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Attorneys for Strider Construction Co., Inc.

**IN THE DISTRICT COURT OF 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

STRIDER CONSTRUCTION CO.,
INC.'S NOTICE OF 30(B)(6)
DEPOSITION TO IDAHO
DEPARTMENT OF WATER
RESOURCES

TO: **IDAHO DEPARTMENT OF WATER RESOURCES**
322 E. Front Street
Boise, ID 83702

AND TO: **Meghan M. Carter & Garrick L. Baxter**
Deputy Attorneys General for Idaho Department of Water Resources
Steven B. Andersen & Jennifer Reinhardt-Tessmer
Attorneys for Idaho Water Resource Board

PLEASE TAKE NOTICE that pursuant to Idaho Rules of Civil Procedure (I.R.C.P.) Rule 30(b)(6), Plaintiff Strider Construction Co., Inc. ("Strider") will take the deposition testimony of the 30(b)(6) Designee(s) of the Idaho Department of Water Resources ("IDWR") with respect to

the matters set forth below (“Deposition Topics”). Testimony will be taken upon oral examination at the instance and request of AHLERS CRESSMAN & SLEIGHT PLLC, attorneys for Strider Construction Co., Inc., in the above-entitled and numbered action, before a notary public or some other officer authorized by law to administer oaths, on **June 8, 2023**, commencing at **9 a.m. MST**, to be held at **M&M Court Reporting, 101 S Capitol Blvd, Ste 503, Boise, ID 83702**. The deposition will be recorded and transcribed by a court reporter. Said oral examination is subject to continuance or adjournment from time to time or place to place until completed.

Pursuant to I.R.C.P. 30(b)(6), IDWR must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on its behalf and set out the matters on which each person designated will testify. IDWR must prepare the deposition designee to provide full, complete, and non-evasive answers about information known or reasonably available to it. The designee’s lack of personal knowledge is irrelevant. Rather, the designee must testify as to matters known or reasonably available to IDWR.

Deposition Topics

1. The bid solicitation and contract documents for the Priest Lake Outlet Dam Improvements Project (the “Project”).
2. Change Orders that were requested, discussed, and/or executed on the Project.
3. Strider’s proposed grout plan and any review and comment by IDWR, Dam Safety, or other Project consultants and communications with Strider regarding the same.
4. The review and approval of pay estimates on the Project, including decisions to withhold payment.
5. The Request for Qualifications (RFQ 2023-02) issued on March 29, 2023 for the Priest Lake Outlet Dam Improvements Project, including related responses and procurement decisions.
6. Defendant IWRB’s allegations that Strider’s work on the tainter gates and J-seals is defective or nonconforming.

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of May, 2023, a true and correct copy of the within and foregoing instrument was served upon:

Garrick L. Baxter, ISB #6301

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*Attorney for Defendant Idaho Water
Resource Board*

- Via U.S. Mail
- Via Legal Messenger
- Via Federal Express
- Via Facsimile
- Via iCourt Service**

DATED: This 24th day of May, 2023.

/s/ John H. Guin