

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA

BOARD MEETING)
AUGUST 12, 2022)

TRANSCRIPT OF PROCEEDINGS (VIA ZOOM)

August 12, 2022
9:00 a.m.

BEFORE CHAIRMAN STEVEN RUFFATTO,
BOARD MEMBERS DAVID SIMPSON,
JON REITEN, JULIA ALTEMUS
and DAVID LEHNHERR

PREPARED BY: LAURIE CRUTCHER, RPR
COURT REPORTER, NOTARY PUBLIC
lauriecrutcher@gmail.com

1 WHEREUPON, the following proceedings were
2 had:

3 * * * * *

4 CHAIR RUFFATTO: Thank you. I will now
5 call the meeting to order. And Sandy, would you
6 please call the roll.

7 MS. MOISEY-SCHERER: Good morning.
8 Chairman Ruffatto.

9 CHAIR RUFFATTO: Here.

10 MS. MOISEY-SCHERER: Vice Chair Aguirre.
11 (No response)

12 MS. MOISEY-SCHERER: Vice Chair Aguirre.
13 (No response)

14 MS. MOISEY-SCHERER: Board Member
15 Altemus.

16 BOARD MEMBER ALTEMUS: Here.

17 MS. MOISEY-SCHERER: Board Member
18 Lehnherr.

19 BOARD MEMBER LEHNHERR: Here.

20 MS. MOISEY-SCHERER: Board Member
21 Reiten.

22 BOARD MEMBER REITEN: Here.

23 MS. MOISEY-SCHERER: Board Member
24 Simpson.

25 BOARD MEMBER SIMPSON: Here.

1 MS. MOISEY-SCHERER: Board Member Smith.

2 (No response)

3 MS. MOISEY-SCHERER: Board Member Smith.

4 (No response)

5 MS. MOISEY-SCHERER: We have five Board
6 members present, sir.

7 CHAIR RUFFATTO: Thank you, Sandy. We
8 have a quorum. I knew that Board Member Smith was
9 not going to be here. We did not hear from Stacy
10 Aguirre, as far as I know, so maybe she will join.
11 But we will proceed in any event.

12 So let's start with the review and
13 approval of the minutes of the meeting on June 10.
14 Do I have a motion to approve the minutes?

15 BOARD MEMBER ALTEMUS: So moved. Julia
16 Altemus. So moved.

17 CHAIR RUFFATTO: I think we have a
18 motion by Board Member Altemus, and I heard a
19 second by someone.

20 BOARD MEMBER SIMPSON: Second.

21 CHAIR RUFFATTO: By Board Member
22 Simpson.

23 BOARD MEMBER SIMPSON: This is Dave.
24 Second.

25 CHAIR RUFFATTO: Any discussion?

1 (No response)

2 CHAIR RUFFATTO: All in favor of
3 approving the minutes of the June 10th meeting,
4 say aye.

5 (Response)

6 CHAIR RUFFATTO: Opposed.

7 (No response)

8 CHAIR RUFFATTO: The motion passes.

9 The next administrative item is the
10 subject of in-person Board meetings. We have
11 discussed this off and on for the past year and a
12 half, and I wanted to bring it up again.

13 And it has been suggested to me that it
14 would be good for us to have an in-person meeting
15 once in awhile so that we could meet in person,
16 and get to know each other a little better in
17 person, and I think that's a good idea. So I
18 would like to have some discussion about that.

19 My thinking is that we would not ever
20 have an in-person meeting alone because I think
21 it's important to have the option of joining by
22 Zoom, but I think it would be a good idea for all
23 of us to make an effort once in awhile, and I
24 think it would be a good idea to have a
25 coordinated effort. So any discussion?

1 BOARD MEMBER SIMPSON: This is Dave. I
2 certainly support the idea. I think I've
3 mentioned before. This is I think the sixth
4 board/commission/advisory committee that I've been
5 on, and I really -- of course before, before the
6 pandemic interfered with everything, all meetings
7 were conducted in person, and Zoom I don't think
8 had even yet come to be. But anyway, this goes
9 back to the Harry Truman Administration pretty
10 close.

11 But anyway, I think the interpersonal
12 dynamic is important to get to know each other.
13 We've been meeting by Zoom now since our new
14 appointments almost two years ago now, and I think
15 at a very minimum it would be good to meet in
16 person, and get to know each other a little
17 better. I really think it helps the deliberations
18 of the group.

19 CHAIR RUFFATTO: Any other thoughts?

20 (No response)

21 CHAIR RUFFATTO: Well, I'm in favor of
22 it, but we -- and my thinking is that maybe we
23 should have a goal of meeting in person once a
24 year. And it's only a goal, it's not a
25 requirement. But I don't think it's going to work

1 unless a number, let's say a majority of the Board
2 commit to going to Helena for an in-person meeting
3 once a year.

4 And let me also say I don't think that
5 means that all of those people who would attend
6 the meeting would necessarily have to be in
7 person. I think that can be by Zoom. And I think
8 that has a lot of advantages. Let me give a few
9 examples.

10 If a lawyer in Billings or Bozeman wants
11 to appear and doesn't want to incur the expense
12 and time of traveling to Helena, it's fine to
13 appear by Zoom. Similarly there's usually a
14 number of people from State government that are on
15 these calls, and I think it's probably more
16 efficient for them to monitor these calls by Zoom.
17 All I'm talking about is Board members making an
18 effort to be in person once a year.

19 So the way I think we should approach --
20 Well, and let me say I think the October meeting
21 would be a good meeting to try that. With Board
22 Member Smith and Board Member Aguirre not being on
23 the call, I can't judge what they might say,
24 although I do recall Board Member Aguirre in the
25 past stating her view that we should have some

1 in-person meetings.

2 So let me try this. I would move that
3 the Board designate one meeting a year when all
4 Board members will make an effort to get to Helena
5 for an in-person meeting, and that that first one
6 be the October 14th meeting 2022. And that's my
7 motion.

8 BOARD MEMBER SIMPSON: Second.

9 CHAIR RUFFATTO: Further discussion.

10 Yes, Doctor.

11 BOARD MEMBER LEHNHERR: Chairman
12 Ruffatto, I think in general it's a good idea to
13 meet in person if possible at different times,
14 although it's not just pandemic related concerns
15 that may prevent someone from being able to attend
16 in person. Depending on where you live or a
17 variety of other circumstances, it may not be
18 possible to get to Helena, and I hope we always --
19 and you've mentioned always having an option for
20 attending by Zoom. I support the motion, but I do
21 think it's very important we always have the
22 option of attending by Zoom.

23 CHAIR RUFFATTO: Thanks, Doctor.

24 BOARD MEMBER REITEN: I've got a
25 comment, too. Unfortunately I am not going to be

1 able to attend in October. I've got out of state
2 commitments, and I probably won't even be able to
3 join via Zoom, so I'll announce that right now.
4 But I do support the idea, but unfortunately I
5 won't be able to make the October meeting.

6 CHAIR RUFFATTO: Understood, Jon. Any
7 further discussion? Go ahead, Dave.

8 BOARD MEMBER SIMPSON: Mr. Chairman,
9 this is Dave. I don't know how many of the Board
10 members have been in the board room recently as
11 it's been set up at DEQ, but it has been upgraded
12 greatly as far as just a technological upgrade
13 that makes it far easier to have a session where
14 people can join in by Zoom along with the
15 in-person Board members. So that's a
16 consideration as well. The Department obviously
17 has anticipated this, and it is set up and ready
18 for a hybrid meeting, if you will.

19 CHAIR RUFFATTO: Thanks, David. James,
20 do you have any comments from DEQ's point of view
21 that would impact this discussion?

22 MR. FEHR: I don't. I think that we can
23 certainly accommodate a hybrid. That's not a
24 problem or challenge for us. We're in support of
25 it whichever direction the Board wants to go.

1 CHAIR RUFFATTO: Thanks, James. I will
2 speak for Laurie a little bit. She tells me that
3 hybrid meetings are tougher to handle, especially
4 for the Court Reporter, and so if we have a hybrid
5 meeting, we'll have to keep in mind that we need
6 to accommodate the difficulties that Laurie would
7 have trying to keep track of who is speaking and
8 where it's coming from. Any further discussion?

9 BOARD MEMBER SIMPSON: Just one other
10 comment, Mr. Chairman, and I think you brought it
11 up earlier. I think it's realistic to expect that
12 not all members would be able to attend, but I
13 think in order to have an in-person meeting, we
14 ought to have at least a majority of the Board
15 present.

16 CHAIR RUFFATTO: That's a good point. I
17 would amend my motion to say that we'll have a
18 goal of doing that on October 14th, and we will
19 poll the Board in advance, and if we're not going
20 to have a majority of the Board indicate that they
21 plan on being there, we will not have it. Are you
22 okay with that amendment, David?

