

Steven B. Andersen (ISB 2618)  
Jennifer Reinhardt-Tessmer (ISB 7432)  
**KIRTON McCONKIE**  
11<sup>th</sup> & Idaho Building  
1100 W. Idaho St., Ste. 930  
Telephone: (208) 370-3325  
Facsimile: (208) 370-3324  
[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)  
[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)

**RAÚL R. LABRADOR**  
ATTORNEY GENERAL

**SCOTT L. CAMPBELL**  
Chief of Energy and Natural Resources Division

**GARRICK L. BAXTER, ISB No. 6301**  
**MEGHAN M. CARTER, ISB No. 8863**  
Deputy Attorneys General  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, Idaho 83720-0098  
Telephone: (208) 287-4800  
Facsimile: (208) 287-6700  
[garrick.baxter@idwr.idaho.gov](mailto:garrick.baxter@idwr.idaho.gov)  
[meghan.carter@idwr.idaho.gov](mailto:meghan.carter@idwr.idaho.gov)

*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

**DECLARATION OF JENNIFER  
REINHARDT-TESSMER IN SUPPORT  
OF DEFENDANT'S MOTION TO  
ORDER RETURN OF STATE  
PROPERTY**

STATE OF IDAHO )

County of Ada ) : ss.

Jennifer Reinhardt-Tessmer, being first duly sworn upon oath, deposes and says:

1. I am an attorney with Kirton McConkie, counsel of record for Defendant Idaho Water Resource Board. I am over the age of 18 and base this declaration on my personal knowledge.

2. On March 29, 2023, I participated in a meet and confer conference (“the meet and confer conference”) with Kristina Southwell, counsel of record for the Plaintiff, Strider Construction Company. In the meet and confer conference, I inquired whether Plaintiff had any of the J-seals that Strider replaced and was told by Ms. Southwell that the Plaintiff did in fact have them. I asked how they were being maintained and was told they were probably in Strider’s office. I asked if Strider had anything else from the worksite and was told counsel would need to further inquire. While Ms. Southwell said we could view the J-seals at her client’s office (which is located in Washington), I stated that the J-seals are property of the State.

3. Attached as **Exhibit A** is a true and correct copy of an email (without attachments) that I sent Ms. Southwell following that meet and confer conference, in which I requested that the J-seals, as property of the State, be returned by mail to our law office, along with documentation of the chain of custody.

4. On April 3, 2023, Strider’s counsel acknowledged IWRB’s position that this was not a discovery request but rather a demand to return property wrongfully taken. Attached as **Exhibit B** is a true and correct copy of that email correspondence.

5. Opposing counsel has taken the position that the dam’s J-seal removed by Strider for the State, is now Strider’s property pursuant to a provision in the Contract, which provides as follows:

13. Replace J-Seals
  - a. Measurement: Per bay (BAY).
  - b. Description: Work under this item shall include all materials, supplies, equipment, and labor required for removal and disposal of existing J-Seals and fabricating, installing, and installation of new J-Seals in all

11 bays as described in these Technical Specifications and as indicated in the Contract Drawings.

Attached as **Exhibit C** is a true and correct copy of that email exchange.

6. On April 28, 2023, I sought further information concerning the circumstances of the removal of the State's property and potential spoliation of evidence, as well as a chain of custody for the J-seal since its removal. Opposing counsel refused to provide assurances regarding the same, taking the position that Defendant should have to use up interrogatories to obtain reassurance regarding the preservation of State property and chain of custody of evidence. **Exhibit D** is a true and correct copy of that email correspondence exchange.

DATED this 8th day of May 2023.

