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WATER RESOURCES
WESTERN REGION

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**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)	MICRON TECHNOLOGY INC.'S
FOR PERMIT NO. 63-34614,)	OBJECTIONS AND RESPONSES TO
IN THE NAME OF MICRON)	IFPL'S SECOND DISCOVERY
TECHNOLOGY INC.)	REQUESTS
)	
)	

COMES NOW Applicant Micron Technology Inc. ("Micron") by and through its counsel of record Stoel Rives LLP and, pursuant to Idaho Rules of Civil Procedure 26, 33, 34 and 36, responds to Protestant Idaho Foundation for Parks and Lands' ("IFPL") Second Discovery Requests to Applicant Micron Technology Inc. as follows:

GENERAL STATEMENT

Micron provides these Answers to each document request in the IFPLs' Second Set of Interrogatories and Requests for Production of Documents to Micron (the "Second Discovery"). These Answers are made solely for the purpose of this action. Each Answer is subject to all objections as to competence, relevance, materiality, propriety and admissibility, and to any and all other objections on any grounds that would require the exclusion of any statements contained

herein if such discovery request were asked of, or statements contained herein were made by, a witness testifying in court, all of which objections and grounds are hereby expressly reserved and may be interposed at the time of trial.

The Answers submitted herein shall not be deemed to constitute admissions (i) that any particular document or thing is relevant, nonprivileged, or admissible in evidence; or (ii) that any statement or characterization in the discovery requests is accurate or complete.

The documents produced in response to IFPLs' Second Discovery are those documents that were located on reasonable search of Micron's files as they are kept in the ordinary course of business and the files of those individuals most likely to have responsive documents. Micron objects to these discovery requests to the extent that any such request calls for a search of all files or all locations of Micron. The responses given herein are without prejudice to Micron's right to produce any subsequently discovered documents or to revise these discovery responses if further discovery so indicates.

Micron reserves the right to amend or further supplement the Answers provided herein.

GENERAL OBJECTIONS

1. To the extent the Interrogatories may be construed as calling for documents or information subject to a claim of privilege, including without limitation, the attorney-client privilege or work product privilege, Micron hereby claims such privilege and objects to the discovery on that basis. Information subject to these privileges will be withheld or redacted. Micron intends to screen all materials to be released to the IFPLs to remove privileged matters; however, there is a possibility that privileged information may have been inadvertently disclosed. By accepting any production, the IFPLs agree that, to the extent there is any inadvertent disclosure of privileged information, it shall not constitute any waiver of privileges, and all such

material shall be immediately returned to Micron. Micron reserves the right to object to the introduction into evidence before the Court at any time before or at trial of information that is privileged under law and that has been revealed or produced inadvertently. Micron does not, by responding to these discovery requests, waive any claim of privilege or right to assert attorney work product.

2. Micron objects to the Interrogatories to the extent they request production of documents and/or information that contain proprietary and confidential business and financial information, or information concerning individual customers, disclosure of which would be harmful to the legitimate expectation or right of privacy pursuant to applicable law. Confidential information will only be produced, if at all, marked as "Confidential" and subject to the protective order entered in this case.

3. All specific Answers to this Second Discovery, including the production of documents, are provided without waiver of, and with express reservation of:

(a) All objections to the competency, relevancy, materiality, foundation, and admissibility of the responses and the subject matter thereof as evidence in any further proceedings in this action, including trial, or in any other action;

(b) All privileges, including the attorney-client privilege and the work product doctrine;

(c) The right to object on any ground at any time to a demand or request for further responses to these or any other discovery requests; and

(d) The right to move for a protective order to protect the confidentiality of any information disclosed or for any other purpose provided by law.

4. Micron objects to these Interrogatories to the extent they are overly broad, unduly burdensome, seek information that is not relevant to the subject matter of this action, and are not reasonably calculated to lead to the discovery of admissible evidence. Where appropriate, Micron will respond with a reasonable limitation in time and/or scope.

5. Micron objects to these Interrogatories to the extent they are vague, ambiguous, duplicative, and/or subject to multiple interpretations.

6. Micron objects to these Interrogatories to the extent they call for information that is not in Micron's possession, or information that is a matter of public record or otherwise equally available to IFPLs, or which call for Micron to supply information generated by other persons and/or entities.

7. Micron objects to this Second Discovery requests to the extent they seek an admission regarding a genuine issue for trial or call for a legal conclusion.

8. The Answers set forth below represent Micron's present knowledge, based on discovery, investigation, and trial preparation to date. Discovery, investigation, and trial preparation are continuing. Micron reserves the right to rely upon any further information adduced upon completion of discovery, investigation, and trial preparation.