23 BOARD MEMBER SIMPSON: Yes, Mr.
24 Chairman.

25 CHAIR RUFFATTO: All right. Any further

1 discussion?

2 BOARD MEMBER ALTEMUS: Mr. Chair, this
3 is Julia. I mean I fully support your motion. I
4 would hope, though, that as we find a date that
5 works for the majority that it's not winter
6 travel. That would be my hope. But we can always
7 join by Zoom. Thank you.

8 CHAIR RUFFATTO: I agree with that,
9 Julia. That's why I suggested October 14th,
10 although you never know. That might be winter
11 travel.

12 BOARD MEMBER ALTEMUS: It could be.

13 CHAIR RUFFATTO: We hope not, or at
14 least I hope not. All right. A motion has been
15 made and seconded that the Board members have a
16 goal of having a majority of the members in person
17 on October 14th, and we will take a poll in
18 advance of that meeting to see if we are going to
19 have the majority of the members. And so all in
20 favor, say aye.

21 (Response)

22 CHAIR RUFFATTO: Opposed.

23 (No response)

24 CHAIR RUFFATTO: Thank you. Sandy,
25 would you plan on getting an email out to all

1 Board members as soon as possible to tell them
2 that we've had this discussion, and this motion,
3 and to ask them to put it on their calendar. And
4 then let's say three weeks before that Board
5 meeting, would you find out how many are planning
6 on attending on October 14th? Does that make
7 sense?

8 MS. MOISEY-SCHERER: It does, sir.
9 Thank you.

10 CHAIR RUFFATTO: Thank you, Sandy.
11 Let's go to the second administrative item, and
12 that's the adoption of rules for the form of
13 exceptions to proposed findings of fact and
14 conclusions of law.

15 This has been brought up a couple of
16 times, and it was suggested that we put it on the
17 agenda for a discussion. And I think it was Board
18 Member Simpson that raised this issue.

19 Mike Russell took a look at it, and
20 thought we would need some sort of rulemaking to
21 get it accomplished. But even aside from the
22 rulemaking, I think we should discuss whether we
23 as a Board think it's really a good idea or not.
24 So before any motion I'd like a little discussion
25 on this point, so I would open that up for

1 discussion, and then we can see if it comes to a
2 motion.

3 BOARD MEMBER SIMPSON: Mr. Chairman,
4 I'll -- I'm sorry. I'll defer to Dr. Lehnherr.

5 CHAIR RUFFATTO: Doctor.

6 BOARD MEMBER LEHNHERR: Thanks, Board
7 Member Simpson. I think Board Member Simpson was
8 probably going to address my question or request.
9 I was just hoping to get an overview of what we
10 were looking at or trying to accomplish.

11 CHAIR RUFFATTO: Board Member Simpson,
12 do you have a response to that, or do you want me
13 to respond with my idea?

14 BOARD MEMBER SIMPSON: I'll defer to
15 you, Mr. Chairman.

16 CHAIR RUFFATTO: Okay. Well, I think
17 this came up in past Board meetings where we felt
18 that the exceptions did not include specific
19 points and specific relief requested in some of
20 the exceptions, so it left us somewhat confused as
21 to what the entity making the exceptions was
22 asking for.

23 While I agree that there was some
24 difficulty following the briefs, and tracking it
25 with the proposed findings of fact and conclusions

1 of law, I don't know exactly what we would do to
2 make that process easier. So I probably haven't
3 helped you out, David, but go ahead and make your
4 comment.

5 BOARD MEMBER SIMPSON: Okay, Mr.
6 Chairman. This goes back to I believe the last
7 meeting where one of the briefs with exceptions to
8 the proposed findings of fact and conclusions of
9 law raised a number of points, but did not ask for
10 specific relief on any point except their
11 opposition to the adoption of the findings of fact
12 and conclusions of law.

13 Chairman Ruffatto went through the
14 brief, and sorted out a list of exceptions which
15 we went through, and we rejected some and accepted
16 some, but it seemed to me to be more than a little
17 bit awkward to try to ferret out from what was
18 essentially a narrative brief just what it was
19 that constituted an exception.

20 So I think it would be far more
21 sufficient for Board review if exceptions were
22 stated specifically, and specific relief requested
23 where the Board could say yea or nay, and that was
24 the whole reason for the suggestion.

25 CHAIR RUFFATTO: Any more discussion?

1 (No response)

2 CHAIR RUFFATTO: Well, I'll give you my
3 thoughts. I've thought about this a fair amount
4 because it was kind of a laborious process to try
5 to figure out exactly what was going on with those
6 exceptions, but the flip side of that is I don't
7 think that in my view that we can't lay out a rule
8 that is really going to help.

9 So my thinking is that by making that,
10 making such a rule, we might help the process or
11 we might just make it more complicated, and then
12 the parties would argue about whether the other
13 party followed the rule appropriately, and I don't
14 think we want more argument about procedure.

15 So I'm inclined to think it's not going
16 to help, and that it could create unintended
17 consequences that we don't want to deal with.

18 BOARD MEMBER REITEN: I tend to agree
19 with your thoughts on that. If a rule is not
20 needed, why make one?

21 BOARD MEMBER ALTEMUS: Mr. Chair, could
22 I ask if Mr. Russell had any comments or anything
23 else to add? Is that okay to ask our attorney if
24 he has --

25 CHAIR RUFFATTO: Of course. Anytime.

1 BOARD MEMBER ALTEMUS: Thank you.

2 MR. RUSSELL: Good morning, everyone. I
3 tend to agree with Mr. Ruffatto. I think it would
4 be possible to include a rule saying, or to come
5 up with a rule saying that the party with
6 exceptions must outline the specific basis for the
7 exception, and the specific numbered finding of
8 fact or conclusion of law to streamline it.

9 But practically speaking, I think most
10 of the time the parties tend to do that. It's in
11 their interests to make it as clear and concise as
12 possible. It could be something that the Hearing
13 Examiner maybe brings up in the initial procedural
14 order providing some guidance on that, but I do
15 think it could further complicate things
16 unnecessarily, like Mr. Chairman brought up.

17 But I think it's possible to do. I'm
18 not sure if this concern came up due to anything
19 else, or any other reason aside from that specific
20 brief that Board Member Simpson brought up, so I'm
21 not sure how pervasive of an issue it is for that
22 to warrant a rulemaking process on that basis.

23 CHAIR RUFFATTO: I'd like to emphasize a
24 point that Mike made. It is in the interests of
25 the parties to make their exceptions as clear and

1 concise as possible, and if they do not do that,
2 it certainly, in my mind, damages the credibility
3 of their argument, and thus I think it behooves
4 the parties to make it as clear and easy for the
5 Board as possible.

6 The parties know that we're a volunteer
7 board, and I think they have an interest in making
8 it easier for us rather than hard; and if they
9 happen to make it hard, it may mean that they
10 don't have clear and concise arguments. So I
11 think that's a good point.

12 BOARD MEMBER SIMPSON: Mr. Chairman,
13 this is Dave Simpson. I'd make the observation
14 that the brief in question was filed in opposition
15 to the findings of fact and conclusions of law,
16 whereas those in support of the findings itemized
17 their exceptions and requested specific relief.

18 From the standpoint of an opposing
19 brief, I suppose I can understand why specific
20 relief to specific points may not be requested
21 because the entity would be in opposition to the
22 findings of fact completely, request that it be
23 remanded or disapproved.

24 So I can see the rationale behind not
25 asking for specific relief when they're opposed to

1 the findings as a whole. So then it comes down to
2 a question of organization of the brief, because
3 as I pointed out earlier, in going through the
4 points that were raised, the Board did actually
5 accept some of those exceptions from the opposing
6 party.

7 So I can understand the concerns here,
8 so I think I'll refrain from making a motion and
9 go from there.

10 CHAIR RUFFATTO: Thank you, Dave. Does
11 anyone want to make a motion?

12 (No response)

13 CHAIR RUFFATTO: No motion having been
14 made, we will move on. But I just realized that I
15 failed to have Sandy identify non-board members
16 that are present, and the purpose of that is to
17 identify it for the record. Sandy, are you still
18 in a position to be able to do that?

