

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT GALLATIN COUNTY</p> <hr/> <p>COTTONWOOD ENVIRONMENTAL LAW CENTER; CRAIG MATHEWS; QUINN O'CONNOR; STEVE ATENCIO; ISAAC CHEEK, Plaintiffs,</p> <p style="text-align: center;">vs. Case No. DV-22-1121A</p> <p>THE STATE OF MONTANA by and Through the MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,</p> <p style="text-align: center;">Defendants.</p> <hr/> <p style="text-align: center;">DEPOSITION OF RON EDWARDS 30(b)(6)</p> <p style="text-align: center;">Taken via Zoom: Bridger Court Reporters, Inc. 210 Henderson Street Bozeman, Montana April 4, 2024 10:00 a.m.</p>	<p style="text-align: right;">Page 3</p> <p style="text-align: center;">I N D E X</p> <p>Witness: Page:</p> <p>RON EDWARDS 30(b)(6) Examination by Mr. Meyer.....5, 44 Examination by Mr. Pettis.....43</p> <p style="text-align: center;">E X H I B I T S</p> <p>Exhibit 1 Closure Letter to Ron Edwards from DEQ dated March 5, 2024.....17</p> <p>Exhibit 2 EPA Report regarding the investigation of the Big Sky Water and Sewer District's holding ponds.....32-33</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES 2 ATTORNEY APPEARING ON BEHALF OF THE 3 PLAINTIFFS, COTTONWOOD ENVIRONMENTAL LAW 4 CENTER; CRAIG MATHEWS; QUINN O'CONNOR; STEVE 5 ATENCIO; ISAAC CHEEK:</p> <p>Mr. John Meyer, Esq. Cottonwood Environmental Law Center P.O. Box 412 Bozeman, Montana 59771 (406)546-0149 john@cottonwoodlaw.org</p> <p>ATTORNEY APPEARING ON BEHALF OF THE DEFENDANTS, THE STATE OF MONTANA by and through the MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY:</p> <p>Mr. Aaron Pettis, Esq. Staff Attorney Department of Environmental Quality P.O. Box 200901 1520 East Sixth Avenue Helena, Montana 59602-0901 (406)444-1422 apettis@mt.gov</p> <p>ATTORNEYS APPEARING ON BEHALF OF THE BIG SKY WATER & SEWER DISTRICT:</p> <p>Ms. Andrea M. Bronson, Esq. Mr. Michael Golz, Esq. DAVIS GRAHAM & STUBBS LLP 1550 17th Street, Suite 500 Denver, Colorado 80202 (303)892-7495 andrea.bronson@dgsllaw.com michael.golz@dgsllaw.com</p> <p>Ms. Susan B. Swimley, Esq. Swimley Law 1807 W. Dickerson Street, Suite B Bozeman, Montana 59715 (406)586-5544 swimley@swimleylaw.com</p>	<p style="text-align: right;">Page 4</p> <p>RON EDWARDS 30(b)(6) April 4, 2024; BOZEMAN, MONTANA</p> <p style="text-align: center;">* * * * *</p> <p>BE IT REMEMBERED THAT, pursuant to Notice, the Deposition of RON EDWARDS 30(b)(6) was taken at the time and place and with the appearances of counsel hereinbefore noted before Marla Jeske, Court Reporter, CSR - Notary Public, for the State of Montana.</p> <p>It is further stipulated and agreed by and between counsel for the respective parties that this deposition was taken pursuant to the Montana Rules of Civil Procedure.</p> <p>The following proceedings were had:</p> <p>RON EDWARDS 30(b)(6), having been called as a witness by the Plaintiffs, being first duly sworn, was examined and testified as follows:</p> <p>MR. MEYER: The deposition is beginning. I'm going to identify everyone in the room. I have</p>

<p style="text-align: right;">Page 5</p> <p>1 Ron Edwards, the 30(b)(6) representative for Big 2 Sky Water and Sewer District. Aaron Pettis for the 3 Montana DEQ. Andrea Bronson for Big Sky Water and 4 Sewer District. Michael Golz for Big Sky Water and 5 Sewer District. Susan Swimley for Big Sky Water 6 and Sewer District. 7 Is there anyone else I'm missing? 8 9 EXAMINATION 10 BY MR. MEYER: 11 Q. Mr. Edwards, can you please state your 12 name and spell it out, please? 13 A. My name is Ron Edwards, R-O-N, 14 E-D-W-A-R-D-S. 15 Q. Mr. Edwards, I'm going to explain some 16 of the basic procedures and ground rules for the 17 deposition. 18 This is a 30(b)(6) deposition of 19 defendant Big Sky Water and Sewer District. My 20 name is John Meyer. I'm an attorney representing 21 the plaintiffs in this case. 22 This is a deposition in which I will ask 23 you questions and you must answer them truthfully 24 unless your attorney tells you clearly and directly 25 not to answer.</p>	<p style="text-align: right;">Page 7</p> <p>1 A. Yes. 2 Q. Will you let me know if I ask you a 3 question you do not understand? 4 A. Yes. 5 Q. Will you agree not to answer a question 6 you do not understand? 7 A. Yes. 8 Q. Is there any reason you believe that you 9 cannot give accurate and truthful testimony today? 10 A. No. 11 Q. Your attorney or the attorney for the 12 DEQ may object to my questions, you still answer my 13 question unless you are expressly directed not to 14 answer. Do you understand that? 15 A. Yes. 16 Q. Have you reviewed the topics to be 17 discussed today in the deposition notice? 18 A. Yes. 19 Q. What did you do to prepare for this 20 deposition? 21 MS. BRONSON: I will object to the witness 22 answering anything that is privileged. So he can 23 tell you what he did except for any communication 24 that we had. 25 THE WITNESS: I reread the subpoena, reread</p>
<p style="text-align: right;">Page 6</p> <p>1 Although, no judge is present, this is a 2 formal legal proceeding just like testifying in 3 court, and you are under the same legal obligation 4 to tell the truth, the whole truth, and nothing but 5 the truth. 6 If you do not understand any of my 7 questions, feel free to say so and I will rephrase 8 them. 9 Before the deposition can be used in 10 court, you will have an opportunity to read it and 11 correct any mistakes. Do you understand this? 12 A. Yes. Thank you. 13 Q. When you answer you need to say "yes" or 14 "no" or whatever the answer is instead of shaking 15 your head. Do you understand that? 16 A. Yes. 17 Q. We need to speak one at a time for the 18 court reporter's benefit. So even if you know what 19 I'm going to ask, will you let me finish the 20 question before you start answering? 21 A. Yes. 22 Q. And if you've not finishing your 23 answering, I cut you off with a new question, will 24 you let me know that you have not finished 25 answering your question?</p>	<p style="text-align: right;">Page 8</p> <p>1 the EPA letter, reread the DEQ letter and read the 2 report from Northwest Lining. 3 BY MR. MEYER: 4 Q. Mr. Edwards, you said that you read a 5 DEQ letter? 6 A. Yes. 7 Q. What letter are you referring to? 8 A. The March 5th, 2024 letter I received 9 from Susan Bawden. 10 Q. When was the last time that the water 11 and sewer district spoke with the DEQ about the 12 holding ponds or this case? 13 A. The last conversation I had with Mike 14 Abrahamson, about a month ago. 15 Q. No one at the water and sewer district 16 has communicated with the Montana DEQ in the last 17 month regarding this lawsuit or the holding ponds? 18 A. I have not. 19 Q. Has anyone at the water and sewer 20 district? 21 A. I don't believe so, no. 22 Q. Mr. Edwards, did the Montana DEQ 23 investigate the water and sewer district about 24 whether you provided false testimony regarding the 25 volume of leakage from the holding ponds during the</p>

