



## PETER J. SMITH IV

Director

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Real Estate

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Coeur d'Alene

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### PETER J. SMITH IV

Peter Smith is a real estate, business, and mining attorney with extensive litigation experience and deep transactional knowledge. In his practice, he represents mining companies, businesses and entrepreneurs, real estate developers, and property owners through complex matters to efficiently close transactions and proactively avoid potential litigation. He serves as the firm's Idaho Managing Partner.

Peter is licensed to practice law in Idaho, Washington, the Ninth Circuit, and the Court of Federal Claims. He joined Fennemore in 2025 to expand the legal services offered to his clients. His addition to Fennemore represents a defining step in the firm's continued expansion across Idaho and the Northwest—a region emerging as a hub for economic growth and innovation.

He finds great accomplishment in helping people by reducing conflict and providing clarity. Peter has argued cases before the Idaho Supreme Court and the Ninth Circuit Court of Appeals. Peter has tried numerous bench and jury trials.

Peter's proven track record of client service aligns with Fennemore's future-focused vision, its people-first culture, and its ongoing investment in building high-performing and sustainable careers.

Peter was born and raised in Sandpoint, Idaho. He attended Walla Walla University and graduated with a degree in International Business. After college, Peter attended Pepperdine University School of Law.

Upon graduating in May of 2004, Peter went to work as an associate attorney at the firm of Lukins & Annis, P.S. in Coeur d'Alene. Peter made partner at Lukins & Annis in 2009. In 2015, Peter founded Smith + Malek with his good friend, Luke. He is a former President of the Post Falls Rotary and a current member of the Coeur d'Alene Sunrise Rotary. Peter was appointed to the Idaho Lottery Commission by Governor Brad Little and served from March 9, 2021 to September 1, 2023. Peter is a former Vice Chairman of the Post Falls Urban Renewal Commission. He currently serves as an at-large member of the Idaho State Bar Real Property Law Section and was chair of the Indian Law Section. Peter has served as President of the First District Bar Association and has been recognized for pro bono work by the Idaho State Bar. Peter currently serves as the President of the North Idaho College Foundation, Inc., Vice President of Schweitzer Alpine Racing School, Inc. and is a former member of the Board of Directors of Gizmo CDA, Inc. On November 1, 2023, he was awarded the Idaho State Bar Professionalism Award.

Peter is married and has 3 children. In his spare time, Peter enjoys running, mountain biking, skiing, and golf.

## **EDUCATION**

J.D., Pepperdine University School of Law

B.S., Walla Walla Washington University

## **AREAS OF PRACTICE**

Real Estate

Business & Finance

Mining Law

Business Litigation

Land Use

Natural Resources

International Trade

## **REPRESENTATIVE MATTERS**

In litigation matters, Peter has:

Sued the President of the United States related to the unconstitutional collection of phone records by the National Security Administration.

Litigated many cases to establish easement rights.

Enforced the right of the Coeur d'Alene Tribe to regulate docks on the southern part of Lake Coeur d'Alene in both State and Federal Courts.

Defended a homeowner's association in a claim of religious discrimination (which is the subject of a documentary made by Apple TV).

Handled many cases relating to breaches of contract, debt collection, and commercial disputes both in State and Federal Courts.

Prosecuted and defended land use appeals.

Pursued property tax appeals in State Court and the Idaho Board of Tax Appeals.

In the transactional realm, Peter has:

Drafted Declarations of Covenants, Conditions, and Restrictions, Development Agreements between municipalities and developers, Purchase and Sale Agreements, and many easements.

Prepared merger and acquisition documents, including Asset Purchase Agreements and Stock Purchase Agreements.

Written Operating Agreements for Limited Liability Companies and Membership Interest Agreements.

Crafted loan documents for secured and unsecured transactions.

Assisted in the formation of a dental insurance company.

Prepared medical and dental employee agreements and ownership structures.

Assisted mining companies with mining claims, leases, and permitting on private, state, and federal land.

In the mining realm, Peter has:

Drafted and negotiated a multi-phase mineral exploration alliance agreement with an area-of-interest structure, staged project generation, earn-in rights, and joint venture conversion.

Drafted and negotiated mining earn-in terms giving a party the exclusive option to earn a 70% to 85% majority interest by funding exploration, with spending and milestone requirements, operator and reporting controls, security over mineral tenements, and exit remedies including a fair market value buyout option.

Drafted and negotiated a mining royalty agreement creating a 1.5% net smelter returns royalty on future production from mineral claims and leases in Idaho and Washington, with reporting, audit, transfer, lender security, and sanctions and anti-money laundering protections.

Drafted and negotiated joint venture terms for an earn-in mining alliance, including JV formation and governance, operator and budget controls, cash calls, dilution and default remedies, conversion to a net smelter returns royalty, and protections for transfers, financing, restructuring, and technical data ownership.

Drafted and negotiated a mining option agreement for patented mining claims, including a three-year exclusive exploration option, staged payments, drill-ready access, defined exercise conditions, escrowed closing deliverables, a tiered net smelter returns royalty, and a long-term quarry land lease with coordination, bonding, reclamation, and non-interference protections.

## AWARDS AND HONORS

Idaho State Bar Professionalism Award, 2023

Recognized by the Idaho State Bar for pro bono work

## ARTICLES AND PRESENTATIONS

Author, "[Idaho's New Starter Home Law \(SB1352\): What Developers, Landowners, and Cities Need to Know](#)," Fennemore Blog, July 16, 2026

Author, "[Wildfire readiness shapes development in Idaho amid rising risks](#)," Idaho Business Review, June 17, 2026

Co-Author, "[Idaho Supreme Court Clarifies Direct and Derivative Claims in Family Entity Disputes](#)," Fennemore Blog, June 15, 2026

Author, "[Wildfire Readiness Is Becoming a Development Issue in Idaho](#)," Fennemore Blog, June 9, 2026

Co-Author, "[Surging Gold Prices and Demand for Critical Minerals Raises the Stakes for Mining Claims](#)," Fennemore Blog, April 1, 2026

Presenter, Idaho Code § 55-3211, Idaho Community Association Board, February 25, 2026

Co-Author, "[What Canadian Mining Companies Need to Know About CFIUS When Investing in the U.S.](#)," Fennemore Blog, August 7, 2025

Boise State University, Micron School of Materials Science and Engineering, April 17, 2025

Mining Stocks Daily Podcast "Is Idaho the Bellweather for Federal Mining Reform? Peter Smith on the Resurgence of the State's Resource Industry," March 21, 2025

Idaho Mining Association, October 2024

Elko Mine Expo, June 2024

Idaho Mining Association, October 2023

## **PROFESSIONAL AND COMMUNITY ACTIVITIES**

Member, The Idaho Supreme Court AI Governance Workgroup

President, North Idaho College Foundation, Inc.

Vice President, Schweitzer Alpine Racing School, Inc.

At-Large Member, Idaho State Bar, Real Property Law Section

Member, Coeur d'Alene Sunrise Rotary

Former Member of the Board of Directors, Gizmo CDA, Inc.

Former President, First District Bar Association

Past Chair, Idaho State Bar, Indian Law Section

Former President, Post Falls Rotary

Appointed to the Idaho Lottery Commission by Governor Brad Little and served from March 9, 2021, to September 1, 2023

Former Vice Chairman of the Post Falls Urban Renewal Commission

## **ADMISSIONS**

Idaho

Washington