19 MS. MOISEY-SCHERER: Yes, sir, I am.

20 CHAIR RUFFATTO: Would you like to do
21 that.

22 MS. MOISEY-SCHERER: Laurie Crutcher.
23 Court Reporter; Aislinn Brown, Agency Legal;
24 Caitlin Buzzas, Agency Legal; Angie Colamaria,
25 DEQ; Moira Davin, DEQ; Deputy Director Fehr, DEQ;

1 Jeremiah Langston, DEQ; Kirsten Bowers, DEQ;
2 Michael Russell, Board attorney; Myla Kelly, DEQ;
3 Sam Yemington, Holland and Hart; Vicki Marquis,
4 Counsel; Nick Whitaker, DEQ; Lauren Sweeney, DEQ;
5 Andy Janes; Catherine Armstrong, DEQ; Deb Carroll;
6 Elena Hagen, Agency Legal; Heidi Barnes; Jason
7 Mohr; Lee McKenna, DEQ; Loryn Johnson, DEQ; Murry
8 Warhank, Counsel; Sarah Ogden; Ray Stout; Sonja
9 Nowakowski, DEQ; Tonya Fish, EPA.

10 CHAIR RUFFATTO: Thank you, Sandy. And
11 I also meant to mention early on, and I failed,
12 that I expect this meeting to last less than two
13 hours. So just thought I'd say that for the
14 benefit of those that might be wondering how long
15 we're going to go.

16 With that, I'm going to go on to the
17 briefing items. The way I'd like to handle it
18 this time is to go page by page, and on each page
19 I'm going to ask essentially for any updates from
20 whoever is on -- Hearing Examiners primarily, but
21 anybody else that has an update, we'll hear them.
22 Then I'll ask for any questions from the Board
23 about the items on that page.

24 So we'll start with Page 1. Are there
25 any updates on the briefing items on Page 1?

1 (No response)

2 CHAIR RUFFATTO: Any questions on the
3 briefing items on Page 1 of the agenda?

4 (No response)

5 CHAIR RUFFATTO: Let's go to Page 2.
6 Any updates or questions on Page 2?

7 (No response)

8 CHAIR RUFFATTO: I'll go to Page 3. Any
9 updates or questions?

10 (No response)

11 CHAIR RUFFATTO: I have a comment on
12 Page 3. If you would look at Item (b), small (b)
13 on Page 3, that is the case that is currently in
14 front of the Montana Supreme Court, and the Board
15 is a party to that appeal.

16 The Board is appealing a lower Court
17 decision that failed to dismiss the Board. The
18 Board position has been that the Board should not
19 be a party to judicial review of its decisions.
20 We are taking that position at the Supreme Court
21 level.

22 So we hope that gets decided to our
23 liking, but it may not be. I call that out
24 because that's going to -- that case is going to
25 have a bearing on one of our action items. So I

1 just call that out so you are aware that there's a
2 relationship there.

3 MS. MOISEY-SCHERER: Chair Ruffatto,
4 Board Member Lehnherr has his hand up.

5 BOARD MEMBER LEHNHERR: Chairman
6 Ruffatto, I'm sorry. I did have a question about
7 one of the items on Page 2, under Item 1(b), in
8 the matter of Luke Ployhar.

9 And I had heard something about a fine
10 in that case, and I didn't know if it was related
11 in some way to what the Hearing Examiner was
12 doing. So I'm wondering if someone could address
13 that issue, a possible fine.

14 CHAIR RUFFATTO: Hearing Examiner
15 Russell, are you aware of any fine involved in
16 that?

17 MR. RUSSELL: No, I'm not. My
18 understanding of this case is that it's a
19 challenge to the DEQ's determination that an
20 environmental impact survey needed to be done. I
21 wasn't aware of any fine, but I could be wrong.
22 At this point we've issued a procedural order, and
23 I expect to have a proposed scheduling order here
24 by the end of the month.

25 BOARD MEMBER LEHNHERR: I just saw

1 something in the media, but who knows where that
2 came from or its validity, so I just thought I'd
3 raise that. Thank you for the information.

4 CHAIR RUFFATTO: Thank you, Doctor. Any
5 more questions on Pages 2 or 3?

6 (No response)

7 CHAIR RUFFATTO: Let's go to Page 4.
8 Any updates or questions?

9 (No response)

10 CHAIR RUFFATTO: We'll go to Page 5.
11 Any updates or questions on the matter there?

12 (No response)

13 CHAIR RUFFATTO: I have, I guess I'd
14 call it a question or an update, but it's
15 reflected.

16 Hearing Examiner Patrick Riskin has
17 resigned from the State service, and so he's no
18 longer available for Hearing Examiner service as a
19 member of Agency Legal Services. So I would move
20 that we assign Michael Russell as the Hearing
21 Examiner on the case that appears as lower case
22 (d) on Page 5.

23 BOARD MEMBER SIMPSON: Second.

24 CHAIR RUFFATTO: Discussion.

25 BOARD MEMBER SIMPSON: And this is Dave

1 Simpson.

2 CHAIR RUFFATTO: Thanks, Dave. Any
3 discussion?

4 (No response)

5 CHAIR RUFFATTO: It's been moved and
6 seconded that Mike Russell, the Board attorney, be
7 designated or assigned as Hearing Examiner to the
8 case, lower case (d) on Page 5 of our agenda. All
9 in favor, say aye.

10 (Response)

11 CHAIR RUFFATTO: Opposed.

12 (No response)

13 CHAIR RUFFATTO: The motion carries.
14 Any other questions or comments on Page 5?

15 (No response)

16 CHAIR RUFFATTO: Let's go to Page 6. I
17 have the same point about the first matter there,
18 the Western Sugar Cooperative case. It shows
19 Patrick Riskin as the Hearing Examiner, and I move
20 that we appoint Michael Russell as the Hearing
21 Examiner.

22 BOARD MEMBER LEHNHERR: Second.

23 CHAIR RUFFATTO: Discussion?

24 (No response)

25 CHAIR RUFFATTO: All in favor, say aye.

1 (Response)

2 CHAIR RUFFATTO: Opposed.

3 (No response)

4 CHAIR RUFFATTO: The motion carries.

5 Any other questions on Page 6?

6 MS. BROWN: I do have one update,
7 Chairman. This is Aislinn Brown. I'm the Hearing
8 Examiner in the Sidney Sugars, Incorporated case,
9 and since this agenda came out, a reply brief was
10 filed in that case, so the motion for summary
11 judgment is now fully briefed.

12 CHAIR RUFFATTO: Thank you, Aislinn.

13 Any other questions or comments updates on Page 6?

14 (No response)

15 CHAIR RUFFATTO: Let's go to Page 7.

16 Any questions or comments on briefing items? And
17 it does not include the action items on Page 7.

18 (No response)

19 CHAIR RUFFATTO: Hearing none, we're
20 going to move on to action items, and the first
21 action item is the Montana Environmental
22 Information Center versus Montana Department of
23 Environmental Quality and Signal Peak Energy.

24 This is a case that has been filed in
25 Yellowstone County District Court to review our

1 decision in the Signal Peak matter. As has
2 occurred in the past, the Board has been named a
3 party in this judicial review proceeding.

4 The Board's position has been that we
5 are not, that we're not an appropriate party, and
6 therefore, we should be dismissed.

7 However, we have, as I pointed out
8 earlier, we have that issue in front of the
9 Supreme Court, so in my view, we should not spend
10 resources raising that issue here and spending
11 money fighting it here, because I think the
12 Supreme Court decision in the case that's pending
13 before the Montana Supreme Court will hopefully
14 decide that issue one way or the other.

15 So it's my thinking that we should
16 participate in that case as little as possible,
17 and spend as little resources as possible in that
18 case, and I think that would mean in the past --

19 What can be done is to file a notice of
20 non-participation, and then the attorney that
21 represents the Board will simply monitor the case,
22 and if there's some reason why the Board needs to
23 participate more actively, the Board Counsel can
24 do that, or bring it to the Board for a decision
25 of whether we should participate more actively.

1 So I guess for purposes of discussion, I
2 will make a motion that the Board participate in
3 this case as little as possible; that the Board
4 appoint Board Counsel Michael Russell to file an
5 appropriate pleading demonstrating that; in that
6 pleading, make any reservations that we think are
7 appropriate, that he thinks are appropriate to
8 reserve our right with respect to the issue that's
9 before the Supreme Court; and also to reserve our
10 right to get involved if there is reason for the
11 Board to do so.

12 BOARD MEMBER REITEN: I second that.

13 CHAIR RUFFATTO: Discussion?

14 (No response)

15 CHAIR RUFFATTO: A motion has been made
16 and seconded that we participate in this matter as
17 little as possible, and we direct the Board
18 Counsel to make an appropriate filing with the
19 Court reserving rights as appropriate. All in
20 favor, say aye.

21 (Response)

22 CHAIR RUFFATTO: Opposed.

23 (No response)

24 CHAIR RUFFATTO: The motion carries.

25 * * * * *

1 (Meeting recessed at 9:42 a.m.

2 and reconvened at 11:08 a.m.

