

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
Facsimile: (208) 370-3324
sandersen@kmclaw.com
jtessmer@kmclaw.com

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 IWRB,

Defendant.

Case No. CV01-22-10932

**SECOND NOTICE OF ERRATA TO
DECLARATION OF JENNIFER
REINHARDT-TESSMER IN
SUPPORT OF DEFENDANT'S
SECOND MOTION TO AMEND
SCHEDULING ORDER**

NOTICE OF ERRATA

Idaho Water Resource Board (“IWRB”), by and through its counsel of record, Kirton McConkie, respectfully submits this second notice of errata to its Declaration of Jennifer Reinhardt-Tessmer in Support of Defendant’s Second Motion to Amend Scheduling Order that was filed on October 2, 2023. The following corrections have been made to the Declaration of Jennifer Reinhardt-Tessmer in Support of Defendant’s Second Motion to Amend Scheduling Order:

2. On ~~October~~ September 30, 2023, the lead attorney in this case, Steven Andersen, passed away of unexpected heart failure.

3. Since notifying the Court of Mr. Andersen’s illness in June of 2023, he progressed positively through his treatment and planned to return to try this case in February of ~~2023~~ 2024.

The newly corrected Declaration of Jennifer Reinhardt-Tessmer in Support of Defendant’s Second Motion to Amend Scheduling Order is attached hereto as **Exhibit A**.

DATED this 3rd day of October 2023.

KIRTON MCCONKIE

/s/ Jennifer Reinhardt-Tessmer
Jennifer Reinhardt-Tessmer
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd 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
Telephone: (208) 287-4800
Attorneys for Defendant

U.S. Mail
 Facsimile:
 Hand Delivery
 Overnight Delivery
 iCourt E-File/Serve:
garrick.baxter@idwr.idaho.gov
meghan.carter@idwr.idaho.gov

/s/ Jennifer Reinhardt-Tessmer
Jennifer Reinhardt-Tessmer

EXHIBIT A

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
Facsimile: (208) 370-3324
sandersen@kmclaw.com
jtessmer@kmclaw.com

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 IWRB,

Defendant.

Case No. CV01-22-10932

**DECLARATION OF JENNIFER
REINHARDT-TESSMER IN
SUPPORT OF DEFENDANT'S
SECOND MOTION TO AMEND
SCHEDULING ORDER**

STATE OF IDAHO)

County of Ada) : ss.

Jennifer Reinhardt-Tessmer, being first duly sworn upon oath, deposes and says:

1. I am an attorney with Kirton McConkie, counsel of record for Defendant, Idaho Water Resource Board. I am over the age of 18 and base this declaration on my personal knowledge.
2. On September 30, 2023, the lead attorney in this case, Steven Andersen, passed away of unexpected heart failure.
3. Since notifying the Court of Mr. Andersen's illness in June of 2023, he progressed positively through his treatment and planned to return to try this case in February of 2024.
4. His heart failure was not foreseeable and was a complication from the treatment he received for his previously-diagnosed illness.
5. I am currently covering cases for Mr. Andersen and so are my colleagues in Boise.
6. I have a previously planned out of country commitment from October 14-24, 2023.
7. Given Mr. Andersen's death, the case dispersion to his colleagues, and the need to include additional counsel, I believe it will take us longer than February to adequately prepare for trial.

DATED this 3rd day of October 2023.

KIRTON MCCONKIE

/s/ Jennifer Reinhardt-Tessmer
Jennifer Reinhardt-Tessmer
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd 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
Telephone: (208) 287-4800
Attorneys for Defendant

U.S. Mail
 Facsimile:
 Hand Delivery
 Overnight Delivery
 iCourt E-File/Serve:
garrick.baxter@idwr.idaho.gov
meghan.carter@idwr.idaho.gov

/s/ Jennifer Reinhardt-Tessmer
Jennifer Reinhardt-Tessmer