<p style="text-align: right;">Page 9</p> <p>1 previous federal Clean Water Act trial against 2 sewer district? 3 MR. PETTIS: Object to the form -- 4 MS. BRONSON: Object to form. 5 MR. PETTIS: -- and object to foundation. 6 MR. MEYER: Mr. Edwards, you can answer. 7 I can reask the question. 8 THE WITNESS: They addressed a complaint you 9 filed with DEQ and that was the scope of my 10 conversation with Mike. 11 BY MR. MEYER: 12 Q. Mr. Edwards, before we go any farther, 13 I'm going to ask you to turn off any cellphones, 14 any devices. Can you do that for me, please? 15 A. I don't have my phone in the room. 16 Q. Can you receive -- can you turn off any 17 Teams or any messaging or any communications on 18 your computer? 19 A. If you want me to turn off my 20 computer -- this makes no sense. 21 Q. Well -- 22 MS. BRONSON: What are you trying to have 23 happen here? 24 MR. MEYER: I'm trying to ensure that 25 Mr. Edwards does not communicate with anyone else</p>	<p style="text-align: right;">Page 11</p> <p>1 A. I don't know if they did or what they 2 investigated on the federal case. 3 Q. Okay. After the federal trial, did you 4 discuss your testimony with the Montana DEQ? 5 A. No. 6 Q. Did the DEQ ask the sewer district to 7 explain the water balance that you and Mr. Rauchway 8 presented to the jury during the federal trial? 9 A. The department requested I believe the 10 last five years of data that we have concerning 11 flows into the ponds and out of the ponds. 12 Q. When was that request? 13 A. Oh, I guess six months ago. 14 Q. Was it information requested before the 15 jury trial? 16 A. No, well after. 17 Q. Okay. Did the DEQ request the sewer 18 district to provide any of the slides or exhibits 19 that were provided to the jury during the federal 20 jury trial? 21 A. Not from me. 22 Q. Did they request them from the sewer 23 district? 24 A. No. 25 Q. Did the DEQ ask about the volume of</p>
<p style="text-align: right;">Page 10</p> <p>1 during this deposition. 2 THE WITNESS: Understood. 3 BY MR. MEYER: 4 Q. Okay. So you'll tell me if anyone tries 5 to communicate with you? 6 A. Yes, sir. 7 Q. Thank you. 8 Mr. Edwards, I'm going to ask my 9 question again because we got a little sidetracked 10 there. 11 Did the Montana DEQ investigate the 12 sewer district about whether you provided false 13 testimony regarding the volume of leakage from the 14 holding ponds during the previous federal Clean 15 Water Act trial against the sewer district? 16 MS. BRONSON: Object to form, foundation. 17 MR. PETTIS: Same objections. 18 MR. MEYER: You can answer that question, 19 Mr. Edwards. 20 THE WITNESS: I don't know what DEQ 21 investigated on the federal case. 22 BY MR. MEYER: 23 Q. So you don't know if the -- I'm not -- I 24 want to make sure I heard you. You don't know if 25 the DEQ investigated, is that what I heard you say?</p>	<p style="text-align: right;">Page 12</p> <p>1 export to Spanish Peaks or the Yellowstone Club 2 during the non-irrigation season after the trial? 3 A. That would have been in the data we sent 4 them in the spreadsheets, which you're familiar 5 with. 6 Q. Did the Big Sky Water and Sewer District 7 communicate with U.S. EPA about the holding ponds 8 after the federal Clean Water Act trial against 9 sewer district? 10 A. Yes, in response to a complaint you 11 filed with EPA Region 8. 12 Q. What was communicated? 13 A. Lisa-Kay Prideaux out of the Helena 14 office reached out to schedule a meeting to do an 15 investigation by e-mail. 16 Q. When did Lisa-Kay Prideaux reach out to 17 schedule an investigation? 18 A. I don't recall the exact date. The 19 investigation happened in July of 2023. 20 Q. And how did the EPA investigate? 21 MS. BRONSON: Object to form, foundation. 22 MR. PETTIS: Same. 23 THE WITNESS: I think Lisa's report covered 24 how they investigated. They sent staff up here, 25 including herself, met with me and spent the better</p>