**KIRTON MCCONKIE**

*/s/ Jennifer Reinhardt-Tessmer*

\_\_\_\_\_  
Jennifer Reinhardt-Tessmer

*Attorney for Defendant*

## CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of May 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

- U.S. Mail
- Facsimile: (208) 388-1300
- Hand Delivery
- Overnight Delivery

iCourt E-File/Serve:

[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)

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

John H. Guin

**LAW OFFICE OF JOHN H. GUIN, PLLC**

P.O. Box 31210

Spokane, WA 99223

Telephone: (509) 443-0709

*Attorneys for Plaintiff Strider Construction Co., Inc.*

- U.S. Mail
- Facsimile:
- Hand Delivery
- Overnight Delivery

iCourt E-File/Serve:

[john@guinlaw.com](mailto:john@guinlaw.com)

Garrick L. Baxter

Meghan M. Carter

Deputy Attorneys General

Idaho Water Resource Board

P.O. Box 83720

Boise, Idaho 83720-0098

Telephone: (208) 287-4800

*Attorneys for Defendant*

- U.S. Mail
- Facsimile:
- Hand Delivery
- Overnight Delivery

iCourt E-File/Serve:

[garrick.baxter@idwr.idaho.gov](mailto:garrick.baxter@idwr.idaho.gov)

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

/s/ Jennifer Reinhardt-Tessmer

Jennifer Reinhardt-Tessmer

# EXHIBIT A

**From:** [Jennifer Reinhardt-Tessmer](#)  
**To:** [Madison Hyland](#); [Kristina.Southwell@acslawyers.com](mailto:Kristina.Southwell@acslawyers.com)  
**Cc:** [Carter, Meghan](#); [john@guinlaw.com](mailto:john@guinlaw.com); [Steven Andersen](#)  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer  
**Date:** Wednesday, March 29, 2023 12:29:00 PM  
**Attachments:** [image004.png](#)  
[2023-03-23 IWRB meet and confer.pdf](#)  
[2023-03-23 Response to meet and confer.pdf](#)  
[image001.png](#)

---

Kristina,

Thank you for taking the time to meet and confer today regarding the issues outlined in the attached correspondence. Per our discussion, our office will anticipate supplemental responses to IWRB's Interrogatory 6, 29 and 30, and IWRB will withdraw Interrogatory 28. Additionally, Strider will supplement RFPs including 4, 7, 15 with any responsive documents it may locate. Generally, IWRB will supplement its responses going forward as necessary.

With reference to the old J-seals, you informed me Strider has them at their office. Given that the seals are property of the state, we request that you mail the J-seals to our law office, along with documentation of the chain of custody, which we will maintain.

I appreciate your cooperation in this matter.

Jennifer

**Jennifer Reinhardt-Tessmer**  
Shareholder  
d 208-370-3323

---

**From:** Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Sent:** Thursday, March 23, 2023 4:25 PM  
**To:** [Kristina.Southwell@acslawyers.com](mailto:Kristina.Southwell@acslawyers.com)  
**Cc:** [Carter, Meghan <Meghan.Carter@idwr.idaho.gov>](mailto:Carter, Meghan <Meghan.Carter@idwr.idaho.gov>); [john@guinlaw.com](mailto:john@guinlaw.com); [Steven Andersen <sandersen@kmclaw.com>](mailto:Steven Andersen <sandersen@kmclaw.com>); [Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>](mailto:Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>)  
**Subject:** Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Ms. Southwell,

Please find the attached letter from Jennifer Reinhardt-Tessmer.

Thanks,

Boise Office  
1100 W Idaho Street #930

**Madison Hyland**  
Legal Assistant

d 208.370.3328

Boise Office, ID 83702  
[kmclaw.com](http://kmclaw.com)

[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)

---

**CONFIDENTIALITY NOTICE:** This communication may contain attorney-client privileged information. If you received this communication in error, please alert me by replying to this email and delete it immediately. Do not misuse or transmit the information to anyone. Thank you.

# EXHIBIT B



**From:** [Kristina Southwell](#)  
**To:** [Jennifer Reinhardt-Tessmer](#); [Madison Hyland](#)  
**Cc:** [Carter, Meghan](#); [john@guinlaw.com](mailto:john@guinlaw.com); [Steven Andersen](#); [Lindsay Watkins](#); [Carolyn McCutchan](#)  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer  
**Date:** Monday, April 3, 2023 12:41:06 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

CAUTION: EXTERNAL

I'm sorry Jennifer I do not recall hearing you say that you believed the J-seal was your client's property during our call. My understanding was that we were talking about inspection of physical evidence under the discovery rules. It sounds like you are not making a discovery request, but rather taking the position that the old J-seal is IWRB property that Strider should not have possession of. Can you please explain your basis or authority for that position?



