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**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 IWRB,

Defendant.

Case No. CV01-22-10932

**SECOND DECLARATION OF MIKE  
MORRISON IN SUPPORT OF  
DEFENDANT'S SECOND 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 an 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 (“the Project”), which is the subject of the above-titled lawsuit, since December of 2021.

3. I have reviewed the Declaration of Mark Rohrbach in Support of Strider Construction Company’s Response to Defendant’s Second Motion to Amend Scheduling Order.

4. While Strider Construction Company (“Strider”) was working on the Project, Strider hired Mr. Rohrbach of RAM GeoServices, Inc. (“RAM”) as a consultant.

5. I was never told and have no documentation of any proposal by Strider, Mr. Rohrbach or anyone else from RAM to use ground penetrating radar (GPR) to aid in quantification of the size of the voids below the dam.

6. Rather, Strider and Mr. Rohrbach proposed using GPR to avoid hitting rebar as part of RAM’s larger grout plan, which included a proposal to drill holes in the dam concrete apron.

7. Dam Safety, a section of a separate entity than IWRB, reviewed the plan in March of 2022 and provided comments, which were provided to Strider and RAM Geo Services on March 15, 2022.

8. The comments from Dam Safety on the grout plan were wholly unrelated to the proposal to use GPR to identify rebar.

9. IWRB had no control over Dam Safety’s response to the proposed grout plan.

10. Strider never addressed Dam Safety's comments and abandoned the project before providing any response.

11. Strider and Mr. Rohrbach's proposal to use GPR to avoid hitting rebar occurred when Strider was still working on the Project and before Strider filed the above-captioned lawsuit.

12. In September, IWRB began drawing down Priest Lake, to accommodate in-water work on the Project.

13. The drawdown is impacted by weather and river conditions.

DATED this 2<sup>nd</sup> day of October 2023.



Mike Morrison

*Project Manager, Idaho Department of Water Resources*

## CERTIFICATE OF SERVICE

I hereby certify that on this 2<sup>nd</sup> day of October 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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