<p style="text-align: right;">Page 13</p> <p>1 part of a day up here.</p> <p>2 BY MR. MEYER:</p> <p>3 Q. Did the sewer district and the EPA</p> <p>4 discuss the testimony that you provided during the</p> <p>5 trial?</p> <p>6 A. No, not with me.</p> <p>7 Q. Did the EPA discuss the testimony</p> <p>8 provided with anyone else at the sewer district?</p> <p>9 A. Not that I know of.</p> <p>10 Q. Did the sewer district review the water</p> <p>11 balance for the years 2015 through 2020 with US EPA</p> <p>12 when they completed or investigated the sewer</p> <p>13 district?</p> <p>14 MR. PETTIS: Object to form.</p> <p>15 MS. BRONSON: Same.</p> <p>16 THE WITNESS: Lisa had questions about the</p> <p>17 same spreadsheet. So I looked at that with her,</p> <p>18 yes, to help explain to her.</p> <p>19 BY MR. MEYER:</p> <p>20 Q. I'm sorry, you did explain the -- your</p> <p>21 jury trial testimony? You discussed that or no?</p> <p>22 A. I did not talk about my testimony in our</p> <p>23 trial.</p> <p>24 Q. Have you reviewed your trial testimony?</p> <p>25 MS. BRONSON: Object to form. This is</p>	<p style="text-align: right;">Page 15</p> <p>1 information for any of my board that would care to</p> <p>2 read it.</p> <p>3 BY MR. MEYER:</p> <p>4 Q. Mr. Edwards, how did you come to the</p> <p>5 conclusion that the Big Sky Water and Sewer</p> <p>6 District was exporting treated effluent to the</p> <p>7 Yellowstone Club and Spanish Peaks during the</p> <p>8 non-irrigation season?</p> <p>9 MS. BRONSON: Object to form. We're not</p> <p>10 going to keep going down this line of questioning,</p> <p>11 rehashing the trial. This is not within the scope</p> <p>12 of the deposition and it's not relevant. This</p> <p>13 is -- we -- you asked three topics and it has to do</p> <p>14 with investigations that we don't know very much</p> <p>15 about. So we're not going to rehash the trial.</p> <p>16 We're not going to have him continue answering</p> <p>17 these questions.</p> <p>18 MR. MEYER: So you're instructing your client</p> <p>19 not to answer?</p> <p>20 MS. BRONSON: If it's outside the scope of</p> <p>21 your deposition.</p> <p>22 MR. MEYER: I think this is relevant.</p> <p>23 MS. BRONSON: Tell me which topic you're</p> <p>24 asking about.</p> <p>25 MR. MEYER: The investigation.</p>
<p style="text-align: right;">Page 14</p> <p>1 outside of the scope of this deposition.</p> <p>2 MR. PETTIS: Same.</p> <p>3 MR. MEYER: Mr. Edwards, you can answer the</p> <p>4 question?</p> <p>5 THE WITNESS: No I have not.</p> <p>6 BY MR. MEYER:</p> <p>7 Q. You have never reviewed your trial</p> <p>8 testimony?</p> <p>9 MS. BRONSON: Object to form. You've</p> <p>10 designated three topics and it doesn't have to deal</p> <p>11 with the trial.</p> <p>12 MR. PETTIS: Same objections.</p> <p>13 MR. MEYER: Mr. Edwards, you can answer.</p> <p>14 THE WITNESS: No, I have not.</p> <p>15 BY MR. MEYER:</p> <p>16 Q. Have you spoken with anybody about your</p> <p>17 trial testimony?</p> <p>18 MS. BRONSON: Object to form. Same, again,</p> <p>19 it's outside the scope.</p> <p>20 MR. PETTIS: Same objections.</p> <p>21 MS. BRONSON: Also object to the extent</p> <p>22 you're seeking privileged communications.</p> <p>23 MR. MEYER: Mr. Edwards, you can answer.</p> <p>24 THE WITNESS: No, but I gave the board a copy</p> <p>25 of the court transcript once it was public just as</p>	<p style="text-align: right;">Page 16</p> <p>1 MS. BRONSON: What about that has to do with</p> <p>2 these investigations? What about your topic of how</p> <p>3 Mr. Edwards determined something in his trial</p> <p>4 testimony two years ago has to do with these</p> <p>5 investigations?</p> <p>6 MR. MEYER: Whether or not the EPA or DEQ</p> <p>7 should have or could have looked at that them.</p> <p>8 MS. BRONSON: He doesn't know that. That's</p> <p>9 foundation. If you want to know what they looked</p> <p>10 at, you can depose somebody from DEQ and EPA.</p> <p>11 MR. MEYER: We're doing that next week.</p> <p>12 MS. BRONSON: What Mr. Edwards testified to</p> <p>13 at trial is not related to -- it's not within the</p> <p>14 scope of EPA or DEQ's investigations.</p> <p>15 BY MR. MEYER:</p> <p>16 Q. Mr. Edwards, have you reviewed the DEQ</p> <p>17 letter from 2024 regarding the investigation?</p> <p>18 A. Yes.</p> <p>19 Q. And what does that letter say?</p> <p>20 A. It concluded with their closing the file</p> <p>21 on their investigation.</p> <p>22 Q. Why are they closing the file?</p> <p>23 MR. PETTIS: Object to foundation.</p> <p>24 MS. BRONSON: Same.</p> <p>25 MR. MEYER: You can answer, Mr. Edwards.</p>

<p style="text-align: right;">Page 17</p> <p>1 THE WITNESS: That was their decision. 2 BY MR. MEYER: 3 Q. I'm going to take a three-minute break 4 here. I'm going to find the closure letter and 5 then I'll mark that as Exhibit 1, if we don't mind. 6 (Whereupon, a brief 7 recess was taken.) 8 MR. MEYER: So I would like to mark this as 9 Exhibit 1, please. 10 (Whereupon, Deposition 11 Exhibit Number 1 was 12 marked for identification.) 13 BY MR. MEYER: 14 Q. Mr. Edwards, you recognize this as the 15 March 5th, 2024 DEQ closure letter? 16 A. Yes. 17 Q. And you've reviewed this? 18 A. Yes. 19 Q. And you see where it says that DEQ's 20 investigation of the allegations regarding 21 excessive pond leaking found there is no credible 22 evidence the ponds are leaking? 23 A. Yeah. 24 MR. PETTIS: I'm going to object to 25 mischaracterizing what it says.</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. I'm going to move us on to the Big Sky 2 Water and Sewer District's maintenance and repair 3 of its holding ponds after the trial. 4 Mr. Edwards, has the Big Sky Water and 5 Sewer District repaired or replaced any of the 6 liners in the holding ponds after the trial? 7 A. Repaired, yes. 8 Q. Which ponds were repaired? 9 A. Storage pond 1 and storage pond 3, also 10 known as the irrigation pond. 11 Q. When were those ponds repaired? 12 A. Fall of 2023. 13 Q. When did the Big Sky Water and Sewer 14 District first learn that the ponds needed to be 15 repaired? 16 A. We've done this as a matter of course 17 over the years. It's maintenance. 18 Q. Before the 2023 repairs, when was the 19 last time that the ponds were repaired? 20 A. 2016. 21 Q. Which pond was repaired in 2016? 22 A. Pond 1, pond 3. 23 Q. Has pond 2 ever been repaired? 24 A. The aeration pond, no. 25 Q. Is pond 2 connected to the underdrain</p>
<p style="text-align: right;">Page 18</p> <p>1 BY MR. MEYER: 2 Q. Mr. Edwards, can I have you read that, 3 please, that highlighted section? 4 A. "DEQ's investigation of the allegations 5 regarding excessive pond leakage found that there 6 is no credible evidence that the ponds are leaking 7 in excess of state design standards." 8 Q. Okay. That's plenty. 9 And you said that the DEQ did not 10 contact you after regarding the water balance? 11 MS. BRONSON: Object to form. 12 MR. PETTIS: Same. 13 THE WITNESS: The department, after our 14 trial, asked for the spreadsheet data so they could 15 investigate the same information that was used in 16 the federal case. 17 BY MR. MEYER: 18 Q. Did the EPA contact you after the 19 federal trial? 20 MS. BRONSON: Object to form. You've already 21 asked that question. 22 BY MR. MEYER: 23 Q. And the answer was yes, correct, 24 Mr. Edwards? 25 A. Yes.</p>	<p style="text-align: right;">Page 20</p> <p>1 pipe? 2 A. No, the underdrain runs under pond 1, 3 pond 3. 4 Q. What year was the liner in pond 2 5 installed? 6 A. I believe that was 2002. 7 Q. How does the Big Sky Water and Sewer 8 District inspect the integrity or whether pond 2 9 needs to be replaced or repaired? 10 A. It's fully rip-rapped. If you mean the 11 aeration pond when you say pond 2? 12 Q. Yes, I do. 13 A. Yeah, it's fully rip-rapped. 14 Q. Does that mean that the pond will never 15 need to be -- the liner will never need to be 16 repaired or replaced? 17 A. No. Some day it will. 18 Q. How will the Big Sky Water and Sewer 19 District know that? 20 A. Well, with the new plant which we're 21 starting up as we speak, we'll have the ability to 22 sidestream water directly from the plant to put us 23 in position where maybe it will take some ponds 24 offline. 25 Q. Is the Big Sky Water and Sewer District</p>

