

Steven B. Andersen (ISB 2618)
Jennifer Reinhardt-Tessmer (ISB 7432)

KIRTON McCONKIE

11th & Idaho Building
1100 W. Idaho St., Ste. 930
Telephone: (208) 370-3325
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sandersen@kmclaw.com
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RAÚL R. LABRADOR
ATTORNEY GENERAL

SCOTT L. CAMPBELL
Chief of Natural Resources Division

GARRICK L. BAXTER, ISB No. 6301
MEGHAN M. CARTER, ISB No. 8863

Deputy Attorneys General
Idaho Water Resource IWRB
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 287-4800
Facsimile: (208) 287-6700
garrick.baxter@idwr.idaho.gov
meghan.carter@idwr.idaho.gov

Attorneys for Defendant

**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

**NOTICE OF INTENT TO SERVE
SUBPOENAS**

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 their intent to serve the attached Subpoenas Duces Tecum on Synaflex Rubber Products Company, Kingworks Structural Engineers, PLLC, and Junso Consulting Group, LLC.

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

DATED this 2nd day of October 2023.

KIRTON MCKONKIE

/s/ Jennifer Reinhardt-Tessmer

Jennifer Reinhardt-Tessmer

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of October 2023, a true and correct copy of the foregoing was served by the method indicated below, and addressed to the following:

Lindsay (Taft) Watkins
Kristina Southwell
AHLERS CRESSMAN & SLEIGHT PLLC
1325 4th Ave., Suite 1850
Seattle, WA 98101
Telephone: (206) 287-9900
Attorneys for Plaintiff Strider Construction Co., Inc.

U.S. Mail
 Facsimile:
 Hand Delivery
 Overnight Delivery
 iCourt E-File/Serve:
lindsay.watkins@acslawyers.com
kristina.southwell@acslawyers.com

Joe Meuleman
MEULEMAN LAW GROUP PLLC
950 W. Bannock St., Ste. 490
Boise, ID 83702
Telephone: (208) 472-0066
Attorneys for Plaintiff Strider Construction Co., Inc.

U.S. Mail
 Facsimile:
 Hand Delivery
 Overnight Delivery
 iCourt E-File/Serve:
jmeuleman@meulemanlaw.com

Garrick L. Baxter
Meghan M. Carter
Deputy Attorneys General
Idaho Water Resource Board
P.O. Box 83720
Boise, Idaho 83720-0098
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/s/ Jennifer Reinhardt-Tessmer
Jennifer Reinhardt-Tessmer

ATTACHMENTS

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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 JUNSO
CONSULTING GROUP, LLC**

THE STATE OF IDAHO SENDS GREETINGS TO:

Junso Consulting Group, LLC.
c/o Brandon Junso
1001 Paradise Ln.
Pinehurst, ID 83850

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: November 6, 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 ____ day of October 2023.

KIRTON McCONKIE

/s/

Jennifer Reinhardt-Tessmer
Attorneys for Defendant

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 Junso Consulting Group, LLC, 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 all work You performed for Strider Construction Company (“Strider”) in conjunction with Priest Lake Dam Improvements in Priest River, Idaho between 2019-2022, including but not limited to, engineering support for dewatering efforts.
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 work, calculations or other engineering support You submitted for the Project.

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 work related to the Project.

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

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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
KINGWORKS STRUCTURAL
ENGINEERS, PLLC**

THE STATE OF IDAHO SENDS GREETINGS TO:

Kingworks Consulting Engineers, PLLC
600 Dupont St. Ste B
Bellingham, WA 98225

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: October 27, 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 ____ day of October 2023.

KIRTON MCCONKIE

/s/

Jennifer Reinhardt-Tessmer
Attorneys for Defendant

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 Kingworks Structural Engineers, 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 all work You performed for Strider Construction Company (“Strider”) in conjunction with Priest Lake Dam Improvements in Priest River, Idaho, including but not limited to, structural engineering calculations for Strider’s proposed trunnion pin support system.

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 calculations You submitted for the Project.

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 calculations related to the Project.

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

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STRIDER CONSTRUCTION CO., INC.,

Plaintiff,

vs.

IDAHO WATER RESOURCE BOARD,

Defendant.

Case No. CV01-22-10932

**SUBPOENA DUCES TECUM TO
SYNAFLEX RUBBER PRODUCTS
COMPANY**

THE STATE OF IDAHO SENDS GREETINGS TO:

Synaflex Rubber Products Company
1223 Cochran Ave.
Talladega, AL 35160

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: October 27, 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 ____ day of October 2023.

KIRTON MCCONKIE

/s/

Jennifer Reinhardt-Tessmer
Attorneys for Defendant

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 Synaflex Rubber Products Company, its owners, principals, shareholders, employees, representative, agents and any other person with authority to act or speak on Your behalf.

2. The term “Order” as used herein means all orders for products You received from Strider Construction Company from 2020-2021 for Tainter Gate Seals, which were to be installed in conjunction with its work on the Priest Lake Dam Improvements project in Priest River, Idaho.

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.

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Document Requests

1. All material test reports and results that characterize, or were used to characterize, the material properties of the Tainter Gate Seals provided to Strider, including those described on Quote #33399.

2. All results of tests and procedures used to establish material certifications that are relevant to the Tainter Gate Seals provided to Strider, including those described on Quote #33399.
3. Your file for the Order.
4. 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 Order.
5. All documents, including correspondence and electronically stored information, that relate to the Order.
6. All documents, including correspondence and electronically stored information, that relate to and/or evidence any assumptions You were told to make or did in fulfilling the Order.
7. All documents, including correspondence and electronically stored information, that relate to and/or evidence the guidelines, installation instructions and manufacturing information for the products, including the J-seals, provided to Strider in the Order.