**Kristina Southwell | Attorney**  
[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189  
1325 4th Ave Suite 1850  
Seattle, WA 98101  
[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>  
**Sent:** Wednesday, March 29, 2023 11:57 AM  
**To:** Kristina Southwell <kristina.southwell@acslawyers.com>; Madison Hyland <mhyland@kmclaw.com>  
**Cc:** Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; john@guinlaw.com; Steven Andersen <sandersen@kmclaw.com>; Lindsay Watkins <lindsay.watkins@acslawyers.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

That's fine if it takes longer than April 6<sup>th</sup> to supplement. I ask that you supplement by April 17<sup>th</sup>. I'm sorry if our discussion about the J-seals was not clear. I inquired how they were being preserved and you said in your client's office. When you said you would make them available for inspection, I said, but I believe they are our property. In saying they were our property, I intended to convey, we

would want them returned as opposed to being made available. If this is something your client objects to returning, please confirm.

[Redacted]

**Jennifer Reinhardt-Tessmer**

Shareholder

d 208-370-3323

---

**From:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>

**Sent:** Wednesday, March 29, 2023 12:51 PM

**To:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>

**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

Jennifer,

Thanks for the meet and confer and email. Strider will provide responses to Interrogatories 29 and 30 and supplement Interrogatory 6. Strider will also provide additional production. But as I stated during our call, it may take more time and not be complete by the April 6 deadline given in your letter.

During our call I did confirm that Strider has one old J-seal and one new J-seal at their office. You asked that we preserve them, and we discussed finding a time and place for IWRB or its representatives to inspect them. We did not discuss mailing the seals to your offices or your position that the seals are property of the State.

[Redacted]

**Kristina Southwell | Attorney**

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

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189

1325 4th Ave Suite 1850

Seattle, WA 98101

[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>  
**Sent:** Wednesday, March 29, 2023 11:29 AM  
**To:** Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>; Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

Thank you for taking the time to meet and confer today regarding the issues outlined in the attached correspondence. Per our discussion, our office will anticipate supplemental responses to IWRB's Interrogatory 6, 29 and 30, and IWRB will withdraw Interrogatory 28. Additionally, Strider will supplement RFPs including 4, 7, 15 with any responsive documents it may locate. Generally, IWRB will supplement its responses going forward as necessary.

With reference to the old J-seals, you informed me Strider has them at their office. Given that the seals are property of the state, we request that you mail the J-seals to our law office, along with documentation of the chain of custody, which we will maintain.

I appreciate your cooperation in this matter.

Jennifer



**Jennifer Reinhardt-Tessmer**

Shareholder

d 208-370-3323

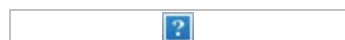
---

**From:** Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Sent:** Thursday, March 23, 2023 4:25 PM  
**To:** [Kristina.Southwell@acslawyers.com](mailto:Kristina.Southwell@acslawyers.com)  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>  
**Subject:** Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Ms. Southwell,

Please find the attached letter from Jennifer Reinhardt-Tessmer.

Thanks,



**Madison Hyland**  
Legal Assistant

Boise Office  
1100 W Idaho Street #930  
Boise Office, ID 83702  
[kmclaw.com](http://kmclaw.com)

d 208.370.3328  
[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)

---

**CONFIDENTIALITY NOTICE:** This communication may contain attorney-client privileged information. If you received this communication in error, please alert me by replying to this email and delete it immediately. Do not misuse or transmit the information to anyone. Thank you.