<p style="text-align: right;">Page 21</p> <p>1 going to take pond 2 offline to inspect it?</p> <p>2 A. There's no current plan to do that at</p> <p>3 this time.</p> <p>4 Q. Has the Big Sky Water and Sewer District</p> <p>5 ever inspected the pond 2 liner?</p> <p>6 A. We have not drained pond 2 down to the</p> <p>7 bottom to inspect the liner that was put in</p> <p>8 originally.</p> <p>9 Q. So again, how would the Big Sky Water</p> <p>10 and Sewer District know if any of the -- if the</p> <p>11 liner in pond 2 was torn or ripped or needed to be</p> <p>12 repaired?</p> <p>13 A. In the same water balance data that</p> <p>14 we've looked at at length for the trial and just</p> <p>15 operational. If we had major failure in that pond</p> <p>16 or any other pond, we would see that.</p> <p>17 Q. So you're basing that decision on an</p> <p>18 eyeball you see it with your eyes?</p> <p>19 MS. BRONSON: Object to form.</p> <p>20 THE WITNESS: No.</p> <p>21 BY MR. MEYER:</p> <p>22 Q. Did I hear you say no?</p> <p>23 A. Yes, you heard me say no.</p> <p>24 Q. Did you say that you would see it?</p> <p>25 A. We would see it in the data that we</p>	<p style="text-align: right;">Page 23</p> <p>1 it's not leaking?</p> <p>2 MS. BRONSON: Same objections.</p> <p>3 MR. PETTIS: Same.</p> <p>4 MR. MEYER: You can answer the question,</p> <p>5 Mr. Edwards.</p> <p>6 THE WITNESS: There was this pipe in the</p> <p>7 pond that the water flows into and flows over into</p> <p>8 pond 1 at levels fixed.</p> <p>9 BY MR. MEYER:</p> <p>10 Q. It's fixed because the Big Sky Water and</p> <p>11 Sewer District's constantly moving effluent into</p> <p>12 it; is that correct?</p> <p>13 A. We're moving effluent to that pond, in</p> <p>14 it flows from that pond into storage pond 1.</p> <p>15 MR. MEYER: Okay.</p> <p>16 THE REPORTER: I'm sorry, did you object?</p> <p>17 MS. BRONSON: Yeah, I want to have the same</p> <p>18 objections.</p> <p>19 MR. PETTIS: And I'll join in those.</p> <p>20 THE WITNESS: And there's a booster station</p> <p>21 below the aeration pond that goes from there up to</p> <p>22 our filter building where it's filtered and goes</p> <p>23 through that plant into pond 3 and into pond 1?</p> <p>24 BY MR. MEYER:</p> <p>25 Q. Does the Big Sky Water and Sewer</p>
<p style="text-align: right;">Page 22</p> <p>1 maintained with pond levels, water being pumped to</p> <p>2 golf courses and up the hill.</p> <p>3 Q. Does the water balance account for each</p> <p>4 individual pond?</p> <p>5 A. We measure the level in pond 1 and pond</p> <p>6 3.</p> <p>7 Q. You don't measure the level in pond 2?</p> <p>8 A. No, because it's static.</p> <p>9 Q. And if there was a rip and it was</p> <p>10 leaking through the liner, you could continue to</p> <p>11 add effluent to that pond to make it look like it</p> <p>12 would still static level; is that correct?</p> <p>13 MS. BRONSON: Object --</p> <p>14 MR. PETTIS: Object --</p> <p>15 MS. BRONSON: -- form. And this is also</p> <p>16 getting outside of the scope of your topics.</p> <p>17 MR. PETTIS: Same objections.</p> <p>18 THE REPORTER: I'm sorry, did the witness</p> <p>19 answer?</p> <p>20 THE WITNESS: I did. Water moves from the</p> <p>21 plant to the aeration pond every day.</p> <p>22 BY MR. MEYER:</p> <p>23 Q. So as it's moving the aeration pond</p> <p>24 every day, what prevents that from overflowing or</p> <p>25 what prevents it from what allows you to ensure</p>	<p style="text-align: right;">Page 24</p> <p>1 District dredge or clean the aeration pond?</p> <p>2 A. Yes.</p> <p>3 Q. How often does that happen?</p> <p>4 A. We did it when the liner was installed</p> <p>5 in 2002 and we did it in 2023.</p> <p>6 Q. What does that entail?</p> <p>7 A. We hired Synagro. They're a national</p> <p>8 company that comes in with dredge equipment, sets</p> <p>9 up a portable centrifuge press, big compressors.</p> <p>10 And they set up cable guides on the pond and run</p> <p>11 their dredge belt back and forth, which acts like a</p> <p>12 big vacuum cleaner to suck up the bottom.</p> <p>13 Q. Is that pond lowered at all during that</p> <p>14 period?</p> <p>15 A. No.</p> <p>16 Q. What happens if the sewer district does</p> <p>17 not perform that activity you just described?</p> <p>18 A. You'll get a buildup of sludge to the</p> <p>19 point where you need to maintain that and remove</p> <p>20 it.</p> <p>21 Q. And if it's not removed, what happens?</p> <p>22 MS. BRONSON: I'm going to object. We're</p> <p>23 really continuing to get out of scope of your</p> <p>24 topics. This is not related to any pond liner</p> <p>25 replacement or repair.</p>