The General Objections are incorporated into each of the responses and objections set forth below, which are made without waiver of any of these General Objections.

COMBINED DISCOVERY REQUESTS

INTERROGATORY NO. 14: Please state the peak number of employees at Micron's Boise Campus in each of the years 2006 through 2020 (year-to-date), who were engaged in product production.

ANSWER TO INTERROGATORY NO. 14: Objection on the grounds that the interrogatory seeks information that is not relevant to Application No. 63-34614 and is overly broad and burdensome. Without waiving these objections, Micron responds as follows:

The need for water requested in Application No. 63-34614 is based on future research and development needs, not historical production.

Micron has not produced semiconductor product at Boise since 2018.

INTERROGATORY NO. 15: Please state the peak number of employees at Micron's Boise Campus in each of the years 2006 through 2020 (year-to-date), who were engaged in research and development.

ANSWER TO INTERROGATORY NO. 15: Objection on the grounds that the interrogatory seeks information that is not relevant to Application No. 63-34614 and is overly broad and burdensome. Without waiving these objections, Micron responds as follows:

The need for water requested in Application No. 63-34614 is based on future research and development needs, not historical employment.

As of June 17, 2020, there are 2,288 employees directly engaged in research and development at the Boise campus.

INTERROGATORY NO. 16: Please state the peak number of employees at Micron's Boise Campus in each of the years 2006 through 2020 (year-to-date) who were engaged in administration.

ANSWER TO INTERROGATORY NO. 16: Objection on the grounds that the interrogatory seeks information that is not relevant to Application No. 63-34614 and is overly broad and burdensome. Without waiving these objections, Micron responds as follows:

The need for water requested in Application No. 63-34614 is based on future research and development needs, not historical employment.

As of June 17, 2020, approximately 2,907 employees and 5,000 contractors were engaged in facilities maintenance, administration, engineering or other employment not directly involved in research and development.

INTERROGATORY NO. 17: Please state the number of D Ram units produced at Micron's Boise Campus in each of the years 2006 through 2020 (year-to-date).

ANSWER TO INTERROGATORY NO. 17: Micron objects to this Request for Production on the grounds that it is not likely to lead to admissible evidence. Micron also objects to this Request for production on the grounds that production records are highly confidential, and its disclosure could cause significant financial harm to Micron.

Micron has not produced semiconductor product at Boise since 2018.

INTERROGATORY NO. 18: Please state the number of D Ram units sold and delivered by Micron in each of the years 2006 through 2020 (year-to-date).

ANSWER TO INTERROGATORY NO. 18: Micron objects to this Request for Production on the grounds that it is not relevant to Application no. 63- 34614 and is not likely to lead to admissible evidence. Micron also objects to this Request for production on the grounds that any production records are highly confidential, and its disclosure could cause significant financial harm to Micron.

INTERROGATORY NO. 19: Please state how many Taiwanese laborers were trained on Boise Campus in years 2017, 2018, 2019, and year-to-date 2020.

ANSWER TO INTERROGATORY NO. 19: Objection on the grounds that the interrogatory seeks information that is not relevant to Application No. 63-34614 will not lead to

admissible evidence and is overly broad and burdensome. Without waiving these objections, Micron responds as follows:

Micron's business practice for transferring processes and technologies involves temporary team member (TM) assignments to and from the receiving fab. At certain points in the development of product, TM's will travel to Boise and learn the processes and technologies and to review the progress of the technology transfer for potential complications at the receiving location. Similarly, Boise TM's travel to the receiving fab to assist with the transfer. While this business process involves learning of new processes, it is not considered "training" and the TM's on temporary assignment are typically engineers, managers and directors and not "laborers".

INTERROGATORY NO. 20: Please provide the full names of the persons currently holding following positions: Chief Executive Officer; Chief of Board of Directors; Chief Financial Officer; Chief Operations Officer; Director of Human Resources; Corporate Secretary; Corporate Treasurer.

ANSWER TO INTERROGATORY NO. 20: Objection on the grounds that the Interrogatory seeks information that is not relevant to Application No. 63-34614 and is not likely to lead to admissible information. Without waiving this objection, the information requested is public information and can be found at:

<https://www.micron.com/about/our-company/leadership>

INTERROGATORY NO. 21: Please identify all speeches given by the Chief Executive Officer of Micron during the period May 1, 2019, through March 31, 2020, by listing the dates and locations of the speeches given.

ANSWER TO INTERROGATORY NO. 21: Objection on the grounds that the interrogatory seeks information that is not relevant to Application No. 63-34614 is not likely to lead to admissible evidence.

