation of Chilco Reservoir from 1987 until my retirement in 2014.

5. During my time overseeing the operation and maintenance of Chilco Reservoir, the Reservoir was always at full storage capacity prior to the beginning of each irrigation season in early May.

6. During my time overseeing maintenance and operation of the Chilco Reservoir, I and my staff inspected Chilco Dam and the delivery system before beginning release of storage water from Chilco Reservoir to remove any obstructions and to remedy any other problems with the Chilco Dam delivery system.

7. In early May as the temperature began to rise above 70 degrees, I and/or my staff would open the irrigation storage release valve to allow storage water to flow down Chilco Creek into a small regulating reservoir where the water was then diverted into a pipeline at the head of Chilco Falls that delivers storage water to Chilco mill and the irrigation storage right holders.

8. In 2013 the secondary reservoir was abandoned because it was too difficult to maintain. I oversaw, on behalf of Idaho Forest Group, LLC, the replacement of the secondary reservoir with an 8-inch HPDE hard pipe to deliver storage water directly from the dam to Idaho Forest Group and the irrigation storage water right holders. The pipeline was laid on the bed of Chilco Creek. Idaho Forest Group supplied the pipe and installed it with the assistance of the irrigators and Kootenai Properties, Inc.

9. Prior to opening the irrigation storage release valve, I coordinated with the other storage water right holders to determine when to open the valve for delivery of storage water.

10. From 1987 until my retirement in 2014, I or someone designated by me opened the irrigation storage release valve, which remained open throughout the irrigation season.

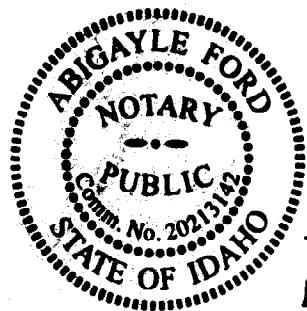
11. The practice was to capture all inflow into the reservoir during the irrigation season and divert it to satisfy the storage water rights.

DECLARATION OF DAN HOISINGTON IN SUPPORT OF IDAHO FOREST GROUP'S AND IRRIGATION CLAIMANTS' MOTION FOR SUMMARY JUDGMENT - 2

12. The practice was to close the irrigation storage release valve when stumps began to reappear in the reservoir, which was approximately 8 to 9 feet on the staff gauge.

I declare under penalty of perjury under the laws of the State of Idaho that to the best of my knowledge the foregoing is true and correct.

DATED this 1 day of DEC, 2025.



Dan Hoisington
DAN HOISINGTON

State of Idaho County of Kootenai
The Forgoing Instrument was acknowledged
before me this 1st day of December
by Abigayle Ford Notary Public Abigayle Ford.
My Commission expires 6/22/2027

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of December, 2025, a true and correct copy of the foregoing document to be served by U.S. Mail postage prepaid addressed to the following individuals:

ORIGINAL:

Clerk of the Court
Coeur d'Alene-Spokane River Basin
Adjudication Court
P.O. Box 2707
Twin Falls, ID 83303-2707

COPIES:

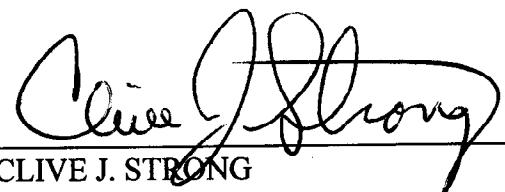
Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Travis L. Thompson
Parsons Behle & Latimer
P.O. Box 63
Twin Falls, ID 83303-0063

The David L. Haman Trust
P.O. Box 3311
Hayden, ID 83835

Jameson Mortgage Co.
2243 W. Dakota Ave
Hayden, ID 83835

LK Erickson Living Trust
123 Montgomery Rd.
Gillette, WY 82716-9155



CLIVE J. STRONG