<p style="text-align: right;">Page 25</p> <p>1 BY MR. MEYER:</p> <p>2 Q. If there is sludge buildup, does that</p> <p>3 impact the need for replacement or repair of that</p> <p>4 liner?</p> <p>5 A. No.</p> <p>6 Q. What happens if there's sludge buildup?</p> <p>7 MS. BRONSON: Object to form. Same thing. I</p> <p>8 kind of let you go a little bit. But it's again,</p> <p>9 like there are three topics here and you're going</p> <p>10 afield.</p> <p>11 MR. MEYER: You can answer the question,</p> <p>12 Mr. Edwards.</p> <p>13 THE WITNESS: If you don't remove sludge over</p> <p>14 time, you lose capacity in your pond and it starts</p> <p>15 filling up with sludge solids.</p> <p>16 BY MR. MEYER:</p> <p>17 Q. And that can compromise integrity of the</p> <p>18 liners or no?</p> <p>19 A. No.</p> <p>20 Q. You said that the pond 1 and pond 3</p> <p>21 liners were repaired in 2023; is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. When did you first learn that the liners</p> <p>24 need to be repaired?</p> <p>25 A. As I said earlier, we'd done this</p>	<p style="text-align: right;">Page 27</p> <p>1 Q. Okay. And how big were those beads?</p> <p>2 A. Don't know.</p> <p>3 Q. Does it say?</p> <p>4 A. It does not.</p> <p>5 Q. I'm going to have you -- did your</p> <p>6 attorneys give you a copy of the documents that</p> <p>7 were shared with me before this deposition this</p> <p>8 morning from the repair company?</p> <p>9 MS. BRONSON: Objection. What -- I'm not</p> <p>10 entirely sure what you're asking.</p> <p>11 MR. MEYER: You guys provided me with maybe</p> <p>12 ten documents regarding the repairs and I'm asking</p> <p>13 Mr. Edwards if he has those.</p> <p>14 THE WITNESS: I provided the report to our</p> <p>15 attorneys that would have come from our office.</p> <p>16 BY MR. MEYER:</p> <p>17 Q. Okay. So I'd like to share my screen if</p> <p>18 possible here. Mr. Edwards, can you see this here?</p> <p>19 A. Yeah. Yes.</p> <p>20 Q. Do you recognize this as one of the</p> <p>21 receipts for the repairs?</p> <p>22 A. Yes.</p> <p>23 Q. Do you see the bottom here where the X</p> <p>24 is?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 26</p> <p>1 before, my operators will at Northwest Lining</p> <p>2 inspect the liners to do spot repairs. It's just</p> <p>3 maintenance.</p> <p>4 Q. Just maintenance.</p> <p>5 And so you said that the pond 1 and pond</p> <p>6 3 liners were repaired in 2016; is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. Was that part of the spot maintenance as</p> <p>9 well?</p> <p>10 A. Yes.</p> <p>11 Q. Has the Big Sky Water and Sewer District</p> <p>12 ever done spot maintenance and determined that the</p> <p>13 liners do not need to be repaired?</p> <p>14 A. Not that I'm aware of, no.</p> <p>15 Q. Can you tell me about the repairs of the</p> <p>16 pond 1 and pond 3 liners in 2023?</p> <p>17 A. I believe you have a copy of the report</p> <p>18 from Northwest Lining. It has an index of the</p> <p>19 repairs they did and a match on the location.</p> <p>20 Q. What repairs were completed?</p> <p>21 A. Let me pull the report up. Their repair</p> <p>22 report, it looks like it was all bead type repairs,</p> <p>23 which is kind of like a glue gun, knot glue gun</p> <p>24 where you put a bead on a -- what is either through</p> <p>25 the liner or a small hole in the liner.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. It says this proposal is based on repair</p> <p>2 of one of approximately ten foot tear cut in</p> <p>3 existing liner?</p> <p>4 A. Yes.</p> <p>5 Q. So does that mean that there was an</p> <p>6 approximate ten foot tear in the liner?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know exactly where in liner this</p> <p>9 was located?</p> <p>10 A. Yes.</p> <p>11 Q. Where?</p> <p>12 A. I don't know if I can share the screen</p> <p>13 but we had a Jon boat that's up along the top of</p> <p>14 the irrigation pond and I believe in moving that</p> <p>15 somebody tore the liner, moving that boat around.</p> <p>16 That tear required a patch which Northwest Lining</p> <p>17 put in, but it's also right at the top, way above</p> <p>18 the waterline of the operating level of that pond.</p> <p>19 Q. Which pond are we referring to?</p> <p>20 A. Pond 3, the irrigation pond.</p> <p>21 Q. I asked you just a minute ago about the</p> <p>22 repairs that were necessary, you seemed to indicate</p> <p>23 that you weren't sure, and now you're describing</p> <p>24 them very precisely, the tears and rips in the</p> <p>25 liner.</p>

<p style="text-align: right;">Page 29</p> <p>1 A. This tear we had repaired prior to the</p> <p>2 work, they came in and did in the fall. The reason</p> <p>3 is because it was high and dry so the guys could</p> <p>4 come in and repair that. And then once the ponds</p> <p>5 were lowered at the end of irrigation season, that</p> <p>6 puts us in a position to inspect the liners and do</p> <p>7 the repairs in October.</p> <p>8 Q. But if this tear was high, you wouldn't</p> <p>9 need to wait until October, you could have done</p> <p>10 this tear much sooner?</p> <p>11 A. And we did, yes. So they did this</p> <p>12 repair independent of the work that was done in</p> <p>13 October.</p> <p>14 Q. What work was done in October?</p> <p>15 A. They sent a crew out to look at the</p> <p>16 liners and make what they call bead repairs to the</p> <p>17 liner.</p> <p>18 Q. How many bead repairs were done on the</p> <p>19 other liner -- liners?</p> <p>20 A. I didn't count how many are listed in</p> <p>21 the report.</p> <p>22 Q. Did you notice the length of the tears?</p> <p>23 A. The bead repair is not made vertical or</p> <p>24 a horizontal tear of length. They're very small.</p> <p>25 Q. When you say very small, how small?</p>	<p style="text-align: right;">Page 31</p> <p>1 given the location that they're documenting, those</p> <p>2 are above the operating level of the pond.</p> <p>3 Q. Has the Big Sky Water and Sewer District</p> <p>4 made any repairs to the liners after the trial</p> <p>5 below the holding pond level, operating level?</p> <p>6 A. It doesn't look like it from the report</p> <p>7 that Northwest Lining provided.</p> <p>8 Q. But that wasn't quite my question.</p> <p>9 Do you know if there have been any</p> <p>10 repairs made at all besides what Northwest Lining</p> <p>11 has done?</p> <p>12 A. No, there have not been any additional</p> <p>13 repair work done besides the work they did.</p> <p>14 Q. The EPA issued a report in this case; is</p> <p>15 that correct?</p> <p>16 A. Yes.</p> <p>17 Q. Have you reviewed that report?</p> <p>18 A. Yes.</p> <p>19 Q. Did that report -- well, what did that</p> <p>20 report say?</p> <p>21 A. It's rather long, but kind of the same</p> <p>22 conclusion that DEQ came to, that they were closing</p> <p>23 their investigation on the matter.</p> <p>24 Q. And did the EPA address gaps in the</p> <p>25 water balance?</p>
<p style="text-align: right;">Page 30</p> <p>1 A. Small enough to repair it as a bead</p> <p>2 repair. There were no patch repairs documented in</p> <p>3 the report that were done in October of '23.</p> <p>4 Q. You don't know the size of the bead</p> <p>5 repairs?</p> <p>6 A. No.</p> <p>7 Q. Does one foot by one foot sound</p> <p>8 approximately correct?</p> <p>9 A. No.</p> <p>10 Q. Bigger or smaller?</p> <p>11 A. Smaller.</p> <p>12 Q. How much effluent can leak through a</p> <p>13 bead repair?</p> <p>14 MS. BRONSON: Object to form, foundation.</p> <p>15 MR. PETTIS: Same.</p> <p>16 MR. MEYER: You can answer that, Mr. Edwards.</p> <p>17 THE WITNESS: When you look at the map that</p> <p>18 they provided showing where they made these</p> <p>19 repairs, they are all very high in the liner.</p> <p>20 Those are all above the operating level of the</p> <p>21 water in that pond. So I don't think any leakage</p> <p>22 occurred in any of them.</p> <p>23 BY MR. MEYER:</p> <p>24 Q. So no leakage occurs in the ponds?</p> <p>25 A. No, I didn't say that. I don't think</p>	<p style="text-align: right;">Page 32</p> <p>1 MS. BRONSON: Object to form.</p> <p>2 MR. PETTIS: Same.</p> <p>3 MS. BRONSON: Foundation. If you have</p> <p>4 something specific you want to ask him about the</p> <p>5 document, then you can do that.</p> <p>6 BY MR. MEYER:</p> <p>7 Q. Is anyone opposed to me taking a</p> <p>8 five-minute break to pull up the document and point</p> <p>9 to the exact space we're talking about?</p> <p>10 MS. BRONSON: No.</p> <p>11 BY MR. MEYER:</p> <p>12 Q. Mr. Edwards, you okay with that, taking</p> <p>13 a five-minute break?</p> <p>14 A. I'm fine.</p> <p>15 Q. Okay. Thank you.</p> <p>16 (Whereupon, a brief</p> <p>17 recess was taken.)</p> <p>18 MR. MEYER: Back on record.</p> <p>19 BY MR. MEYER:</p> <p>20 Q. Mr. Edwards, do you recognize this as</p> <p>21 the EPA report regarding the investigation of the</p> <p>22 Big Sky Sewer District's holding ponds?</p> <p>23 A. Yes.</p> <p>24 Q. Have you seen this before?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 33</p> <p>1 Q. I'd like to mark this as our next 2 exhibit, please. 3 (Whereupon, Deposition 4 Exhibit Number 2 was 5 marked for identification.) 6 BY MR. MEYER: 7 Q. Mr. Edwards, do you see this highlighted 8 part here? It says "The facility has stated 9 because they do not have a NPDES discharge permit, 10 keeping meticulous records of flows and pond 11 volumes is not required, and acknowledges there are 12 gaps in their records"? 13 A. I see it. 14 Q. Do you agree with that? Is that 15 something that the sewer district indicated? 16 A. That's what Lisa-Kay concluded after 17 reviewing the records that we gave her. 18 Q. This says the facility stated that 19 because it doesn't have a permit. So did the sewer 20 district state that? 21 A. I think it's a matter of record that 22 there's no discharge permit associated with the Big 23 Sky system. 24 Q. And has the sewer district stated that 25 because it does not have a NPDES permit it does not</p>	<p style="text-align: right;">Page 35</p> <p>1 year? 2 A. I see it. 3 Q. That says the difference is total out 4 170 million gallons, total in 129.88 million 5 gallons in; is that correct? 6 A. That's what the report says. 7 Q. So this report says that Big Sky Water 8 and Sewer District in theory exported more than 40 9 million gallons out of the facility than it brought 10 in in the year 2015; is that correct? 11 MR. PETTIS: I'm going to object to your 12 characterization of this report, John. 13 MR. MEYER: Okay. 14 MS. BRONSON: I'll join. 15 MR. MEYER: You can answer the question, 16 Mr. Edwards. 17 THE WITNESS: That's what's in their report, 18 EPA's report. How they got to those numbers, I 19 don't know. 20 BY MR. MEYERS: 21 Q. Did you provide numbers to the EPA? 22 A. We gave them the same spreadsheet that 23 we had at the federal trial. 24 Q. In 2016, here it says that the sewer 25 district exported 37 million -- more than 37</p>
<p style="text-align: right;">Page 34</p> <p>1 need to keep accurate or meticulous records of 2 flows and pond volumes? 3 MS. BRONSON: Object to form. It says 4 meticulous, nothing about accurate. 5 MR. MEYER: Mr. Edwards, you can answer the 6 question. 7 THE WITNESS: We do keep records. 8 BY MR. MEYER: 9 Q. What are the quality of your records, 10 Mr. Edwards? 11 MS. BRONSON: Object to form. 12 THE WITNESS: I think they cover a lot of 13 history with pond levels, pumping capacities, 14 irrigation pumps. 15 BY MR. MEYER: 16 Q. Are they accurate? 17 A. It's a very relative term when you talk 18 about pump efficiencies and metering. There's 19 always some in here, discrepancy and the accuracy 20 of meters. 21 Q. Do you see here in table 1, do you see 22 this table here? 23 A. Yes. 24 Q. Do you see in 2015 here it says that 25 there's a difference of 40.171 million gallons per</p>	<p style="text-align: right;">Page 36</p> <p>1 million gallons more than it brought in; is that 2 correct? 3 MR. PETTIS: I'm also going to object to 4 characterization of this, you know. We all know 5 that these aren't EPA's numbers. 6 MS. BRONSON: Same objection. 7 MR. MEYER: Mr. Edwards, you can answer the 8 question. 9 THE WITNESS: This is -- in the copy I've 10 got, these numbers came from your expert where 11 you've got privacy there. So they -- it looks to 12 me like they used what your expert had concluded in 13 the district court trial. 14 BY MR. MEYER: 15 Q. So you disagree with these numbers? 16 A. I think it was shown in court 17 that -- and the court disagreed with the 18 conclusions that your expert came up with. So I 19 don't think EPA came up with these calculations as 20 I look at them. 21 Q. Do you see here where it says there are 22 significantly more variation with each year? 23 MR. PETTIS: Again, I'm going to object to 24 your characterization of this report. 25 MS. BRONSON: Same. And you're not reading</p>

