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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

**DECLARATION OF MIKE MORRISON
IN SUPPORT OF DEFENDANT'S
MOTION TO AMEND SCHEDULING
ORDER**

STATE OF IDAHO)

County of Ada) : ss.

Mike Morrison, being first duly sworn upon oath, deposes and says:

1. I am a Planning Engineer for Defendant, Idaho Water Resource Board (“IWRB”).

I am over the age of 18 and base this declaration on my personal knowledge.

2. I have been the Project Manager over the Priest Lake outlet dam Project, which is the subject of the above-titled lawsuit, since June of 2021.

3. IWRB’s counsel of record requested access to inspect what is expected to be a void in the Priest Lake dam curtain (hereinafter referred to as the “access request”) in February of 2023.

4. The access request specified conditions of less than 2 inches of water on the apron near Tainter gates 1-6 to accommodate 3D Ground Penetrating Radar (“GPR”) imaging surveys, used to inspect sub-slab voids.

5. The Priest Lake Dam experiences heavy snowfall in the winter months making access to the dam a challenge.

6. Despite the presence of snowfall, I made an effort to accommodate the access request in March of 2023; however, rainfall and melting snow prevented use of the 3D GPR, as water levels were too high for the testing.

7. IWRB counsel and I discussed options to accommodate the access request in early summer. However, by the end of March 2023 ,water levels over the apron had increased and inspection of the anticipated void could not occur without dewatering the area.

8. Dewatering the apron in the summer would require additional permits, significant cost, and months of planning. Those barriers to dewatering did not make sense to overcome since the IWRB plans to finish the Priest Lake Outlet Dam improvements in winter 2023-2024.

9. In September, the Idaho Department of Water Resources will begin drawing down Priest Lake and in November, the dam will be dewatered to accommodate in-water work on the Priest Lake Outlet Dam improvements, which will include an inspection of the current damage and associated repairs to the void.

DECLARATION OF MIKE MORRISON IN SUPPORT OF DEFENDANT’S MOTION TO AMEND SCHEDULING ORDER - 2

DATED this 25th day of June 2023.

KIRTON MCCONKIE

A handwritten signature in black ink, appearing to read "Mike Morrison", written over a horizontal line.

Mike Morrison

*Project Manager, Idaho Department of Water
Resources*

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of July 2023, a true and correct copy of the foregoing was served by the method indicated below, and addressed to the following:

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/s/ Jennifer Reinhardt-Tessmer
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