

JUL 23 2020

WATER RESOURCES
WESTERN REGION

Christopher H. Meyer [ISB No. 4461]
Michael P. Lawrence [ISB No. 7288]
GIVENS PURSLEY LLP
601 West Bannock Street
P.O. Box 2720
Boise, Idaho 83701-2720
Office: (208) 388-1200
Fax: (208) 388-1300
chrismeyer@givenspursley.com
mpl@givenspursley.com

Attorneys for Protestant SUEZ Water Idaho Inc.

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-34614 IN THE NAME OF
MICRON TECHNOLOGY, INC.

**SECOND DECLARATION OF MICHAEL
P. LAWRENCE IN SUPPORT OF SUEZ'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT CONCERNING CONDITION
908**

I, MICHAEL P. LAWRENCE, declare:

1. I am an attorney licensed to practice in the State of Idaho and am in good standing with the Idaho State Bar. I am an attorney of record for Protestant SUEZ Water Idaho Inc. ("SUEZ") in the above captioned proceeding. The following facts are personally known to me, and if called as a witness, I would and could truthfully testify thereto. I make this declaration under Idaho Code Section 9-1406.

2. On July 23, 2020, together with my law partner Christopher H. Meyer, I caused to be filed and served *SUEZ's Consolidated Reply in Support of its Motion for Partial Summary Judgment Concerning Condition 908* ("*SUEZ's Reply*"). True and correct copies of the following documents are attached to the *SUEZ's Reply* as Appendices:

SECOND DECLARATION OF MICHAEL P. LAWRENCE IN SUPPORT OF SUEZ'S MOTION FOR PARTIAL SUMMARY JUDGMENT CONCERNING CONDITION 908 (7/23/2020)

- APPENDIX A—December 7, 2018 Written Public Witness Testimony of Marshall Thompson, SUEZ's Vice President and General Manager; and
- APPENDIX B—December 10, 2018 Letter from Marshall Thompson Clarifying Oral Testimony.

3. For the convenience of the reader, the documents listed above were attached as Appendices to *SUEZ's Reply* rather than as exhibits to a separate affidavit or declaration.

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

Executed this 23rd day of July, 2020, at Boise, Idaho.



Michael P. Lawrence

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of July, 2020, the foregoing, together with any appendices or exhibits, was filed, served, and copied as shown below.

DOCUMENT FILED:

Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

U. S. Mail
Hand Delivered
Overnight Mail
Facsimile
E-mail

SERVICE COPIES:

Kevin J. Beaton, Esq.
Stoel Rives LLP
101 S. Capitol Blvd, Ste 1900
Boise, ID 83702-7705
kjbeaton@stoel.com
(For Applicant Micron Technology, Inc.)

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

U. S. Mail
Hand Delivered
Overnight Mail
Facsimile
E-mail

Terry M. Scanlan, P.E., P.G.
Principal Engineer/Hydrogeologist
SPF Water Engineering, LLC
300 E Mallard Dr, Ste 350
Boise, ID 83706
tscanlan@spfwater.com
(For Applicant Micron Technology, Inc.)

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

U. S. Mail
Hand Delivered
Overnight Mail
Facsimile
E-mail

Michael C. Orr, Esq.
Deputy Attorney General
Natural Resources Division
Office of the Attorney General
PO Box 83720
Boise, ID 83720-0010
michael.orr@ag.idaho.gov
(For Protestant Idaho Department of Fish
and Game)

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

U. S. Mail
Hand Delivered
Overnight Mail
Facsimile
E-mail

S. Bryce Farris, Esq.
Sawtooth Law Offices, PLLC
PO Box 7985
Boise, ID 83707
bryce@sawtoothlaw.com
(For Protestant Ditch Companies)

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Albert P. Barker, Esq.
Barker Rosholt & Simpson LLP
PO Box 2139
Boise, ID 83701-2139
apb@idahowaters.com
(For Protestant Boise Project Board of Control)

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Chas. F. McDevitt, Esq.
Chas McDevitt Law
PO Box 1543
Boise, ID 83701-1543
chas@mcdevitt.org
(For Protestant Idaho Foundation for Parks
and Lands)

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Laurence J. Lucas, Esq.
Bryan Hurlbutt, Esq.
Advocates for the West
PO Box 1612
Boise, ID 83701
llucas@advocateswest.org
bhurlbutt@advocateswest.org
(For Protestant Idaho Foundation for Parks
and Lands)

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

COURTESY COPIES:

Ann M. Dickey, P.E.
Environmental Compliance Manager
Micron Technology, Inc.
PO Box 6
Boise, ID 83707-0006
adickey@micron.com
(For Applicant Micron Technology, Inc.)

☐ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Scott Gatzemeier
Vice President, R&D Operations
Micron Technology, Inc.
PO Box 6
Boise, ID 83707-0006
(For Applicant Micron Technology, Inc.)

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

Bradley B. Compton
Southwest Regional Supervisor
Idaho Department of Fish and Game
3101 S Powerline Rd
Nampa, ID 83686
brad.compton@idfg.idaho.gov
(For Protestant Idaho Department of Fish
and Game)

☐ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Nick Miller, P.E.
Regional Manager
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082
nick.miller@idwr.idaho.gov

☐ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Angela M. Grimm, P.G.
Water Rights Section Manager
Idaho Department of Water Resources
The Idaho Water Center
322 E Front St, Ste. 648
Boise, ID 83702
angie.grimm@idwr.idaho.gov

☐ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Matthew Anders
Hydrology Section Supervisor
Idaho Department of Water Resources
The Idaho Water Center
322 E Front St, Ste. 648
Boise, ID 83702
matthew.anders@idwr.idaho.gov

☐ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Garrick L. Baxter, Esq.
Deputy Attorney General
Idaho Department of Water Resources
The Idaho Water Center
322 E Front St, Ste. 648
Boise, ID 83702
garrick.baxter@idwr.idaho.gov

<input type="checkbox"/>	U. S. Mail
<input type="checkbox"/>	Hand Delivered
<input type="checkbox"/>	Overnight Mail
<input type="checkbox"/>	Facsimile
<input checked="" type="checkbox"/>	E-mail



Michael P. Lawrence