<p style="text-align: right;">Page 37</p> <p>1 the entire sentence or the entire report. So</p> <p>2 you're cherry picking things from information you</p> <p>3 provided to EPA. I'm not sure what you want this</p> <p>4 witness to testify about.</p> <p>5 BY MR. MEYER:</p> <p>6 Q. Mr. Edwards, have you reviewed the mass</p> <p>7 balance of the Big Sky Water and Sewer District for</p> <p>8 the years 2015 through 2020?</p> <p>9 MR. PETTIS: Object to form.</p> <p>10 MS. BRONSON: Join. And I also think that's</p> <p>11 outside the scope.</p> <p>12 MR. MEYER: You can answer the question.</p> <p>13 THE WITNESS: We provided data to both DEQ</p> <p>14 and EPA from the spreadsheet that looks at total</p> <p>15 flows, total irrigation out, total water pumped up</p> <p>16 the hill in Spanish Peaks and Yellowstone Club.</p> <p>17 BY MR. MEYER:</p> <p>18 Q. And using your own numbers that you</p> <p>19 provided the EPA and DEQ, don't those numbers show</p> <p>20 that in 2015 and 2016 Big Sky Water and Sewer</p> <p>21 District exported millions of gallons more of</p> <p>22 treated effluent than it actually brought into the</p> <p>23 plant?</p> <p>24 MS. BRONSON: Object to form, foundation and</p> <p>25 again, mischaracterizing.</p>	<p style="text-align: right;">Page 39</p> <p>1 and DEQ -- is not true, that in 2015 and 2016 the</p> <p>2 sewer district exported more effluent than it</p> <p>3 brought in? Now I understand that the defendants</p> <p>4 and the DEQ are going to object. That's fine. We</p> <p>5 can -- we'll do that on the record. No problem.</p> <p>6 But, Mr. Edwards, isn't it true in 2015 and 2016,</p> <p>7 the sewer district exported millions of gallons</p> <p>8 more than it brought in according to the water</p> <p>9 balance?</p> <p>10 MS. BRONSON: Object to form. Same</p> <p>11 objections as before. And also, I'd like to</p> <p>12 clarify that you said defendants and the district</p> <p>13 is no longer a defendant in this case.</p> <p>14 MR. PETTIS: Same objections.</p> <p>15 MR. MEYER: Please answer, Mr. Edwards.</p> <p>16 THE WITNESS: I don't have the spreadsheet</p> <p>17 up, so I don't know.</p> <p>18 MR. MEYER: I'm going to take about two</p> <p>19 minutes and find the spreadsheet and then we can do</p> <p>20 the calculations.</p> <p>21 MS. BRONSON: John, we're not going to</p> <p>22 testify about calculations or about the</p> <p>23 spreadsheet. Again, this is outside of the scope.</p> <p>24 It says the topics that you have asked about are</p> <p>25 EPA and DEQ's investigations in the last five</p>
<p style="text-align: right;">Page 38</p> <p>1 MR. PETTIS: Same objections.</p> <p>2 MS. BRONSON: And outside the scope of EPA</p> <p>3 and DEQ's investigation.</p> <p>4 MR. MEYER: Mr. Edwards, please answer the</p> <p>5 question.</p> <p>6 THE WITNESS: Restate the question.</p> <p>7 MR. MEYER: Can I have the reporter please</p> <p>8 reread the question.</p> <p>9 (Whereupon, the last</p> <p>10 question was read back.)</p> <p>11 MS. BRONSON: Same objections.</p> <p>12 MR. PETTIS: Same.</p> <p>13 THE WITNESS: Am I supposed to answer?</p> <p>14 MS. BRONSON: You can answer.</p> <p>15 John, we are going to cut this off</p> <p>16 because it's just -- again, this is not about the</p> <p>17 investigation. You're asking him to interpret</p> <p>18 data. What EPA did with it is not -- he has no</p> <p>19 knowledge.</p> <p>20 THE WITNESS: That's correct.</p> <p>21 BY MR. MEYER:</p> <p>22 Q. What's correct, Mr. Edwards?</p> <p>23 A. We provided data to EPA and DEQ for</p> <p>24 their investigations.</p> <p>25 Q. So using the data that you provided EPA</p>	<p style="text-align: right;">Page 40</p> <p>1 years. Everything about those is in -- that we</p> <p>2 know -- that this witness knows is in these</p> <p>3 reports. We're not going to start rehashing what</p> <p>4 happened at the trial two years ago.</p> <p>5 MR. MEYER: Okay. So --</p> <p>6 MS. BRONSON: I'm not going to let the</p> <p>7 witness testify to that. That is outside the scope</p> <p>8 of this deposition.</p> <p>9 BY MR. MEYER:</p> <p>10 Q. Mr. Edwards, you did not provide a water</p> <p>11 balance to the EPA or DEQ; is that correct?</p> <p>12 A. I provided the same spreadsheet that was</p> <p>13 in both trials, federal and district court.</p> <p>14 Q. And does the EPA or DEQ report have any</p> <p>15 of your water balance, any of your data?</p> <p>16 MR. PETTIS: Object to form.</p> <p>17 MR. MEYER: You can answer.</p> <p>18 THE WITNESS: I assume they used the data we</p> <p>19 gave them in the course of their investigations.</p> <p>20 BY MR. MEYER:</p> <p>21 Q. And you see table 1 here in the EPA</p> <p>22 report?</p> <p>23 A. Yes.</p> <p>24 Q. You see where it says "privacy"?</p> <p>25 A. Yes.</p>