3 Selenium rule transcript

4 bound separately)

5 * * * * *

6 CHAIR RUFFATTO: Thank you. We'll take
7 a break until 11:18, and hopefully we can wrap
8 things up fairly quickly.

9 (Recess taken)

10 CHAIR RUFFATTO: I will reconvene the
11 meeting of the Board, and ask Sandy to call the
12 roll.

13 MS. MOISEY-SCHERER: Chairman Ruffatto.

14 CHAIR RUFFATTO: Here.

15 MS. MOISEY-SCHERER: Board Member
16 Altemus.

17 BOARD MEMBER ALTEMUS: Here.

18 MS. MOISEY-SCHERER: Board Member
19 Lehnherr.

20 BOARD MEMBER LEHNHERR: Here.

21 MS. MOISEY-SCHERER: Board Member
22 Reiten.

23 BOARD MEMBER REITEN: Here.

24 MS. MOISEY-SCHERER: Board Member
25 Simpson.

1 BOARD MEMBER SIMPSON: Here.

2 MS. MOISEY-SCHERER: We have a quorum.

3 CHAIR RUFFATTO: Thank you. Now we're
4 on the new contested case section of the agenda.
5 The first one is the appeal and request for
6 hearing by Valley Garden Land and Cattle, LLC,
7 concerning the issuance of an opencut mining
8 permit.

9 I issued an order a few weeks ago
10 requesting the parties to tell us whether or not
11 they wanted an -- they would agree to an informal
12 process or not. I did that pursuant to a prior
13 Board decision.

14 DEQ and Valley Garden Land and Cattle
15 both responded that they wanted an informal
16 conference before they made their decision. I
17 don't think that informal conference has occurred
18 unless I don't have the most current information.
19 Mr. Russell, where are we at on that?

20 MR. RUSSELL: It has not yet occurred.
21 We did make contact with the permittee's Counsel,
22 and permittee is also interested in that
23 conference. I followed up last week or recently
24 regarding scheduling, so we're getting that
25 scheduled.

1 CHAIR RUFFATTO: Thank you.

2 Notwithstanding the fact that that has not
3 occurred, I think the Board can still make a
4 decision whether it wants to assign the case for
5 some or all of the matter to a Hearing Examiner,
6 and I would move that we assign the case in its
7 entirety or in totality to Board Counsel Russell.

8 BOARD MEMBER REITEN: I second that
9 motion.

10 CHAIR RUFFATTO: Thank you, Jon.
11 Discussion?

12 (No response)

13 CHAIR RUFFATTO: There being no further
14 discussion, a motion has been made and seconded
15 that we assign this matter in its totality to
16 Board Counsel Russell. All in favor, say aye.

17 (Response)

18 CHAIR RUFFATTO: Opposed.

19 (No response)

20 CHAIR RUFFATTO: The motion passes. The
21 next matter is the matter of appeal and request
22 for a hearing regarding the Rosebud Mine Area B
23 Amendment 5, and I'd give two updates on this.

24 One is the Westmoreland and the
25 Operating Engineers Union have filed a motion to

1 intervene in this case; and there was also an
2 order issued concerning informal procedures, and I
3 will ask Mr. Russell to explain how that
4 conference went.

5 MR. RUSSELL: Sure. We held the
6 informal conference regarding the possibility of
7 adopting or employing informal procedures for this
8 particular contested case. All parties were
9 present including the requested intervenors. We
10 discussed the pros and cons of the formal
11 procedure versus informal procedure, and we got
12 some good feedback back from the parties.

13 This particular case does not seem that
14 it's well suited for informal procedures
15 considering the posture of the parties, and the
16 likelihood that it will reach the judicial review
17 stage. They wanted to make a more complete, more
18 formal record in accordance with the Rules of
19 Civil Procedure that everybody is used to.

20 So we had a good discussion, and while
21 informal procedures do not appear to be
22 appropriate for this particular case, and the
23 parties didn't consent to them anyway, we're still
24 considering that, trying to keep an eye out for
25 cases that may be appropriate for use of those

1 procedures.

2 And that's about all that went on during
3 that conference. I think it was constructive, and
4 it gave me certainly some things to think about,
5 and I appreciated the input from the parties.

6 CHAIR RUFFATTO: Thank you. Any
7 questions or comments about what Mr. Russell
8 described?

9 (No response)

10 CHAIR RUFFATTO: If not, then I will
11 make a motion that we assign this case in its
12 entirety, totality, to Board Counsel Russell as
13 the Hearing Examiner.

14 BOARD MEMBER LEHNHERR: Second.

15 CHAIR RUFFATTO: Any discussion?

16 (No response)

17 CHAIR RUFFATTO: Any further discussion?

18 (No response)

19 CHAIR RUFFATTO: Hearing none, a motion
20 has been made and seconded to assign this matter
21 to the Board Counsel Russell in its totality. All
22 in favor, say aye.

23 (Response)

24 CHAIR RUFFATTO: Opposed.

25 (No response)

1 CHAIR RUFFATTO: The motion carries.
2 Just one comment that I will make. I did sit in
3 on that informal conference for educational
4 purposes, and while it did not produce an informal
5 procedure -- I really didn't expect it to -- but
6 as Mr. Russell commented, it was good insight, and
7 hopefully there will be a time when we can use
8 informal procedures in an appropriate case,
9 because I think it may shorten the process, and
10 make it less time consuming and resource
11 consuming. So we'll see what happens going
12 forward.

13 Now we'll go to the Board Counsel
14 update. Any questions for Board Counsel from the
15 Board?

16 (No response)

17 CHAIR RUFFATTO: Any comments from Board
18 Counsel that you want to talk to us about?

19 MR. RUSSELL: I don't think so in
20 addition to what we've already discussed, unless
21 there are specific questions.

22 CHAIR RUFFATTO: There being none, we
23 will move on to the general public comment, and
24 members of the public may comment on any matter
25 within the jurisdiction of the Board that is not

1 otherwise on the agenda for the meeting, subject
2 to the point that individual contested case
3 proceedings are not public matters on which the
4 public may comment. So I will open it up to
5 public comment now.

6 (No response)

7 CHAIR RUFFATTO: Hearing none, we will
8 move to the final agenda item. That is
9 adjournment. I move to adjourn this meeting.

10 BOARD MEMBER SIMPSON: Second.

11 CHAIR RUFFATTO: All in favor, say aye.

12 (Response)

13 CHAIR RUFFATTO: Opposed.

14 (No response)

15 CHAIR RUFFATTO: The motion carries.
16 Thank you, everyone. Sorry it took a little
17 longer than I predicted. And I hope to see as
18 many Board members as possible in Helena on, I
19 think it's October 14th. So hopefully we can all
20 be there, or most of us anyway. Thank you.

21 (The proceedings were concluded

22 at 11:28 a.m.)

23 * * * * *

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF MONTANA)

: SS.

COUNTY OF LEWIS & CLARK)

I, LAURIE CRUTCHER, RPR, Court Reporter,
Notary Public in and for the County of Lewis &
Clark, State of Montana, do hereby certify:

That the proceedings were taken before me at
the time and place herein named; that the
proceedings were reported by me in shorthand and
transcribed using computer-aided transcription,
and that the foregoing - 32 - pages contain a true
record of the proceedings to the best of my
ability.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal this 22nd day of
August, 2022.

LAURIE CRUTCHER, RPR
Court Reporter - Notary Public
My commission expires
March 9, 2024.