# EXHIBIT C

**From:** [Kristina Southwell](#)  
**To:** [Jennifer Reinhardt-Tessmer](#); [Madison Hyland](#)  
**Cc:** [Carter, Meghan](#); [john@guinlaw.com](mailto:john@guinlaw.com); [Steven Andersen](#); [Lindsay Watkins](#); [Carolyn McCutchan](#)  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer  
**Date:** Tuesday, April 4, 2023 6:02:49 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

CAUTION: EXTERNAL

The specs call for removal and disposal of the old J-seals – See Section 01 20 00 1.03(B)(13). Nothing indicates that IWRB intended to retain ownership of items it directed to be removed and disposed of.



**Kristina Southwell | Attorney**  
[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189  
1325 4th Ave Suite 1850  
Seattle, WA 98101  
[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>  
**Sent:** Tuesday, April 4, 2023 11:12 AM  
**To:** Kristina Southwell <kristina.southwell@acslawyers.com>; Madison Hyland <mhyland@kmclaw.com>  
**Cc:** Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; john@guinlaw.com; Steven Andersen <sandersen@kmclaw.com>; Lindsay Watkins <lindsay.watkins@acslawyers.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

We want to inspect the J-seal, and it's the State's property, so we're asking you to return it. We'll certainly continue to retain it and make it available for further inspection by your client/expert. I don't understand how you can contest it's the State's property. Can you please explain your position?

[Redacted]  
**Jennifer Reinhardt-Tessmer**

Shareholder

d [208.370.3323](tel:208.370.3323)

c [208.957.3939](tel:208.957.3939)

---

**From:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>

**Sent:** Monday, April 3, 2023 12:41 PM

**To:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>

**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

I'm sorry Jennifer I do not recall hearing you say that you believed the J-seal was your client's property during our call. My understanding was that we were talking about inspection of physical evidence under the discovery rules. It sounds like you are not making a discovery request, but rather taking the position that the old J-seal is IWRB property that Strider should not have possession of. Can you please explain your basis or authority for that position?



**Kristina Southwell | Attorney**

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

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189

1325 4th Ave Suite 1850

Seattle, WA 98101

[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>

**Sent:** Wednesday, March 29, 2023 11:57 AM


**To:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>

**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

That's fine if it takes longer than April 6<sup>th</sup> to supplement. I ask that you supplement by April 17<sup>th</sup>. I'm sorry if our discussion about the J-seals was not clear. I inquired how they were being preserved and you said in your client's office. When you said you would make them available for inspection, I said, but I believe they are our property. In saying they were our property, I intended to convey, we would want them returned as opposed to being made available. If this is something your client objects to returning, please confirm.

  
**Jennifer Reinhardt-Tessmer**  
Shareholder  
d 208-370-3323

---

**From:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>  
**Sent:** Wednesday, March 29, 2023 12:51 PM  
**To:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

Jennifer,

Thanks for the meet and confer and email. Strider will provide responses to Interrogatories 29 and 30 and supplement Interrogatory 6. Strider will also provide additional production. But as I stated during our call, it may take more time and not be complete by the April 6 deadline given in your letter.

During our call I did confirm that Strider has one old J-seal and one new J-seal at their office. You asked that we preserve them, and we discussed finding a time and place for IWRB or its representatives to inspect them. We did not discuss mailing the seals to your offices or your position that the seals are property of the State.

  
**Kristina Southwell | Attorney**  
[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

**AHLERS CRESSMAN & SLEIGHT PLLC**



Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189  
1325 4th Ave Suite 1850  
Seattle, WA 98101  
[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>  
**Sent:** Wednesday, March 29, 2023 11:29 AM  
**To:** Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>; Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer


Kristina,

Thank you for taking the time to meet and confer today regarding the issues outlined in the attached correspondence. Per our discussion, our office will anticipate supplemental responses to IWRB's Interrogatory 6, 29 and 30, and IWRB will withdraw Interrogatory 28. Additionally, Strider will supplement RFPs including 4, 7, 15 with any responsive documents it may locate. Generally, IWRB will supplement its responses going forward as necessary.

With reference to the old J-seals, you informed me Strider has them at their office. Given that the seals are property of the state, we request that you mail the J-seals to our law office, along with documentation of the chain of custody, which we will maintain.

I appreciate your cooperation in this matter.