Page 41

1 Q. We don't know who that is, do we?

2 A. I do because I have the EPA report and

3 that is your expert at the district court trial.

4 MR. PETTIS: And I'm going to object, just so

5 that this is clear on the record, that you're using

6 information provided by your expert that's

7 discussed in the EPA report and characterizing it

8 as EPA's conclusions.

9 MS. BRONSON: Same objection.

10 BY MR. MEYER:

11 Q. Mr. Edwards, do you agree that there's

12 approximately 15 to 18 percent of effluent in the

13 facility in terms of a discrepancy here?

14 MS. BRONSON: Object to form.

15 MR. PETTIS: Same.

16 MS. BRONSON: Foundation.

17 MR. PETTIS: Same.

18 THE WITNESS: No, I don't agree. That's your

19 expert's conclusion again.

20 BY MR. MEYER:

21 Q. Mr. Edwards --

22 MS. BRONSON: John, what page are you on? I

23 just want to make sure I'm looking at the same

24 thing.

25 MR. MEYER: Seven. Seven there.

Page 43

1 road. We're not rehashing the trial.
2 MR. MEYER: You can answer the question,
3 Mr. Edwards.
4 THE WITNESS: Whatever I said is a matter of
5 the court transcript. If it was 270 in the
6 transcript, then that's what I said.
7 BY MR. MEYER:
8 **Q. And that was based on an estimate?**
9 MS. BRONSON: Object to form.
10 MR. PETTIS: Same.
11 MS. BRONSON: Same objection as before.
12 MR. MEYER: You can answer the question,
13 Mr. Edwards.
14 THE WITNESS: We estimated total water
15 volumes in 2020 because we didn't have all the
16 meters in place. So we did use estimates, yes.
17 MR. MEYER: I don't have any other questions.
18 MS. BRONSON: I have no questions of this
19 witness.
20 MR. PETTIS: I just have a couple questions.
21
22 EXAMINATION
23 BY MR. PETTIS:
24 **Q. Mr. Edwards, are you privy to all the**
25 **details of EPA's investigation?**

Page 42

1 ///
2 BY MR. MEYER:
3 **Q. Mr. Edwards, are there gaps in your**
4 **records?**
5 MS. BRONSON: Object to form.
6 MR. PETTIS: Same.
7 MR. MEYER: You can answer the question.
8 THE WITNESS: In 2020 we had a gap. There
9 was a flood in our irrigation pump room, ruined
10 five badger mag meters. And during COVID you
11 couldn't get them. So we pulled them and we made
12 estimates in 2020. Some of the meters we got in,
13 but I didn't think we had all five running the
14 whole irrigation scene.
15 BY MR. MEYER:
16 **Q. So the 2020 data is based on estimates;**
17 **is that correct?**
18 A. Yes. Because our meters were pulled
19 over replacement. In COVID you couldn't get them.
20 **Q. You told the jury that the holding ponds**
21 **were leaking 270,000 gallons per year in 2020; is**
22 **that correct?**
23 MS. BRONSON: Object to form.
24 MR. PETTIS: Same.
25 MS. BRONSON: And we're not going down this

Page 44

1 A. No.

2 **Q. Are you privy to all the details of**

3 **DEQ's investigation?**

4 A. No.

5 MR. PETTIS: That's all I have.

6

7 RE-EXAMINATION

8 BY MR. MEYER:

9 **Q. Mr. Edwards, I do have one last**

10 **question, and if your attorney wants to follow up,**

11 **that's fine.**

12 **Your estimates could have been wrong; is**

13 **that correct?**

14 MS. BRONSON: Object to form.

15 MR. PETTIS: Same.

16 THE WITNESS: They're estimates to the best

17 of our ability.

18 BY MR. MEYER:

19 **Q. How do those estimates compare to the**

20 **water balance values from the other years, five**

21 **years preceding?**

22 MS. BRONSON: Object to form. And

23 this -- we're not -- we're not continuing this.

24 You don't need to answer. This is outside the

25 scope of this deposition.

