

Lindsay (Taft) Watkins, *Pro Hac Vice*  
lindsay.watkins@acslawyers.com  
Nicholas Korst, *Pro Hac Vice*  
nicholas.korst@acslawyers.com  
**AHLERS CRESSMAN & SLEIGHT PLLC**  
1325 4<sup>th</sup> Ave., Suite 1850  
Seattle, WA 98101  
Phone: (206) 287-9900

Joe Meuleman, ISB #8029  
MEULEMAN LAW GROUP PLLC  
950 West Bannock Street Suite 490  
Boise, Idaho 83702  
Telephone: (208) 472-0066  
Facsimile: (208) 472-0067  
jmeuleman@meulemanlaw.com

**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

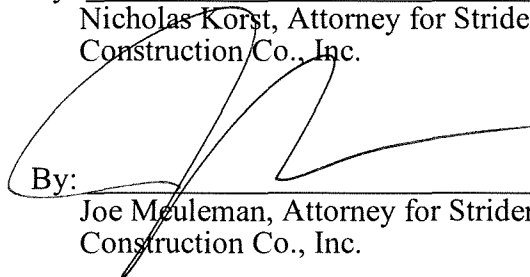
JOINT NOTICE AND STIPULATION  
APPOINTING DISCOVERY MASTER

---

Plaintiff Strider Construction Co., Inc., by and through its counsel of record, Ahlers Cressman & Sleight PLLC and Meuleman Law Group PLLC, and Defendant Idaho Water Resource Board, by and through its counsel of record, Kirton McConkie, hereby stipulate to the appointment of Eugene A. Ritti as discovery master in accordance with the proposed order attached hereto as Exhibit A.

DATED this 13th day of October, 2023.

By: /s/ Nicholas Korst  
Nicholas Korst, Attorney for Strider  
Construction Co., Inc.

  
By: \_\_\_\_\_  
Joe Meuleman, Attorney for Strider  
Construction Co., Inc.

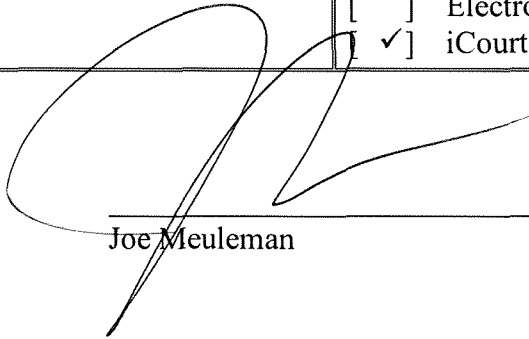
DATED this 13th day of October, 2023.

By: /s/ Jennifer Reinhardt-Tessmer  
Jennifer Reinhardt-Tessmer, Attorney for  
Idaho Water Resource Board

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on the 13th day of October, 2023, a true and correct copy of the foregoing document was served by the method indicated below upon the following parties:

Garrick L. Baxter Meghan M. Carter Deputy Attorneys General Idaho Department of Water Resources PO Box 83720 Boise, ID 83720-0098 <a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a> <a href="mailto:meghan.carter@idwr.idaho.gov">meghan.carter@idwr.idaho.gov</a>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <input checked="" type="checkbox"/> iCourt E-File
Jennifer Reinhardt-Tessmer KIRTON MCKONKIE 1100 W. Idaho St., Ste. 930 Boise, ID 83702-5662 <a href="mailto:jtessmer@kmclaw.com">jtessmer@kmclaw.com</a>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <input checked="" type="checkbox"/> iCourt E-File



\_\_\_\_\_  
Joe Meuleman

Lindsay (Taft) Watkins, *Pro Hac Vice*  
lindsay.watkins@acslawyers.com  
Nicholas Korst, *Pro Hac Vice*  
nicholas.korst@acslawyers.com  
**AHLERS CRESSMAN & SLEIGHT PLLC**  
1325 4<sup>th</sup> Ave., Suite 1850  
Seattle, WA 98101  
Phone: (206) 287-9900

Joe Meuleman, ISB #8029  
MEULEMAN LAW GROUP PLLC  
950 West Bannock Street Suite 490  
Boise, Idaho 83702  
Telephone: (208) 472-0066  
Facsimile: (208) 472-0067  
jmeuleman@meulemanlaw.com

**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

[STIPULATED PROPOSED] ORDER  
APPOINTING DISCOVERY MASTER

THIS matter having come before the COURT in a status conference occurring on October 4, 2023, it is hereby ORDERED:

1. **Appointment of Special Discovery Master.** The appointment of a special discovery master (“Discovery Master”) is warranted in this matter pursuant to Idaho Rule of Civil Procedure 53. Eugene A. Ritti is appointed to serve as the Discovery Master. The parties and the Discovery Master have consented to this appointment and provisions of this Order. The Clerk is directed to send the Discovery Master a copy of this Order at his e-mail

address: [ritti@rittidisputeresolution.com](mailto:ritti@rittidisputeresolution.com). The Clerk's Office shall enter Eugene A. Ritti as an interested nonparty to allow him to receive documents and pleadings in this case.