Jennifer

  
**Jennifer Reinhardt-Tessmer**  
Shareholder  
d 208-370-3323

---

**From:** Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Sent:** Thursday, March 23, 2023 4:25 PM  
**To:** [Kristina.Southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>  
**Subject:** Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Ms. Southwell,

Please find the attached letter from Jennifer Reinhardt-Tessmer.

Thanks,



Boise Office  
1100 W Idaho Street #930  
Boise Office, ID 83702  
[kmclaw.com](http://kmclaw.com)

**Madison Hyland**  
Legal Assistant

d 208.370.3328  
[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)

---

**CONFIDENTIALITY NOTICE:** This communication may contain attorney-client privileged information. If you received this communication in error, please alert me by replying to this email and delete it immediately. Do not misuse or transmit the information to anyone. Thank you.

# EXHIBIT D

**From:** [Kristina Southwell](#)  
**To:** [Jennifer Reinhardt-Tessmer](#); [Madison Hyland](#)  
**Cc:** [Carter, Meghan](#); [john@guinlaw.com](mailto:john@guinlaw.com); [Steven Andersen](#); [Lindsay Watkins](#); [Carolyn McCutchan](#)  
**Subject:** Re: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer  
**Date:** Monday, May 1, 2023 4:23:45 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Outlook-Ahlers Cre.png](#)  
[Outlook-pn4atzdz.png](#)

---

CAUTION: EXTERNAL

Jennifer,

These questions should be raised through the formal discovery process, not by email among counsel.

Thanks,

  
<!--[if !vml]--> <!--[endif]-->

**Kristina Southwell | Attorney**  
[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189  
1325 4th Ave Suite 1850  
Seattle, WA 98101  
[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>  
**Sent:** Friday, April 28, 2023 7:43 AM  
**To:** Kristina Southwell <kristina.southwell@acslawyers.com>; Madison Hyland <mhyland@kmclaw.com>  
**Cc:** Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; john@guinlaw.com <john@guinlaw.com>; Steven Andersen <sandersen@kmclaw.com>; Lindsay Watkins <lindsay.watkins@acslawyers.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

Can you please tell me: 1) When your client removed the J-seal; 2) what he did with the balance of

the old J-seals; 3) where the J-seal has been, specifically, since its removal 3) if there is anything else he removed from the worksite?; and 4) when your office was made aware of the possession of the J-seal?

Thank you.

[Redacted]

**Jennifer Reinhardt-Tessmer**  
Shareholder

d 208.370.3323  
c 208.957.3939

---

**From:** Kristina Southwell <kristina.southwell@acslawyers.com>  
**Sent:** Tuesday, April 18, 2023 1:08 PM  
**To:** Jennifer Reinhardt-Tessmer <jtessmer@kmclaw.com>; Madison Hyland <mhyland@kmclaw.com>  
**Cc:** Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; john@guinlaw.com; Steven Andersen <sandersen@kmclaw.com>; Lindsay Watkins <lindsay.watkins@acslawyers.com>; Carolyn McCutchan <carolyn.mccutchan@acslawyers.com>  
**Subject:** Re: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

Jennifer,

Our position, based on the Contract, is that the J-seal is not state property, and under the discovery rules there is no obligation to give IWRB or your office physical possession of the seal. Strider is preserving the seal, as is its obligation. I have repeatedly offered to discuss finding a mutually agreeable time and place for IWRB to have access to the seal for inspection and testing, which meets Strider's obligations under the discovery rules. For those reasons, a motion by IWRB would be unsuccessful. I'll also point out that there has not been an actual discovery request made for the seal. Nor has IWRB indicated that it has engaged an expert to perform testing.

The appropriate course of action here is for IWRB to make a formal discovery request and discuss a time and place to inspect the seal once it has engaged an expert.

[Redacted]

**Kristina Southwell | Attorney**  
[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189  
1325 4th Ave Suite 1850  
Seattle, WA 98101  
[www.acslawyers.com](http://www.acslawyers.com)


This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>  
**Sent:** Tuesday, April 18, 2023 11:54 AM  
**To:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com) <[john@guinlaw.com](mailto:john@guinlaw.com)>; Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina –

The J-seal is the State of Idaho's property, and we are requesting its return. Based on our conversation, my understanding is that you believed the J-seal was being kept at your client's office. We aren't comfortable with this. If it is not returned, we will be filing our motion to compel. As I noted, we will certainly safely preserve for any future inspections.

