

JAN 26 2026

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By _____
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

**SECOND DECLARATION OF RYAN
FOBES IN SUBCASE 95-18274**

I, **Ryan Fobes**, 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 am a Licensed Engineer in the State of Idaho, and the owner of Foresite Engineering, PLLC.
3. I was employed by Idaho Forest Group, LLC from 2008 until the summer of 2016.
4. I currently provide consulting services to Idaho Forest Group, LLC.
5. Idaho Forest Group, LLC retained me to examine significant seepage losses occurring through 1) the dike located on the southern end of Chilco Reservoir, 2) the dam, and 3)

the emergency overflow.

6. Seepage has been observable over the years I have been working on this project. It is continually evident, down gradient from the dam, emergency overflow, and the southern dike at Chilco Lake.

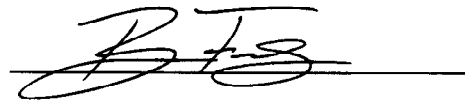
7. As part of the preparation of Late Claim 95-18274, I used the Idaho Department of Water Resources Pond Loss Calculation Spreadsheet, Seepage tab, to estimate the total annual seepage losses from Chilco Reservoir. As shown on the attached spreadsheet, the estimated annual loss is 48.2 acre-feet.

8. I prepared the attached evaporation loss spreadsheet using the Idaho Department of Water Resources' Pond Loss Calculation Spreadsheet, Evaporation tab. The estimated annual evaporation losses are 50.8 acre-feet. This estimate of evaporation loss estimate utilized local weather data as outlined in the IDWR guidance.

9. The estimated total Seepage and Evaporation loss of 99 acre-feet is similar to losses observed when comparing the difference in Chilco Reservoir Dam gauge-volume estimates with master meter data, since the meter was installed.

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 14th day of January, 2026.


RYAN FOBES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th of January 2026, 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:

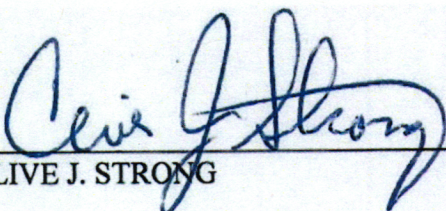
Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

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

Seepage Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total annual seepage losses from a pond.

FILE NUMBER	101-100000
REVIEWER	
DATE	3/3/2022

User input
Calculated value
Formula Explanations

INPUTS

Pond Surface Area (AC.)	44	AC.
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Pond Surface Area (SQ. FT.)	1216640	SQ. FT.
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I used the following method to obtain my Soil Classification Information:	NRCS Web Soil Survey	
My Soil Classification is	CL	
Suggested Seepage Rate (FT./DAY)	0.0030	FT./DAY

Formula: (Surface Area X Seepage Rate) X 7.48 = Gallons Per Day Loss		
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Convert to GPD	43059	GPD
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Total Seepage Loss (AFA)	48.2	AFA
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Though sand and gravel seepage rates may actually be higher, the maximum allowable rate is 0.2 ft/day, pursuant to Administrative Memo "Seepage Loss Standards for Ponds and Reservoirs."

Suggested Seepage Rates for Different Soil Types:	
GW, GP, GM, GC, SW, SP and SM (silty sand, sand silt mixtures and gravel mixtures)	= 0.2 ft per day
OL and ML (Inorganic silts - very fine sands, silty, or clayey fine sands)	= 0.02 ft per day
SC (clayey sands, sand clay mixtures)	= 0.007 ft per day
CL (Low to medium plasticity clays)	= 0.003 ft per day
MH, OH, PT and CH (high plasticity clays)	= 0.0003 ft per day
LINED PONDS (liners can be chemical, fabric, or bentonite)	= 0 ft per day
Ponds Intercepting Groundwater (excavated ponds filled by ground water)	= 0 ft per day

PLEASE NOTE: The initial basis for the Suggested Seepage Rates in the table above is found on Page 16 of Seepage from Fish Ponds, Bulletin 399, August 1989 Alabama Agricultural Experiment Station, Auburn University, Auburn University Alabama. If you don't know the soil type, please refer to the map provided at the NRCS Web Soil Survey (Tab #1), an ArcMap Soil Classification Map (Tab #1.1), or published NRCS Soil Survey (Tab #1.2). Use "0" if the pond fill relies on the water table.

Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

FILE NUMBER	00000000
REVIEWER	0
DATE	3/3/2022

User Input
Calculated value
Formula Explanations

The acronyms used on the Kimberly Research Center website are defined below:

P = Precipitation
 ET = Evapotranspiration
 P_d = Precipitation deficit
 P_d = ET - P

USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at <X:/Spatial/Climate/ETIdahostations.shp>.

Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: <http://data.kimberly.uidaho.edu/ETIdaho/>

Precipitation Deficit

Station: Coeur d'Alene LE (NWS - US000101956)

Month	mm/day ¹	Days per month	mm/Month
Jan	-2.24	31	0.00
Feb	-1.56	28	0.00
March	-0.76	31	0.00
April	0.72	30	21.60
May	1.28	31	39.68
June	1.67	30	50.10
July	3.27	31	101.37
August	2.78	31	86.18
September	1.68	30	50.40
October	0.08	31	2.48
November	-2.28	30	0.00
December	-3.03	31	0.00

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS - 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

Total mm/year = 351.81

$$[(\text{mm/yr}) + (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$$

(351.81 ÷ 304.8) X 54.00 = 50.8 AFA