| | | | | | |
|----------|---|---|---|--|----------|
| 1 | A | 6:24 ahead [2] 8:7, 13:3 Aislinn [3] 17:23, 23:7, 23:12 alone - 4:20 already - 31:20 Altemus [12] 1:15, 2:15, 2:16, 3:15, 3:16, 3:18, 10:2, 10:12, 14:21, 15:1, 26:16, 26:17 although [3] 6:24, 7:14, 10:10 amend - 9:17 amendment [2] 9:22, 28:23 amount - 14:3 Andy - 18:5 Angie - 17:24 announce - 8:3 anticipated - 8:17 Anytime - 14:25 anyway [4] 5:8, 5:11, 29:23, 32:20 appeal [3] 19:15, 27:5, 28:21 appealing - 19:16 appear [3] 6:11, 6:13, 29:21 appears - 21:21 appoint [2] 22:20, 25:4 appointments - 5:14 appreciated - 30:5 approach - 6:19 appropriate [9] 24:5, 25:5, 25:7, 25:7, 25:18, 25:19, 29:22, 29:25, 31:8 appropriately - 14:13 approval - 3:13 approve - 3:14 | 2:22, 2:23, 2:25, 3:1, 3:3, 3:5, 3:8, 3:15, 3:18, 3:20, 3:21, 3:23, 4:10, 5:1, 6:1, 6:17, 6:21, 6:22, 6:24, 7:3, 7:4, 7:8, 7:11, 7:24, 8:8, 8:9, 8:10, 8:15, 8:25, 9:9, 9:14, 9:19, 9:20, 9:23, 10:2, 10:12, 10:15, 11:1, 11:4, 11:17, 11:23, 12:3, 12:6, 12:6, 12:7, 12:11, 12:14, 12:17, 13:5, 13:21, 13:23, 14:18, 14:21, 15:1, 15:20, 16:5, 16:7, 16:12, 17:4, 18:2, 18:22, 19:14, 19:16, 19:17, 19:18, 19:18, 20:4, 20:5, 20:25, 21:23, 21:25, 22:6, 22:22, 24:2, 24:21, 24:22, 24:23, 24:24, 25:2, 25:3, 25:4, 25:11, 25:12, 25:17, 26:11, 26:15, 26:17, 26:18, 26:20, 26:21, 26:23, 26:24, 27:1, 27:13, 28:3, 28:7, 28:8, 28:16, 30:12, 30:14, 30:21, 31:13, 31:14, | 31:15, 31:17, 31:25, 32:10, 32:18 Board's - 24:4 board/commission - 5:4 bound - 26:4 Bowers - 18:1 Bozeman - 6:10 break - 26:7 brief [7] 13:14, 13:18, 15:20, 16:14, 16:19, 17:2, 23:9 briefed - 23:11 briefing [4] 18:17, 18:25, 19:3, 23:16 briefs [2] 12:24, 13:7 bring [2] 4:12, 24:24 brings - 15:13 brought [4] 9:10, 11:15, 15:16, 15:20 Brown [3] 17:23, 23:6, 23:7 Buzzas - 17:24 | |
| 2 | a.m [4] 1:11, 26:1, 26:2, 32:22 ability - 33:14 able [6] 7:15, 8:1, 8:2, 8:5, 9:12, 17:18 accept - 17:5 accepted - 13:15 accommodate [2] 8:23, 9:6 accomplish - 12:10 accomplished - 11:21 accordance - 29:18 action [4] 19:25, 23:17, 23:20, 23:21 actively [2] 24:23, 24:25 add - 14:23 addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 3 | B | C | |
| 3 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 4 | Barnes - 18:6 bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 5 | C |
| 4 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 6 | bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 6 | C |
| 5 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 7 | bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 7 | C |
| 6 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 8 | bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 8 | C |
| 7 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 9 | bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 9 | C |
| 8 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 9 | bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 9 | C |
| 9 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 10 | bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 10 | C |
| 9 | addition - 31:20 address [2] 12:8, 20:12 adjourn - 32:9 adjournment - 32:9 Administration - 5:9 administrative [2] 4:9, 11:11 adopting - 29:7 adoption [2] 11:12, 13:11 advance [2] 9:19, 10:18 advantages - 6:8 affixed - 33:16 Agency [4] 17:23, 17:24, 18:6, 21:19 agenda [7] 11:17, 19:3, 22:8, 23:9, 27:4, 32:1, 32:8 agree [5] 10:8, 12:23, 14:18, 15:3, 27:11 Aguirre [5] 2:10, 2:12, 3:10, 6:22, | 10 | bearing - 19:25 behind - 16:24 behooves - 16:3 benefit - 18:14 best - 33:13 better [2] 4:16, 5:17 Billings - 6:10 bit [2] 9:2, 13:17 board [116] 1:1, 1:5, 1:14, 2:14, 2:16, 2:17, 2:19, 2:20, | 10 | C |

| | | | | | |
|---|---|---|--|--|--|
| <p>27:4, 28:4, 28:6, 29:1, 29:8, 29:13, 29:22, 30:11, 31:8, 32:2 cases - 29:25 Catherine - 18:5 Cattle [2] 27:6, 27:14 Center - 23:22 certainly [4] 5:2, 8:23, 16:2, 30:4 certify - 33:7 Chair [87] 2:4, 2:9, 2:10, 2:12, 3:7, 3:17, 3:21, 3:25, 4:2, 4:6, 4:8, 5:19, 5:21, 7:9, 7:23, 8:6, 8:19, 9:1, 9:16, 9:25, 10:2, 10:8, 10:13, 10:22, 10:24, 11:10, 12:5, 12:11, 12:16, 13:25, 14:2, 14:21, 14:25, 15:23, 17:10, 17:13, 17:20, 18:10, 19:2, 19:5, 19:8, 19:11, 20:3, 20:14, 21:4, 21:7, 21:10, 21:13, 21:24, 22:2, 22:5, 22:11, 22:13, 22:16, 22:23, 22:25, 23:2, 23:4, 23:12, 23:15, 23:19, 25:13, 25:15, 25:22, 25:24, 26:6, 26:10, 26:14, 27:3, 28:1, 28:10, 28:13,</p> | <p>28:18, 28:20, 30:6, 30:10, 30:15, 30:17, 30:19, 30:24, 31:1, 31:17, 31:22, 32:7, 32:11, 32:13, 32:15 Chairman [15] 1:13, 2:8, 7:11, 8:8, 9:10, 9:24, 12:3, 12:15, 13:6, 13:13, 15:16, 16:12, 20:5, 23:7, 26:13 challenge [2] 8:24, 20:19 circumstances - 7:17 Civil - 29:19 Clark [2] 33:4, 33:7 clear [4] 15:11, 15:25, 16:4, 16:10 close - 5:10 Colamaria - 17:24 comes [2] 12:1, 17:1 coming - 9:8 comment [9] 7:25, 9:10, 13:4, 19:11, 31:2, 31:23, 31:24, 32:4, 32:5 commented - 31:6 comments [7] 8:20, 14:22, 22:14, 23:13, 23:16, 30:7, 31:17 commission - 33:21 commit - 6:2 commitments - 8:2 committee - 5:4 complete - 29:17 completely - 16:22 complicate - 15:15 complicated - 14:11</p> | <p>computer-aided - 33:11 concern - 15:18 concerning [2] 27:7, 29:2 concerns [2] 7:14, 17:7 concise [3] 15:11, 16:1, 16:10 concluded - 32:21 conclusion - 15:8 conclusions [5] 11:14, 12:25, 13:8, 13:12, 16:15 conducted - 5:7 conference [7] 27:16, 27:17, 27:23, 29:4, 29:6, 30:3, 31:3 confused - 12:20 cons - 29:10 consent - 29:23 consequences - 14:17 consideration - 8:16 considering [2] 29:15, 29:24 constituted - 13:19 constructive - 30:3 consuming [2] 31:10, 31:11 contact - 27:21 contain - 33:12 contested [3] 27:4, 29:8, 32:2 Cooperative - 22:18 coordinated - 4:25 Counsel [13] 18:4, 18:8, 24:23, 25:4, 25:18, 27:21, 28:7, 28:16, 30:12, 30:21, 31:13, 31:14, 31:18</p> | <p>County [3] 23:25, 33:4, 33:6 couple - 11:15 course [2] 5:5, 14:25 Court [14] 1:23, 9:4, 17:23, 19:14, 19:16, 19:20, 23:25, 24:9, 24:12, 24:13, 25:9, 25:19, 33:5, 33:20 create - 14:16 credibility - 16:2 Crutcher [4] 1:22, 17:22, 33:5, 33:19 current - 27:18 currently - 19:13</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>damages - 16:2 date - 10:4 Dave [8] 3:23, 5:1, 8:7, 8:9, 16:13, 17:10, 21:25, 22:2 David [5] 1:14, 1:16, 8:19, 9:22, 13:3 Davin - 17:25 deal - 14:17 Deb - 18:5 decide - 24:14 decided - 19:22 decision [7] 19:17, 24:1, 24:12, 24:24, 27:13, 27:16, 28:4 decisions - 19:19 defer [2] 12:4, 12:14 deliberations - 5:17 demonstrating - 25:5 Department [2] 8:16, 23:22</p> | <p>Depending - 7:16 Deputy - 17:25 DEQ [14] 8:11, 17:25, 17:25, 17:25, 18:1, 18:1, 18:2, 18:4, 18:4, 18:5, 18:7, 18:7, 18:9, 27:14 DEQ's [2] 8:20, 20:19 described - 30:8 designate - 7:3 designated - 22:7 determination - 20:19 difficulties - 9:6 difficulty - 12:24 direct - 25:17 direction - 8:25 Director - 17:25 disapproved - 16:23 discuss - 11:22 discussed [3] 4:11, 29:10, 31:20 discussion [23] 3:25, 4:18, 4:25, 7:9, 8:7, 8:21, 9:8, 10:1, 11:2, 11:17, 11:24, 12:1, 13:25, 21:24, 22:3, 22:23, 25:1, 25:13, 28:11, 28:14, 29:20, 30:15, 30:17 dismiss - 19:17 dismissed - 24:6 District - 23:25 Doctor [4] 7:10, 7:23, 12:5, 21:4 Dr - 12:4 due - 15:18</p> | <p>dynamic - 5:12</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier [3] 9:11, 17:3, 24:8 easier [3] 8:13, 13:2, 16:8 easy - 16:4 educational - 31:3 efficient - 6:16 effort [4] 4:23, 4:25, 6:18, 7:4 Elena - 18:6 email - 10:25 emphasize - 15:23 employing - 29:7 Energy - 23:23 Engineers - 28:25 entirety [2] 28:7, 30:12 entity [2] 12:21, 16:21 environmental [4] 1:1, 20:20, 23:21, 23:23 EPA - 18:9 especially - 9:3 essentially [2] 13:18, 18:19 event - 3:11 everybody - 29:19 everyone [2] 15:2, 32:16 everything - 5:6 exactly [2] 13:1, 14:5 Examiner [12] 15:13, 20:11, 20:14, 21:16, 21:18, 21:21, 22:7, 22:19, 22:21, 23:8, 28:5, 30:13 Examiners - 18:20 examples - 6:9 except -</p> |
|---|---|---|--|--|--|

