

MAY 22 2020

WATER RESOURCES  
WESTERN REGION

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Attorneys for Protestant Idaho Foundation for Parks and Lands

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

IN THE MATTER OF APPLICATION	)	<b>IFPL'S SECOND DISCOVERY</b>
FOR PERMIT NO. 63-34614,	)	<b>REQUESTS TO APPLICANT</b>
IN THE NAME OF MICRON	)	<b>MICRON TECHNOLOGY INC.</b>
TECHNOLOGY INC.	)	
_____	)	

**TO: APPLICANT MICRON TECHNOLOGY, INC:**

PLEASE TAKE NOTICE that Protestant IDAHO FOUNDATION FOR PARKS  
 AND LANDS (IFPL) hereby requires you to respond to the following First Discovery  
 Requests.

These First Discovery Requests are issued to you pursuant to the September 27,  
 2019 *Order Authorizing Discovery and Disclosure and Scheduling Order* ("Discovery  
 Order") in this matter, as well as IDWR's Rules of Procedure and Rules 33, 34, and 36 of  
 the Idaho Rules of Civil Procedure, which are incorporated by reference in the  
 Department's Rules (IDAPA § 37.01.01.520.02). Pursuant to the Discovery Order, your  
responses are due within thirty (30) days after service of these Discovery Requests.

## **INSTRUCTIONS & DEFINITIONS**

In answering these Second Discovery Requests, furnish all information available so you, including information in the possession of your attorneys (and investigators, experts, etc., retained by you and your attorneys), not merely information known of your own personal knowledge. If you cannot respond to the following in full, after exercising due diligence to secure the information to do so, so state, then respond to the extent possible, specifying your inability to respond to the remainder, and stating whatever information and knowledge you have concerning the unanswered portion.

You may respond to the Requests for Production of Documents below by producing for inspection and/or reproduction the originals or true and correct copies of the documents and items listed below, in whatever form, whether electronic, written, xeroxed, or otherwise, at Advocates for the West, 1320 West Franklin Street, Boise, Idaho 83702, within thirty (30) days of service hereof. The documents requested shall be produced as they are kept in the usual course of business, or shall be organized and labeled to correspond with the categories of this request.

If there is any Interrogatory or Request for Production of Documents to which you object in whole or in part, or as to which you claim a privilege in whole or in part, or as to which you claim protection from discovery in whole or in part, state the nature and basis of your objection or claim of protection from discovery, describe in detail the facts upon which you base your objection, and answer any remaining part to which you do not object, do not claim a privilege, or do not claim protection from discovery.

These Second Discovery Requests are deemed continuing, and your answers and responses thereto are to be supplemented as additional information and knowledge becomes available or known to you.

The following definitions will be used with respect to these First Discovery Requests:

1. The words “Micron” and “you” or “your” refer to the Applicant, Micron Technology Inc., as well as that party’s employees, directors, officers, members, trustees, beneficiaries, agents, attorneys, representatives, servants, and any expert witnesses expected to testify at hearing or trial.

2. The word “document” means any written, typed, graphic, electronically stored or printed matter, in its entirety, including any addenda, supplements, amendments, revisions, exhibits, and appendices thereto, in its original form (or copies thereof where bearing notations, memoranda or other written information not on the original) including, but not limited to, books, pamphlets, brochures, notebooks, correspondence, telegrams, notes or taped or sound recordings of any type of conversation or meeting or conference, notes or tape or sound recordings of any type of statement of witnesses, minutes of meetings, reports, photographs, memoranda, interoffice or intraoffice communications, chart notes, studies, analyses, governmental records, results of investigations, reviews, contracts, licenses, agreements, ledgers, books of account, vouchers, bank checks and drafts, invoices, charge slips, receipts, bills, working papers, data records, statistical records, costs sheets, stenographer’s notebooks, desk calendars, appointment books, diaries, time sheets or logs, maps, computer input data, computer output data, computer runs, work sheets or work papers or other materials,

including, without limitation, all such defined documents of which you are aware, which are in your possession, custody or control or which were submitted to your experts or attorneys or submitted by your experts or attorneys to you, or papers similar to any of the foregoing.