  
**Jennifer Reinhardt-Tessmer**  
Shareholder

d [208.370.3323](tel:208.370.3323)  
c [208.957.3939](tel:208.957.3939)

---

**From:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>  
**Sent:** Wednesday, April 12, 2023 8:06 PM  
**To:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

Hi Jennifer,

There is only one of the original j-seals and one of the new j-seals. Since there is only one, care must

be taken to preserve the evidence. Strider is not comfortable with mailing given the risk of loss or damage.

I suggest that IWRB make a formal discovery request regarding the j-seal. Then we can decide on a mutually agreeable time and place for IWRB to inspect the j-seal so that there is no risk of loss or damage to the evidence.

Thanks,

**Kristina Southwell** | Attorney

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

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: [206.388.1880](tel:206.388.1880) | Cell: [206.799.7793](tel:206.799.7793) | Conference: [888.827.9225](tel:888.827.9225) Code: [633189](tel:633189)

1325 4th Ave Suite 1850

Seattle, WA 98101

[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

----- Original message -----

From: Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>

Date: 4/12/23 1:32 PM (GMT-08:00)

To: Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>, Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

Cc: "Carter, Meghan" <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>, [john@guinlaw.com](mailto:john@guinlaw.com), Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>, Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>, Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>

Subject: RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

Can you please advise if your office will mail the j-seals. Thanks.

**Jennifer Reinhardt-Tessmer**

Shareholder

d [208.370.3323](tel:208.370.3323)

c [208.957.3939](tel:208.957.3939)

---

**From:** Jennifer Reinhardt-Tessmer

**Sent:** Wednesday, April 5, 2023 12:52 PM

**To:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn


McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>

**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

That doesn't equate to ownership for Strider. Regardless, we want to inspect the j-seals, and shouldn't have to travel to Strider's business in WA. It makes the most sense to mail them to our office. We'll continue to preserve them. If you won't mail them, we will file a motion to compel.

Jennifer

  
**Jennifer Reinhardt-Tessmer**  
Shareholder

d [208.370.3323](tel:208.370.3323)  
c [208.957.3939](tel:208.957.3939)

---

**From:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>  
**Sent:** Tuesday, April 4, 2023 6:03 PM  
**To:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

The specs call for removal and disposal of the old J-seals – See Section 01 20 00 1.03(B)(13). Nothing indicates that IWRB intended to retain ownership of items it directed to be removed and disposed of.



**Kristina Southwell | Attorney**  
[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

**AHLERS CRESSMAN & SLEIGHT PLLC**  
Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189  
1325 4th Ave Suite 1850  
Seattle, WA 98101  
[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message.




If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>  
**Sent:** Tuesday, April 4, 2023 11:12 AM  
**To:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

We want to inspect the J-seal, and it's the State's property, so we're asking you to return it. We'll certainly continue to retain it and make it available for further inspection by your client/expert. I don't understand how you can contest it's the State's property. Can you please explain your position?

  
**Jennifer Reinhardt-Tessmer**  
Shareholder

d [208.370.3323](tel:208.370.3323)  
c [208.957.3939](tel:208.957.3939)

---

**From:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>  
**Sent:** Monday, April 3, 2023 12:41 PM  
**To:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

I'm sorry Jennifer I do not recall hearing you say that you believed the J-seal was your client's property during our call. My understanding was that we were talking about inspection of physical evidence under the discovery rules. It sounds like you are not making a discovery request, but rather taking the position that the old J-seal is IWRB property that Strider should not have possession of. Can you please explain your basis or authority for that position?