| | | | | | |
|---|---|--|---|--|--|
| <p>13:10 exception [2] 13:19, 15:7 exceptions [12] 11:13, 12:18, 12:20, 12:21, 13:7, 13:14, 13:21, 14:6, 15:6, 15:25, 16:17, 17:5 expect [4] 9:11, 18:12, 20:23, 31:5 expense - 6:11 expires - 33:21 explain - 29:3 eye - 29:24</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>failed [3] 17:15, 18:11, 19:17 fair - 14:3 fairly - 26:8 favor [9] 4:2, 5:21, 10:20, 22:9, 22:25, 25:20, 28:16, 30:22, 32:11 feedback - 29:12 Fehr [2] 8:22, 17:25 felt - 12:17 ferret - 13:17 fighting - 24:11 figure - 14:5 file [2] 24:19, 25:4 filed [4] 16:14, 23:10, 23:24, 28:25 filing - 25:18 final - 32:8 finding - 15:7 findings [8] 11:13, 12:25, 13:8, 13:11, 16:15, 16:16, 16:22, 17:1 fine [5] 6:12, 20:9, 20:13, 20:15, 20:21 Fish - 18:9 five - 3:5 flip - 14:6</p> | <p>followed [2] 14:13, 27:23 foregoing - 33:12 formal [2] 29:10, 29:18 forward - 31:12 front [2] 19:14, 24:8 fully [2] 10:3, 23:11</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>Garden [2] 27:6, 27:14 gave - 30:4 general [2] 7:12, 31:23 gets - 19:22 goal [4] 5:23, 5:24, 9:18, 10:16 goes [2] 5:8, 13:6 government - 6:14 greatly - 8:12 group - 5:18 guess [2] 21:13, 25:1 guidance - 15:14</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>Hagen - 18:6 half - 4:12 handle [2] 9:3, 18:17 happen - 16:9 happens - 31:11 Harry - 5:9 Hart - 18:3 haven't - 13:2 having [3] 7:19, 10:16, 17:13 he's - 21:17 hear [2] 3:9, 18:21 heard [2] 3:18, 20:9 hearing [18] 15:12, 18:20, 20:11, 20:14, 21:16, 21:18, 21:20, 22:7, 22:19, 22:20, 23:7,</p> | <p>23:19, 27:6, 28:5, 28:22, 30:13, 30:19, 32:7 Heidi - 18:6 held - 29:5 Helena [5] 6:2, 6:12, 7:4, 7:18, 32:18 helped - 13:3 helps - 5:17 hereby - 33:7 herein - 33:9 hereunto - 33:15 Holland - 18:3 hope [7] 7:18, 10:4, 10:6, 10:13, 10:14, 19:22, 32:17 hopefully [4] 24:13, 26:7, 31:7, 32:19 hoping - 12:9 hours - 18:13 However - 24:7 hybrid [4] 8:18, 8:23, 9:3, 9:4</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>idea [8] 4:17, 4:22, 4:24, 5:2, 7:12, 8:4, 11:23, 12:13 identify [2] 17:15, 17:17 impact [2] 8:21, 20:20 in-person [8] 4:10, 4:14, 4:20, 6:2, 7:1, 7:5, 8:15, 9:13 inclined - 14:15 include [3] 12:18, 15:4, 23:17 including - 29:9 Incorporated - 23:8 incur - 6:11 indicate - 9:20 individual - 32:2 informal [12] 27:11, 27:15,</p> | <p>27:17, 29:2, 29:6, 29:7, 29:11, 29:14, 29:21, 31:3, 31:4, 31:8 information [3] 21:3, 23:22, 27:18 initial - 15:13 input - 30:5 insight - 31:6 interest - 16:7 interested - 27:22 interests [2] 15:11, 15:24 interfered - 5:6 interpersonal - 5:11 intervene - 29:1 intervenors - 29:9 involved [2] 20:15, 25:10 issuance - 27:7 issue [7] 11:18, 15:21, 20:13, 24:8, 24:10, 24:14, 25:8 issued [3] 20:22, 27:9, 29:2 item [6] 4:9, 11:11, 19:12, 20:7, 23:21, 32:8 itemized - 16:16 items [9] 18:17, 18:23, 18:25, 19:3, 19:25, 20:7, 23:16, 23:17, 23:20</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James [2] 8:19, 9:1 Janes - 18:5 Jason - 18:6 Jeremiah - 18:1 Johnson - 18:7 join [4] 3:10, 8:3, 8:14, 10:7</p> | <p>joining - 4:21 Jon [3] 1:15, 8:6, 28:10 judge - 6:23 judgment - 23:11 judicial [3] 19:19, 24:3, 29:16 Julia [4] 1:15, 3:15, 10:3, 10:9 June [2] 3:13, 4:3 jurisdiction - 31:25</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kelly - 18:2 Kirsten - 18:1 knows - 21:1</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>laborious - 14:4 Langston - 18:1 Lauren - 18:4 Laurie [6] 1:22, 9:2, 9:6, 17:22, 33:5, 33:19 lauriecrutcher@g - 1:24 law [6] 11:14, 13:1, 13:9, 13:12, 15:8, 16:15 lawyer - 6:10 lay - 14:7 least [2] 9:14, 10:14 Lee - 18:7 Legal [4] 17:23, 17:24, 18:6, 21:19 Lehnherr [13] 1:16, 2:18, 2:19, 7:11, 12:4, 12:6, 20:4, 20:5, 20:25, 22:22, 26:19, 26:20, 30:14 less [2] 18:12, 31:10 let's [8] 3:12, 6:1, 11:4, 11:11, 19:5, 21:7, 22:16, 23:15</p> | <p>level - 19:21 Lewis [2] 33:4, 33:6 likelihood - 29:16 liking - 19:23 LLC - 27:6 longer [2] 21:18, 32:17 looking - 12:10 Loryn - 18:7 lower [3] 19:16, 21:21, 22:8 Luke - 20:8</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>majority [6] 6:1, 9:14, 9:20, 10:5, 10:16, 10:19 makes - 8:13 making [6] 6:17, 12:21, 14:9, 14:10, 16:7, 17:8 March - 33:22 Marquis - 18:3 matter [11] 20:8, 21:11, 22:17, 24:1, 25:16, 28:5, 28:15, 28:21, 28:21, 30:20, 31:24 matters - 32:3 maybe [3] 3:10, 5:22, 15:13 McKenna - 18:7 means - 6:5 meant - 18:11 media - 21:1 meet [3] 4:15, 5:15, 7:13 meeting [27] 1:5, 2:5, 3:13, 4:3, 4:14, 4:20, 5:13, 5:23, 6:2, 6:6, 6:20, 6:21, 7:3, 7:5, 7:6, 8:5, 8:18, 9:5, 9:13, 10:18, 11:5, 13:7, 18:12, 26:1, 26:11, 32:1, 32:9 meetings [5]</p> |
|---|---|--|---|--|--|