3. The word “person” means any natural person, partnership, firm or corporation or any other type of business or legal entity, its agents, employees and representatives.

4. If any document or portion thereof, which is responsive to any request herein, is or will be withheld from production, inspection or copying, please fully identify such document or portion thereof in your response, in accordance with definition 5 below, and fully describe in your response, the reason it is or will be withheld.

5. “Identify” or “identification” means

(a) In each instance wherein you are asked to “identify” or describe a document, your description should include, but not be limited to, the following:

(i) The name, address, telephone number, occupation, job title and employer of the present custodian of the document;

(ii) The date of the making of the document, and the name, address, telephone number, occupation, job title and employer of each person whose testimony could be used to authenticate such document and lay the foundation for its introduction into evidence;

(iii) The identity of the author; and

(iv) The title, date, and subject matter of the document;

(b) With respect to an oral communication by personal means, “identify” means a complete statement setting forth the date, the approximate time and place, the name and address of each person present, whether any conversation was recorded and, if so, the name and address of the person who recorded it and the name and address of the person who has custody or possession of such recording, and whether any notes or memoranda were made of any conversations and, if so, the name and address of the person who made such notes or memoranda and the name and address of each person who has custody or possession of the original notes or memoranda.

(c) With respect to a telephone conversation, “identify” means a complete statement setting forth the date, the approximate time, the name of the person initiating the call, the location from which the call was placed, the words spoken or the substance of what was said by the person initiating the call and by the person called, whether anyone else listened in on one or both sides of such telephone conversation and, if so, the name and address of such person, whether such conversation was recorded and, if so, the name and address of the person who recorded it and the name and address of the person who has custody or possession of such recording and whether any notes or memoranda were made of such conversation and, if so, the name and address of each person who has custody or possession of the original notes or memoranda.

(d) With respect to a document for which you claim a privilege, “identify” means the name of the person who prepared it, the name of the person who signed it or in whose name it was issued, the name of each person to whom it

was addressed or circulated, the nature and substance of the writing and its title, if any, its date, and if it bears no date, the date when it was prepared, the physical location of the original and any copies of which you are aware, the name and address of each person having custody or control of the document, and the name and number of the file, if any, in which it is contained and the basis for the privilege for which you claim.

(e) When used in reference to a person, “identify” means the person’s full name, state of incorporation (if applicable), last known business address, last known home address (if applicable), last known business, profession, or occupation, last known job title, list of officers, directors, agents, representatives and employees (if applicable) and relationship to you.

6. The term “knowledge” includes firsthand knowledge and information derived from any other source, including but not limited to hearsay knowledge.

7. “Describe” or “description” means to set forth all facts which exhaust your information, knowledge, and belief with respect to the subject matter of the discovery request.

8. “Related entity” refers to any trust, corporation, partnership, limited liability company, joint venture, sole proprietorship or any other kind of business or legal entity or other legal or business relationship in which you have an interest.

9. The term “IDWR” means the Idaho Department of Water Resources.

### **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.

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.

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.

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).

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).

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

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.

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.

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.

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

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.

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

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.



Dated: this 21th day of May, 2020.

Respectfully Submitted,



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Chas. McDevitt  
Laird J. Lucas  
Bryan Hurlbutt

*Attorneys for Protestant IFPL*

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21th day of May, 2020, I caused the original of the foregoing IFPL's SECOND DISCOVERY REQUESTS to be served via the method of service show below, upon the following persons:

**Original Hard Copy and Email**

**Copy To:**

Kevin Beaton  
Stoel Rives LLP  
101 S. Capitol Blvd.  
Suite 1900  
Boise ID 83702  
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Attn: Terry Scanlan  
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Michael Orr  
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**Hard Copy and Email Copy**

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Christopher Meyer  
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Laurence ("Laird") J. Lucas