

Steven B. Andersen (ISB 2618)  
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Chief of Natural Resources Division

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*Attorneys for Defendant*

**IN THE DISTRICT COURT FOR THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STRIDER CONSTRUCTION CO., INC.,

Plaintiff,

vs.

IDAHO WATER RESOURCE BOARD,

Defendant.

Case No. CV01-22-10932

**NOTICE OF INTENT TO SERVE  
SUBPOENA DUCES TECUM**

PLEASE TAKE NOTICE that Defendant Idaho Water Resource Board, by and through its undersigned counsel, gives notice pursuant to the Idaho Rule of Civil Procedure 45(c)(2)(A) of its intent to serve the attached Subpoena Duces Tecum on RAM Geoservices, Inc.

Please be advised that you have seven (7) days to notify the undersigned of any objections you have to this subpoena.

DATED this 10th day of February 2023.

**KIRTON McCONKIE**

*/s/ Jennifer Reinhardt-Tessmer*  
\_\_\_\_\_  
Jennifer Reinhardt-Tessmer  
*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of February 2023, a true and correct copy of the foregoing was served by the method indicated below, and addressed to the following:

Lindsay (Taft) Watkins  
*Pro Hae Vice* Admission Pending  
Kristina Southwell  
*Pro Hae Vice* Admission Pending  
**AHLERS CRESSMAN & SLEIGHT PLLC**  
1325 4<sup>th</sup> Ave., Suite 1850  
Seattle, WA 98101  
Telephone: (206) 287-9900  
*Attorneys for Plaintiff Strider Construction Co., Inc.*

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[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

John H. Guin  
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[meghan.carter@idwr.idaho.gov](mailto:meghan.carter@idwr.idaho.gov)

/s/ Jennifer Reinhardt-Tessmer  
Jennifer Reinhardt-Tessmer

# **ATTACHMENT**

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*Attorneys for Defendant*

**IN THE DISTRICT COURT FOR THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STRIDER CONSTRUCTION CO., INC.,

Plaintiff,

vs.

IDAHO WATER RESOURCE BOARD,

Defendant.

Case No. CV01-22-10932

**SUBPOENA DUCES TECUM TO RAM  
GEOSERVICES, INC.**

**THE STATE OF IDAHO SENDS GREETINGS TO:**

RAM Geoservices, Inc.  
c/o Mark Rohrbach  
13916 109<sup>th</sup> Avenue Ct. E.  
Puyallup, WA 98374-3309

YOU ARE HEREBY COMMANDED to produce or permit inspection and copying of the following documents or objects, including electronically stored information, as described in Attachment A to this Subpoena, at the place, date and time specified below:

Place: Kirton McConkie  
1100 W. Idaho St., Ste. 930  
Boise, ID 83702  
Attn: Jennifer Reinhardt-Tessmer

Date: March 17, 2023  
Time: 9:00 a.m.

In the alternative, you may deliver accurate and complete copies of said records to this office prior to the date and time listed.

You are further notified that if you fail to appear at the place and time specified above, or to produce or permit copying as specified above, that you may be held in contempt of court and that the aggrieved party may recover from you the sum of \$100 and all damages which the party may sustain by your failure to comply with this subpoena.

BY ORDER OF THE COURT.

DATED this 17th day of February 2023.

**KIRTON MCCONKIE**

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Jennifer Reinhardt-Tessmer  
*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of February 2023, a true and correct copy of the foregoing was served by the method indicated below, and addressed to the following:

Lindsay (Taft) Watkins  
*Pro Hae Vice* Admission Pending  
Kristina Southwell  
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Jennifer Reinhardt-Tessmer

## ATTACHMENT A

### Definitions

The following definitions apply to each of the Document Requests in this Subpoena:

1. The terms “You” and “Your” as used herein mean RAM Geoservices, Inc., its owners, principals, shareholders, employees, representative, agents and any other person with authority to act or speak on Your behalf.

2. The term “Project” as used herein means the Priest Lake Dam Improvements project in Priest River, Idaho (RAM Project No. R0144-00).

3. “Document” or “Documents” means any designated Document or electronically stored information, including writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations—stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form, including, without limitation, electronic or computerized data compilations. A draft or non-identical copy is a separate document within the meaning of this term.

4. “Communications” means every exchange of information of any nature, whether oral or written, from one person to another, and any evidence of such exchange, including but not limited to any correspondence, memorandum, conversations, inquiries, interviews, notes, telegrams, facsimiles, telephone conversations, electronic mail messages, text messages, instant messages, messages sent through online, smart phone or other applications, notes or logs of meetings, diaries, daily calendars, electronically stored documents, or other records of exchanges between or among persons.

5. “Relate to” means, whether directly or indirectly, relating to, referring to, related to, with reference to, pertaining to, concerning, regarding, setting forth, describing, evidencing,



constituting, comprising, recording, containing, reflecting, evidencing, showing, disclosing, explaining, summarizing, supporting, demonstrating, questioning, contradicting, or refuting.

6. The term “Electronically Stored Information” means any original and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind), of mechanical, facsimile, electronic, digital or other programs (whether private, commercial, or work-in-progress), programming notes or instructions, activity listings of electronic mail receipts or transmittals, output resulting from the use of any software program, including word processing documents, spreadsheets, database files, charts, graphs and outlines, electronic mail or “e-mail,” text messages, instant messenger messages, other internet-based communication, PDF files, PRF files, batch files, ASCII files, logs, file layouts and any and all miscellaneous files or file fragments, regardless of the media on which they reside and regardless of whether said electronic data consists of an active file, deleted file or file fragment. “Electronically Stored Information” also includes any and all items stored on computer memory or memories, hard disks, floppy disks, zip drives, CD-ROM discs, on or in any other vehicle for digital data storage or transmittal, files, folder tabs, or containers and labels appended to or associated with any physical storage device associated with each original and each copy.

#### **Document Requests**

1. Your file for the Project.
2. All documents, including correspondence and electronically stored information, that You exchanged with Strider Construction Company related to any work and/or support related to this project.

3. All documents, including correspondence and electronically stored information, that relate to and/or evidence any bids You submitted for the Project, including the bids themselves.

4. All documents, including correspondence and electronically stored information, that relate to and/or evidence any assumptions You were told to make or did make in your bids for the Project.

5. All documents, including correspondence and electronically stored information, that relate to and/or evidence any construction difficulties at the Project.

6. All documents, including correspondence and electronically stored information, that relate to and/or evidence the large displacement of the surface upon which gravity coffer dam structures anticipated by the contract were founded.