| | | | | | | | | | | | | | | |
|--|--|----------------------|--|----------------------|--|---|----------------------|---|--|--|----------------------|--|----------------------|--|
| 4:10, 5:6, 7:1, 9:3, 12:17 member [60] 2:14, 2:16, 2:17, 2:19, 2:20, 2:22, 2:23, 2:25, 3:1, 3:3, 3:8, 3:15, 3:18, 3:20, 3:21, 3:23, 5:1, 6:22, 6:22, 6:24, 7:8, 7:11, 7:24, 8:8, 9:9, 9:23, 10:2, 10:12, 11:18, 12:3, 12:6, 12:7, 12:7, 12:11, 12:14, 13:5, 14:18, 14:21, 15:1, 15:20, 16:12, 20:4, 20:5, 20:25, 21:19, 21:23, 21:25, 22:22, 25:12, 26:15, 26:17, 26:18, 26:20, 26:21, 26:23, 26:24, 27:1, 28:8, 30:14, 32:10 members [14] 1:14, 3:6, 6:17, 7:4, 8:10, 8:15, 9:12, 10:15, 10:16, 10:19, 11:1, 17:15, 31:24, 32:18 mention - 18:11 mentioned [2] 5:3, 7:19 Michael [4] 18:2, 21:20, 22:20, 25:4 Mike [3] 11:19, 15:24, 22:6 mind [2] 9:5, 16:2 Mine - 28:22 minimum - 5:15 mining - 27:7 | minutes [3] 3:13, 3:14, 4:3 Mohr - 18:7 Moira - 17:25 MOISEY-SCHERER [20] 2:7, 2:10, 2:12, 2:14, 2:17, 2:20, 2:23, 3:1, 3:3, 3:8, 3:15, 3:5, 11:8, 17:19, 17:22, 20:3, 26:13, 26:15, 26:18, 26:21, 26:24, 27:2 money - 24:11 monitor [2] 6:16, 24:21 Montana [7] 1:2, 19:14, 23:21, 23:22, 24:13, 33:2, 33:7 month - 20:24 morning [2] 2:7, 15:2 motion [28] 3:14, 3:18, 4:8, 7:7, 7:20, 9:17, 10:3, 10:14, 11:2, 11:24, 12:2, 17:8, 17:11, 17:13, 22:13, 23:4, 23:10, 25:2, 25:15, 25:24, 28:9, 28:14, 28:20, 28:25, 30:11, 30:19, 31:1, 32:15 move [9] 7:2, 17:14, 21:19, 22:19, 23:20, 28:6, 31:23, 32:8, 32:9 moved [3] 3:15, 3:16, 22:5 Murry - 18:7 Myla - 18:2 | <hr/> N <hr/> | named [2] 24:2, 33:9 narrative - 13:18 nay - 13:23 necessarily - 6:6 needed [2] 14:20, 20:20 needs - 24:22 Nick - 18:4 non-board - 17:15 non-participatio - 24:20 none [4] 23:19, 30:19, 31:22, 32:7 notarial - 33:16 Notary [3] 1:23, 33:6, 33:20 notice - 24:19 Notwithstanding - 28:2 Nowakowski - 18:9 numbered - 15:7 | <hr/> O <hr/> | observation - 16:13 obviously - 8:16 occurred [4] 24:2, 27:17, 27:20, 28:3 October [9] 6:20, 7:6, 8:1, 8:5, 9:18, 10:9, 10:17, 11:6, 32:19 Ogden - 18:8 open [2] 11:25, 32:4 opencut - 27:7 Operating - 28:25 opposed [9] 4:6, 10:22, 16:25, 22:11, 23:2, 25:22, 28:18, 30:24, 32:13 opposing [2] | 16:18, 17:5 opposition [3] 13:11, 16:14, 16:21 option [3] 4:21, 7:19, 7:22 order [7] 2:5, 9:13, 15:14, 20:22, 20:23, 27:9, 29:2 organization - 17:2 otherwise - 32:1 ought - 9:14 outline - 15:6 overview - 12:9 | <hr/> P <hr/> | pages [2] 21:5, 33:12 pandemic [2] 5:6, 7:14 participate [5] 24:16, 24:23, 24:25, 25:2, 25:16 particular [3] 29:8, 29:13, 29:22 parties [11] 14:12, 15:10, 15:25, 16:4, 16:6, 27:10, 29:8, 29:12, 29:15, 29:23, 30:5 party [7] 14:13, 15:5, 17:6, 19:15, 19:19, 24:3, 24:5 passes [2] 4:8, 28:20 past [5] 4:11, 6:25, 12:17, 24:2, 24:18 Patrick [2] 21:16, 22:19 Peak [2] 23:23, 24:1 pending - 24:12 permit - 27:8 permittee - 27:22 permittee's - 27:21 pervasive - 15:21 | plan [2] 9:21, 10:25 planning - 11:5 pleading [2] 25:5, 25:6 please - 2:6 Ployhar - 20:8 point [9] 8:20, 9:16, 11:25, 13:10, 15:24, 16:11, 20:22, 22:17, 32:2 pointed [2] 17:3, 24:7 points [4] 12:19, 13:9, 16:20, 17:4 poll [2] 9:19, 10:17 position [4] 17:18, 19:18, 19:20, 24:4 possibility - 29:6 possible [14] 7:13, 7:18, 11:1, 15:4, 15:12, 15:17, 16:1, 16:5, 20:13, 24:16, 24:17, 25:3, 25:17, 32:18 posture - 29:15 practically - 15:9 predicted - 32:17 PREPARED - 1:22 present [4] 3:6, 9:15, 17:16, 29:9 prevent - 7:15 primarily - 18:20 prior - 27:12 probably [4] 6:15, 8:2, 12:8, 13:2 problem - 8:24 procedural [2] 15:13, 20:22 procedure [5] 14:14, 29:11, 29:11, 29:19, 31:5 procedures [6] | 29:2, 29:7, 29:14, 29:21, 30:1, 31:8 proceed - 3:11 proceeding - 24:3 proceedings [7] 1:8, 2:1, 32:3, 32:21, 33:8, 33:10, 33:13 process [6] 13:2, 14:4, 14:10, 15:22, 27:12, 31:9 produce - 31:4 proposed [4] 11:13, 12:25, 13:8, 20:23 pros - 29:10 providing - 15:14 public [8] 1:23, 31:23, 31:24, 32:3, 32:4, 32:5, 33:6, 33:20 purpose - 17:16 purposes [2] 25:1, 31:4 pursuant - 27:12 | <hr/> Q <hr/> | Quality - 23:23 quickly - 26:8 quorum [2] 3:8, 27:2 | <hr/> R <hr/> | raise - 21:3 raised [3] 11:18, 13:9, 17:4 raising - 24:10 rather - 16:8 rationale - 16:24 Ray - 18:8 reach - 29:16 ready - 8:17 realistic - 9:11 realized - 17:14 |
|--|--|----------------------|--|----------------------|--|---|----------------------|---|--|--|----------------------|--|----------------------|--|