INTERROGATORY NO. 22: Please identify all visits to India, Taiwan, Japan, and/or China made by the Chief Executive Officer of Micron in calendar year 2019 and 2020 year-to-date, by listing the dates and cities visited on each trip.

ANSWER TO INTERROGATORY NO. 22: Objection on the grounds that the interrogatory seeks information that is not relevant to Application No. 63-34614 is not likely to lead to admissible evidence.

INTERROGATORY NO. 23: Please identify three stock (securities) analysts who have filed recommendations of action to take regarding positions held in Micron common stock.

ANSWER TO INTERROGATORY NO. 23: Objection on the grounds that the interrogatory seeks information that is not relevant to Application No. 63-34614 and is not likely to lead to admissible evidence. Without waiving this objection, a simple internet search will produce numerous stock analysts' recommendations for Micron common stock.

INTERROGATORY NO. 24: Please identify all communications between Micron and any other protestant to this proceeding regarding Micron's application number No. 63-34614, since your responses to IFPL's First Discovery Requests.

ANSWER TO INTERROGATORY NO. 24: Micron has not had any communications with any other protestant regarding Micron's application number No. 63-34614 since responding to IFPL's First Discovery Request. Objection to the extent the Interrogatory seeks information related to settlement discussions between counsel for Micron and counsel for other protestants, which discussions have occurred with all protestants, including IFPL.

INTERROGATORY NO. 25: Please identify all communications between Micron and any other person, agency, or entity regarding Micron's application number No. 63-34614, since your responses to IFPL's First Discovery Requests.

ANSWER TO INTERROGATORY NO. 25: Micron has not had any communications with any other person, agency or entity regarding Micron's Application.

REQUEST FOR PRODUCTION NO. 18: Provide all documents that support or relate to your answers to the foregoing Interrogatories Nos. 14 through 25.

RESPONSE TO REQUEST FOR PRODUCTION NO. 18: There are no supporting documents related to Micron's responses.

REQUEST FOR PRODUCTION NO. 19: To the extent not produced in response to Request for Production No. 18, please produce all documents on which you relied, or which you identified, in responding to these Discovery Requests, or that in any way relate to or support your responses to these Discovery requests.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19: Micron did not rely on or identify any documents in responding to these Discovery requests.

DATED: June 22, 2020.

STOEL RIVES LLP



Kevin J. Beaton


Attorneys for Micron Technology Inc.

VERIFICATION

STATE OF IDAHO)
 : ss.
County of Ada)

Scott Gatzemeier, being first duly sworn on oath, states as follows:

I have read the foregoing MICRON TECHNOLOGY INC.'S OBJECTIONS AND
RESPONSES TO IFPL'S SECOND DISCOVERY REQUESTS and that the answers contained
therein are true and correct to the best of my knowledge, information and belief.



Scott Gatzemeier

Subscribed and sworn to before me this 22nd day of June 2020.





Notary Public for State of Idaho
My Commission Expires 3/9/2026

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 22nd day of June 2020, I served a true and correct copy of the within and foregoing **MICRON TECHNOLOGY INC.'S OBJECTIONS AND RESPONSES TO IFPL'S SECOND DISCOVERY REQUESTS** upon the following named parties by the method indicated below, and addressed to the following:

Hard Copy and Electronic Copy To:

Laurence ("Laird") J. Lucas
Bryan Hurlbutt
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JUN 24 2020

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June 22, 2020

**VIA EMAIL
HARD COPY TO FOLLOW**

Laurence J. Lucas
Bryan Hurlbutt
Advocates for the West
1320 W. Franklin Road
Boise, ID 83702

Re: In the Matter of Application for Permit No. 63-34614, in the Name of Micron Technology, Inc.

Dear Laird and Bryan:

Enclosed please find Micron Technology Inc.'s Objections and Responses to IFPL's Second Discovery Requests. A copy was also sent to you by email.

Sincerely,

A handwritten signature in blue ink that reads "Kevin Beaton".

Kevin J. Beaton

Enclosures

cc: Nick Miller, Idaho Dept. of Water Resources (w/encls.)
Chas. McDevitt, McDevitt & Miller LLP (w/encls.)
Michael Orr, AG, Idaho Dept. of Fish & Game (w/encls.)
Terry Scanlan, SPF Water Engineering (w/encls.)
Michael Lawrence, Givens Pursley LLP (w/encls.)
Albert Barker, Barker Rosholt & Simpson (w/encls.)
Bryce Farris, Sawtooth Law Office (w/encls.)