2. **Compensation.** The Discovery Master shall be privately compensated by the parties to this action at his usual hourly rate of \$250.00, and to the extent that the Discovery Master utilizes the services of his associates and/or paralegals in the performance of his duties hereunder, the services of said associates and paralegals shall be privately compensated by the parties to this action at their usual hourly rates. Unless otherwise directed by the Discovery Master, apportionment of fees and costs incurred by the Discovery Master, in the performance of his duties hereunder, shall be paid, as and when due per the Discovery Master's monthly billings, as follows: 50% by plaintiff Strider Construction Co., Inc. ("Strider") and 50% by defendant Idaho Water Resource Board ("IWRB") (the "Agreed Apportionment").

The Discovery Master shall send his bills monthly to Strider and IWRB (the "Billing Parties") for review. The Billing Parties shall have 10 days from receipt of each bill to raise any issues they may have with the Discovery Master regarding the bill, absent which, they shall promptly pay same according to its terms.

Upon request of any party, the Discovery Master may decide, in his discretion, to apportion fees and costs differently from the Agreed Apportionment if the Discovery Master concludes that the conduct of one of the parties justifies. The standard for review by this Court applicable to any objections to the Discovery Master's bills and/or decisions on apportionment of fees and costs, shall be de novo.

3. **Fitness to Serve.** The Court and the parties agree that the Discovery Master is well qualified to serve as such in this case. The Discovery Master has represented to the

parties and the Court that he has no conflicts of interest or other issues which would preclude him from serving as a neutral Discovery Master in this proceeding. Neither the Court nor the parties have been made aware of any basis for disqualification of the Discovery Master.

4. **Authority and Duties.** The Discovery Master is authorized and empowered to supervise, direct, and decide discovery disputes and other discovery issues (both procedural and substantive) arising between and among the parties. The decisions of the Discovery Master may be delivered orally, if agreed to by the parties to the dispute, but shall otherwise be rendered in writing and shall be binding on the parties unless review by this Court is sought by a party pursuant to motion filed with the Court within 14 days of the date of the decision. The Discovery Master's findings of fact shall be subject to review by this Court under the clearly erroneous standard. The Discovery Master's conclusions of law and decisions on matters of privilege and work product protection shall be reviewable de novo. The Discovery Master does not have authority to issue discovery sanctions but instead shall make a report and recommendations to the Court regarding any sanctions sought.

5. **Obligation to Meet and Confer.** The parties shall be obligated to meet and confer in good faith prior to presenting discovery issues to the Discovery Master in the same manner required by Idaho Rule of Civil Procedure 37(a)(1). If any party refuses to meet and confer or unreasonably delays a request for same, the other party may proceed immediately to present the dispute to the Discovery Master.

6. **Communications.** The Discovery Master may, in his discretion, communicate on an *ex parte* basis with counsel for the parties, or any of them, in an effort to resolve disputes, without formal briefing if possible.

7. **Records.** The Discovery Master shall retain copies of all documents submitted to him in the performance of his duties hereunder and shall make such documents available to the Court upon the Court's request.

8. **Termination.** The Discovery Master's appointment shall terminate upon the final disposition of this case or by earlier order of the Court.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Honorable Samuel Hoagland

## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, a true and correct copy of the foregoing document was served upon the following parties:

Joe Meuleman  
MEULEMAN LAW GROUP PLLC  
950 W. Bannock Street, Suite 490  
Boise, ID 83702  
[jmeuleman@meulemanlaw.com](mailto:jmeuleman@meulemanlaw.com)  
[ngriffith@meulemanlaw.com](mailto:ngriffith@meulemanlaw.com)

Lindsay (Taft) Watkins  
Nicholas C. Korst  
Ahlers Cressman & Sleight PLLC  
1325 4th Ave., Ste. 1850  
Seattle, WA 98101-2571  
[lindsay.watkins@acslawyers.com](mailto:lindsay.watkins@acslawyers.com)  
[nicholas.korst@acslawyers.com](mailto:nicholas.korst@acslawyers.com)  
[carolyn.mccutchan@acslawyers.com](mailto:carolyn.mccutchan@acslawyers.com)

Eugene A. Ritti  
Ritti Dispute Resolution PLLC  
1713 W. Resseguie St.  
Boise, ID 82702-3934  
[ritti@rittidisputeresolution.com](mailto:ritti@rittidisputeresolution.com)

Jennifer Reinhardt-Tessmer  
KIRTON MCCONKIE  
1100 W. Idaho St., Ste. 930  
Boise, ID 83702-5662  
[jtessmer@kmclaw.com](mailto:jtessmer@kmclaw.com)  
[mhyland@kmclaw.com](mailto:mhyland@kmclaw.com)  
[smenard@kmclaw.com](mailto:smenard@kmclaw.com)  
[eshaw@kmclaw.com](mailto:eshaw@kmclaw.com)  
[asolito@kmclaw.com](mailto:asolito@kmclaw.com)

Garrick L. Baxter  
Meghan M. Carter  
Deputy Attorneys General  
Idaho Department of Water Resources  
PO Box 83720  
Boise, Idaho 83720-0098  
[garrick.baxter@idwr.idaho.gov](mailto:garrick.baxter@idwr.idaho.gov)  
[meghan.carter@idwr.idaho.gov](mailto:meghan.carter@idwr.idaho.gov)

---

Clerk of the Court