| | | | | | |
|--|---|---|--|---|---|
| really [5] 5:5, 5:17, 11:23, 14:8, 31:5 | 5:25 reservations - 25:6 | 2:8, 2:9, 3:7, 3:17, 3:21, 3:25, 4:2, 4:6, 4:8, 5:19, 5:21, 7:9, 7:12, 7:23, 8:6, 8:19, 9:1, 9:16, 9:25, 10:8, 10:13, 10:22, 10:24, 11:10, 12:5, 12:11, 12:16, 13:13, 13:25, 14:2, 14:25, 15:3, 15:23, 17:10, 17:13, 17:20, 18:10, 19:2, 19:5, 19:8, 19:11, 20:3, 20:6, 20:14, 21:4, 21:7, 21:10, 21:13, 21:24, 22:2, 22:5, 22:11, 22:13, 22:16, 22:23, 22:25, 23:2, 23:4, 23:12, 23:15, 23:19, 25:13, 25:15, 25:22, 25:24, 26:6, 26:10, 26:13, 26:14, 27:3, 28:1, 28:10, 28:13, 28:18, 28:20, 30:6, 30:10, 30:15, 30:17, 30:19, 30:24, 31:1, 31:17, 31:22, 32:7, 32:11, 32:13, 32:15 | 11:22, 15:22 rules [2] 11:12, 29:18 Russell [21] 11:19, 14:22, 15:2, 18:2, 20:15, 20:17, 21:20, 22:6, 22:20, 25:4, 27:19, 27:20, 28:7, 28:16, 29:3, 29:5, 30:7, 30:12, 30:21, 31:6, 31:19 | 2:25, 3:20, 3:22, 3:23, 5:1, 7:8, 8:8, 9:9, 9:23, 11:18, 12:3, 12:7, 12:7, 12:11, 12:14, 13:5, 15:20, 16:12, 16:13, 21:23, 21:25, 22:1, 26:25, 27:1, 32:10 sit - 31:2 sixth - 5:3 Smith [4] 3:1, 3:3, 3:8, 6:22 someone [3] 3:19, 7:15, 20:12 somewhat - 12:20 Sonja - 18:8 sorry [3] 12:4, 20:6, 32:16 sort - 11:20 sorted - 13:14 speak - 9:2 speaking [2] 9:7, 15:9 specific [12] 12:18, 12:19, 13:10, 13:22, 15:6, 15:7, 15:19, 16:17, 16:19, 16:20, 16:25, 31:21 specifically - 13:22 spend [2] 24:9, 24:17 spending - 24:10 SS - 33:3 Stacy - 3:9 stage - 29:17 standpoint - 16:18 start [2] 3:12, 18:24 state [6] 1:2, 6:14, 8:1, 21:17, 33:2, 33:7 stated - 13:22 stating - 6:25 STEVEN - 1:13 Stout - 18:8 streamline - | 15:8 subject [2] 4:10, 32:1 sufficient - 13:21 Sugar - 22:18 Sugars - 23:8 suggested [3] 4:13, 10:9, 11:16 suggestion - 13:24 suited - 29:14 summary - 23:10 support [6] 5:2, 7:20, 8:4, 8:24, 10:3, 16:16 suppose - 16:19 Supreme [6] 19:14, 19:20, 24:9, 24:12, 24:13, 25:9 survey - 20:20 Sweeney - 18:4 |
| | | | S | | T |
| recessed - 26:1 reconvene - 26:10 reconvened - 26:2 record [3] 17:17, 29:18, 33:13 reflected - 21:15 refrain - 17:8 regarding [3] 27:24, 28:22, 29:6 Reiten [9] 1:15, 2:21, 2:22, 7:24, 14:18, 25:12, 26:22, 26:23, 28:8 rejected - 13:15 related [2] 7:14, 20:10 relationship - 20:2 relief [6] 12:19, 13:10, 13:22, 16:17, 16:20, 16:25 remanded - 16:23 reply - 23:9 reported - 33:10 Reporter [5] 1:23, 9:4, 17:23, 33:5, 33:20 represents - 24:21 request [4] 12:8, 16:22, 27:5, 28:21 requested [5] 12:19, 13:22, 16:17, 16:20, 29:9 requesting - 27:10 requirement - | 21:17 resource - 31:10 resources [2] 24:10, 24:17 respect - 25:8 respond - 12:13 responded - 27:15 response [44] 2:11, 2:13, 3:2, 3:4, 4:1, 4:5, 4:7, 5:20, 10:21, 10:23, 12:12, 14:1, 17:12, 19:1, 19:4, 19:7, 19:10, 21:6, 21:9, 21:12, 22:4, 22:10, 22:12, 22:15, 22:24, 23:1, 23:3, 23:14, 23:18, 25:14, 25:21, 25:23, 28:12, 28:17, 28:19, 30:9, 30:16, 30:18, 30:23, 30:25, 31:16, 32:6, 32:12, 32:14 review [7] 1:1, 3:12, 13:21, 19:19, 23:25, 24:3, 29:16 rights - 25:19 Riskin [2] 21:16, 22:19 roll [2] 2:6, 26:12 room - 8:10 Rosebud - 28:22 RPR [3] 1:22, 33:5, 33:19 Ruffatto [90] 1:13, 2:4, | 2:8, 2:9, 3:7, 3:17, 3:21, 3:25, 4:2, 4:6, 4:8, 5:19, 5:21, 7:9, 7:12, 7:23, 8:6, 8:19, 9:1, 9:16, 9:25, 10:8, 10:13, 10:22, 10:24, 11:10, 12:5, 12:11, 12:16, 13:13, 13:25, 14:2, 14:25, 15:3, 15:23, 17:10, 17:13, 17:20, 18:10, 19:2, 19:5, 19:8, 19:11, 20:3, 20:6, 20:14, 21:4, 21:7, 21:10, 21:13, 21:24, 22:2, 22:5, 22:11, 22:13, 22:16, 22:23, 22:25, 23:2, 23:4, 23:12, 23:15, 23:19, 25:13, 25:15, 25:22, 25:24, 26:6, 26:10, 26:13, 26:14, 27:3, 28:1, 28:10, 28:13, 28:18, 28:20, 30:6, 30:10, 30:15, 30:17, 30:19, 30:24, 31:1, 31:17, 31:22, 32:7, 32:11, 32:13, 32:15 rule [7] 14:7, 14:10, 14:13, 14:19, 15:4, 15:5, 26:3 rulemaking [3] 11:20, | Sam - 18:3 Sandy [8] 2:5, 3:7, 10:24, 11:10, 17:15, 17:17, 18:10, 26:11 Sarah - 18:8 saying [2] 15:4, 15:5 scheduled - 27:25 scheduling [2] 20:23, 27:24 seal - 33:16 seconded [5] 10:15, 22:6, 25:16, 28:14, 30:20 section - 27:4 seem - 29:13 seemed - 13:16 Selenium - 26:3 sense - 11:7 separately - 26:4 service [2] 21:17, 21:18 Services - 21:19 session - 8:13 shorten - 31:9 shorthand - 33:10 shows - 22:18 Sidney - 23:8 Signal [2] 23:23, 24:1 Similarly - 6:13 simply - 24:21 Simpson [27] 1:14, 2:24, | 15:8 subject [2] 4:10, 32:1 sufficient - 13:21 Sugar - 22:18 Sugars - 23:8 suggested [3] 4:13, 10:9, 11:16 suggestion - 13:24 suited - 29:14 summary - 23:10 support [6] 5:2, 7:20, 8:4, 8:24, 10:3, 16:16 suppose - 16:19 Supreme [6] 19:14, 19:20, 24:9, 24:12, 24:13, 25:9 survey - 20:20 Sweeney - 18:4 | taken [2] 26:9, 33:8 taking - 19:20 technological - 8:12 tells - 9:2 tend [3] 14:18, 15:3, 15:10 Thank [19] 2:4, 3:7, 10:7, 10:24, 11:9, 11:10, 15:1, 17:10, 18:10, 21:3, 21:4, 23:12, 26:6, 27:3, 28:1, 28:10, 30:6, 32:16, 32:20 Thanks [5] 7:23, 8:19, 9:1, 12:6, 22:2 there's [3] 6:13, 20:1, 24:22 therefore - 24:6 they're - 16:25 thinking [4] 4:19, 5:22, |

| | | | | | |
|---|--|--|--|--|--|
| <p>14:9, 24:15 thinks - 25:7 though - 10:4 thoughts [3] 5:19, 14:3, 14:19 thus - 16:3 Tonya - 18:9 totality [4] 28:7, 28:15, 30:12, 30:21 tougher - 9:3 track - 9:7 tracking - 12:24 transcribed - 33:11 transcript [2] 1:8, 26:3 transcription - 33:11 travel [2] 10:6, 10:11 traveling - 6:12 true - 33:12 Truman - 5:9</p> | <p style="text-align: center;">V</p> <p>validity - 21:2 Valley [2] 27:6, 27:14 variety - 7:17 versus [2] 23:22, 29:11 via [2] 1:8, 8:3 Vice [2] 2:10, 2:12 Vicki - 18:3 view [4] 6:25, 8:20, 14:7, 24:9 volunteer - 16:6</p> | <p>8:25 Whitaker - 18:4 whoever - 18:20 whole [2] 13:24, 17:1 winter [2] 10:5, 10:10 within - 31:25 WITNESS - 33:15 won't [2] 8:2, 8:5 wondering [2] 18:14, 20:12 works - 10:5 wrap - 26:7 wrong - 20:21</p> | | | |
| <p style="text-align: center;">U</p> <p>understand [2] 16:19, 17:7 understanding - 20:18 Understood - 8:6 unfortunately [2] 7:25, 8:4 unintended - 14:16 Union - 28:25 unless [3] 6:1, 27:18, 31:20 unnecessarily - 15:16 update [4] 18:21, 21:14, 23:6, 31:14 updates [8] 18:19, 18:25, 19:6, 19:9, 21:8, 21:11, 23:13, 28:23 upgrade - 8:12 upgraded - 8:11 using - 33:11 usually - 6:13</p> | <p style="text-align: center;">W</p> <p>wanted [4] 4:12, 27:11, 27:15, 29:17 wants [3] 6:10, 8:25, 28:4 Warhank - 18:8 warrant - 15:22 we'll [8] 9:5, 9:17, 18:21, 18:24, 21:10, 26:6, 31:11, 31:13 we're [9] 8:24, 9:19, 16:6, 18:15, 23:19, 24:5, 27:3, 27:24, 29:23 we've [4] 5:13, 11:2, 20:22, 31:20 week - 27:23 weeks [2] 11:4, 27:9 Western - 22:18 Westmoreland - 28:24 whereas - 16:16 WHEREOF - 33:15 WHEREUPON - 2:1 whether [5] 11:22, 14:12, 24:25, 27:10, 28:4 whichever -</p> | <p style="text-align: center;">Y</p> <p>yea - 13:23 Yellowstone - 23:25 Yemington - 18:3 yet [2] 5:8, 27:20</p> <p style="text-align: center;">Z</p> <p>Zoom [12] 1:8, 4:22, 5:7, 5:13, 6:7, 6:13, 6:16, 7:20, 7:22, 8:3, 8:14, 10:7</p> | | | |