  
**Kristina Southwell | Attorney**

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

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189

1325 4th Ave Suite 1850

Seattle, WA 98101

[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>

**Sent:** Wednesday, March 29, 2023 11:57 AM

**To:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>

**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

That's fine if it takes longer than April 6<sup>th</sup> to supplement. I ask that you supplement by April 17<sup>th</sup>. I'm sorry if our discussion about the J-seals was not clear. I inquired how they were being preserved and you said in your client's office. When you said you would make them available for inspection, I said, but I believe they are our property. In saying they were our property, I intended to convey, we would want them returned as opposed to being made available. If this is something your client objects to returning, please confirm.

  
**Jennifer Reinhardt-Tessmer**

Shareholder

d 208-370-3323

---

**From:** Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>

**Sent:** Wednesday, March 29, 2023 12:51 PM

**To:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>; Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Lindsay Watkins <[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)>; Carolyn McCutchan <[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)>

**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

CAUTION: EXTERNAL

Jennifer,

Thanks for the meet and confer and email. Strider will provide responses to Interrogatories 29 and 30 and supplement Interrogatory 6. Strider will also provide additional production. But as I stated during our call, it may take more time and not be complete by the April 6 deadline given in your letter.

During our call I did confirm that Strider has one old J-seal and one new J-seal at their office. You asked that we preserve them, and we discussed finding a time and place for IWRB or its representatives to inspect them. We did not discuss mailing the seals to your offices or your position that the seals are property of the State.



**Kristina Southwell | Attorney**  
[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)

**AHLERS CRESSMAN & SLEIGHT PLLC**

Direct: 206.388.1880 | Cell: 206.799.7793 | Conference: 888.827.9225 Code: 633189  
1325 4th Ave Suite 1850  
Seattle, WA 98101  
[www.acslawyers.com](http://www.acslawyers.com)

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive e-mail correspondence on behalf of the addressee), you may not use, copy or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com), and delete this message.

---

**From:** Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>  
**Sent:** Wednesday, March 29, 2023 11:29 AM  
**To:** Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>; Kristina Southwell <[kristina.southwell@acslawyers.com](mailto:kristina.southwell@acslawyers.com)>  
**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>  
**Subject:** RE: Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Kristina,

Thank you for taking the time to meet and confer today regarding the issues outlined in the attached correspondence. Per our discussion, our office will anticipate supplemental responses to IWRB's Interrogatory 6, 29 and 30, and IWRB will withdraw Interrogatory 28. Additionally, Strider will supplement RFPs including 4, 7, 15 with any responsive documents it may locate. Generally, IWRB will supplement its responses going forward as necessary.

With reference to the old J-seals, you informed me Strider has them at their office. Given that the

seals are property of the state, we request that you mail the J-seals to our law office, along with documentation of the chain of custody, which we will maintain.

I appreciate your cooperation in this matter.

Jennifer

[Redacted]

**Jennifer Reinhardt-Tessmer**

Shareholder

d 208-370-3323

---

**From:** Madison Hyland <[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)>

**Sent:** Thursday, March 23, 2023 4:25 PM

**To:** [Kristina.Southwell@acslawyers.com](mailto:Kristina.Southwell@acslawyers.com)

**Cc:** Carter, Meghan <[Meghan.Carter@idwr.idaho.gov](mailto:Meghan.Carter@idwr.idaho.gov)>; [john@guinlaw.com](mailto:john@guinlaw.com); Steven Andersen <[sandersen@kmclaw.com](mailto:sandersen@kmclaw.com)>; Jennifer Reinhardt-Tessmer <[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)>

**Subject:** Strider v. Idaho Water Resource Board, Case No. CV01-22-10932, Meet and Confer

Ms. Southwell,

Please find the attached letter from Jennifer Reinhardt-Tessmer.

Thanks,

[Redacted]

Boise Office  
1100 W Idaho Street #930  
Boise Office, ID 83702  
[kmclaw.com](http://kmclaw.com)

**Madison Hyland**  
Legal Assistant

d 208.370.3328  
[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)

---

**CONFIDENTIALITY NOTICE:** This communication may contain attorney-client privileged information. If you received this communication in error, please alert me by replying to this email and delete it immediately. Do not misuse or transmit the information to anyone. Thank you.