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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

DECLARATION OF JAMES GEBHARDT

I, James Gebhardt, testify as follows:

1. I am over eighteen years of age and competent to testify herein. I have personal knowledge of the facts and statements stated herein.

2. I am a Professional Engineer and was President of Strider Construction Incorporated (“Strider”) at the time of this Project.

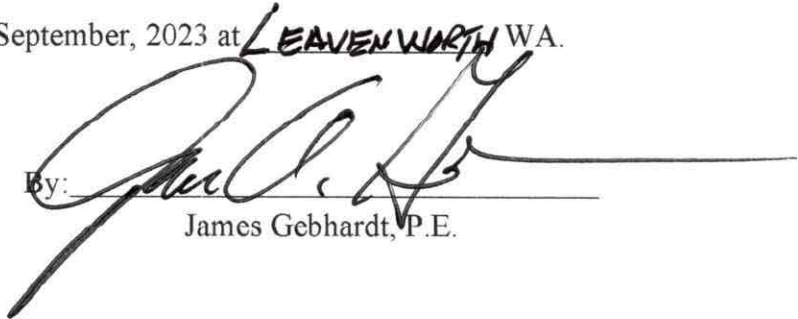
3. In June 2020, the Board put out a request for bids on the Priest Lake Outlet Dam Improvement Project. Strider submitted the lowest bid and was awarded the fixed-price contract for the Project.

4. On August 20, 2020, a fixed-price Contract in the amount of \$1,542,334 was fully executed between the Board as the "Owner" and Strider as the "Contractor."
5. On December 4, 2021, the Board issued a Stop Work Order on the Project.
6. On or about July 27, 2022, Strider terminated the contract with IWRB.
7. During the submittal process, Strider provided IWRB a sample of the new J-Seal material.

I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct.

DATED: This 27th day of September, 2023 at LEAVENWORTH WA.

By: \_\_\_\_\_

A large, stylized handwritten signature in black ink, appearing to read 'James Gebhardt', is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James Gebhardt, P.E.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of September, 2023, a true and correct copy of the within and foregoing instrument was served upon:

Garrick L. Baxter, ISB #6301  
[Garrick.baxter@idwr.idaho.gov](mailto:Garrick.baxter@idwr.idaho.gov)  
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*Attorney for Defendant Idaho Water  
Resource Board*

*Attorney for Defendant Idaho Water  
Resource Board*

- Via U.S. Mail
- Via Legal Messenger
- Via Federal Express
- Via Facsimile
- Via iCourt E-File and Serve**

- Via U.S. Mail
- Via Legal Messenger
- Via Federal Express
- Via Facsimile
- Via iCourt E-File and Serve**

DATED: This 27<sup>th</sup> day of September, 2023.

/s/ Joe Meuleman

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