<p style="text-align: right;">Page 45</p> <p>1 MR. PETTIS: Same objection to form and 2 foundation. 3 MR. MEYER: Are you instructing your client 4 not to answer? 5 MS. BRONSON: Yes. I think that we've given 6 you a lot of leeway to -- 7 MR. MEYER: Okay. 8 MS. BRONSON: -- ask -- you've asked many 9 questions that are outside the scope of the 10 designated topics and we're not going to continue. 11 MR. MEYER: Okay. I think the deposition is 12 done. 13 14 (Whereupon, the taking 15 of this Zoom deposition 16 was concluded at 11:15 a.m.) 17 18 19 SIGNATURE RESERVED 20 21 22 * * * * * 23 24 25</p>	<p style="text-align: right;">Page 47</p> <p>1 CERTIFICATE 2 STATE OF MONTANA) 3) ss. 4 COUNTY OF GALLATIN) 5 I, Marla Jeske, Court Reporter - Notary 6 Public, CSR, in and for the County of Gallatin, 7 State of Montana, do hereby certify: 8 That the witness in the foregoing 9 deposition was by me first duly sworn to testify 10 the truth, the whole truth and nothing but the 11 truth in the foregoing cause; that the deposition 12 was then taken before me at the time and place 13 herein named; that the deposition was reported by 14 me in shorthand and later transcribed into 15 typewriting under my direction, and the foregoing 16 pages contain a true record of the testimony of the 17 witness, all done to the best of my skill and 18 ability. 19 IN WITNESS WHEREOF, I have hereunto set 20 my hand and affixed my notarial seal this ____ day 21 of _____, 2024. 22 23 _____ 24 Notary Public for the State of Montana 25 residing at: Bozeman My commission expires: February 04, 2027</p>
<p style="text-align: right;">Page 46</p> <p>1 DEPONENT'S CERTIFICATE 2 PAGE LINE CORRECTION 3 4 5 6 7 8 9 10 11 12 13 14 I, RON EDWARDS, the deponent in the 15 foregoing deposition, DO HEREBY CERTIFY, that I 16 have read the foregoing -46- pages of typewritten 17 material and that the same is, with any corrections 18 thereon made in ink on the correction sheet and 19 signed by me, a full, true and correct transcript 20 of my oral deposition given at the time and place 21 hereinbefore mentioned. 22 DATED this _____ day of _____, 2024. 23 24 _____ 25 RON EDWARDS</p>	

12 (Pages 45 to 47)

A	30:16 34:5 35:15 36:7 37:12 38:4,13 38:14 39:15 40:17 42:7 43:2,12 44:24 45:4	13:11 18:10 21:13 22:3 31:25 37:7 39:9 40:11,15 44:20	break 17:3 32:8 32:13 Bridger 1:15 brief 17:6 32:16 Bronson 2:17 5:3 7:21 9:4,22 10:16 12:21 13:15,25 14:9 14:18,21 15:9 15:20,23 16:1 16:8,12,24 18:11,20 21:19 22:13,15 23:2 23:17 24:22 25:7 27:9 30:14 32:1,3 32:10 34:3,11 35:14 36:6,25 37:10,24 38:2 38:11,14 39:10 39:21 40:6 41:9,14,16,22 42:5,23,25 43:9,11,18 44:14,22 45:5 45:8	31:14 39:13 cause 47:11 cellphones 9:13 Center 1:4 2:3,5 centrifuge 24:9 CERTIFICA... 46:1 certify 46:15 47:7 characterizati... 35:12 36:4,24 characterizing 41:7 CHEEK 1:5 2:3 cherry 37:2 Civil 4:15 clarify 39:12 clean 9:1 10:14 12:8 24:1 cleaner 24:12 clear 41:5 clearly 5:24 client 15:18 45:3 closing 16:20,22 31:22 closure 3:5 17:4 17:15 Club 12:1 15:7 37:16 Colorado 2:19 come 15:4 27:15 29:4 comes 24:8 commission 47:25 communicate 9:25 10:5 12:7 communicated 8:16 12:12 communication 7:23 communicatio... 9:17 14:22 company 24:8 27:8 compare 44:19
a.m 1:19 45:16 Aaron 2:11 5:2 ability 20:21 44:17 47:18 Abrahamson 8:14 account 22:3 accuracy 34:19 accurate 7:9 34:1,4,16 acknowledges 33:11 Act 9:1 10:15 12:8 activity 24:17 acts 24:11 add 22:11 additional 31:12 address 31:24 addressed 9:8 aeration 19:24 20:11 22:21,23 23:21 24:1 affixed 47:20 afield 25:10 ago 8:14 11:13 16:4 28:21 40:4 agree 7:5 33:14 41:11,18 agreed 4:12 allegations 17:20 18:4 allows 22:25 Andrea 2:17 5:3 andrea.brons... 2:20 answer 5:23,25 6:13,14 7:5,12 7:14 9:6 10:18 14:3,13,23 15:19 16:25 18:23 22:19 23:4 25:11	answering 6:20 6:23,25 7:22 15:16 anybody 14:16 apettis@mt.gov 2:14 appearances 2:1 4:9 APPEARING 2:2,8,16 approximate 28:6 approximately 28:2 30:8 41:12 April 1:18 4:2 asked 15:13 18:14,21 28:21 39:24 45:8 asking 15:24 27:10,12 38:17 associated 33:22 assume 40:18 ATENCIO 1:5 2:3 attorney 2:2,8 2:11 5:20,24 7:11,11 44:10 attorneys 2:16 27:6,15 Avenue 2:13 aware 26:14	based 28:1 42:16 43:8 basic 5:16 basing 21:17 Bawden 8:9 bead 26:22,24 29:16,18,23 30:1,4,13 beads 27:1 beginning 4:24 BEHALF 2:2,8 2:16 believe 7:8 8:21 11:9 20:6 26:17 28:14 belt 24:11 benefit 6:18 best 44:16 47:17 better 12:25 big 2:16 3:7 5:1 5:3,4,5,19 12:6 15:5 19:1,4,13 20:7,18,25 21:4,9 23:10 23:25 24:9,12 26:11 27:1 31:3 32:22 33:22 35:7 37:7,20 Bigger 30:10 bit 25:8 board 14:24 15:1 boat 28:13,15 booster 23:20 bottom 21:7 24:12 27:23 Box 2:5,12 Bozeman 1:17 2:6,24 4:2 47:24	break 17:3 32:8 32:13 Bridger 1:15 brief 17:6 32:16 Bronson 2:17 5:3 7:21 9:4,22 10:16 12:21 13:15,25 14:9 14:18,21 15:9 15:20,23 16:1 16:8,12,24 18:11,20 21:19 22:13,15 23:2 23:17 24:22 25:7 27:9 30:14 32:1,3 32:10 34:3,11 35:14 36:6,25 37:10,24 38:2 38:11,14 39:10 39:21 40:6 41:9,14,16,22 42:5,23,25 43:9,11,18 44:14,22 45:5 45:8 brought 35:9 36:1 37:22 39:3,8 building 23:22 buildup 24:18 25:2,6	C C 47:1,1 cable 24:10 calculations 36:19 39:20,22 call 29:16 called 4:20 capacities 34:13 capacity 25:14 care 15:1 case 1:7 5:21 8:12 10:21 11:2 18:16
B	B 2:22,23 3:4 back 24:11 32:18 38:10 badger 42:10 balance 11:7			

complaint 9:8 12:10	counsel 4:9,13	Denver 2:19	directed 7:13	duly 4:21 47:9
completed 13:12 26:20	count 29:20	department 1:9 2:9,12 11:9 18:13	direction 47:15	DV-22-1121A 1:7
compressors 24:9	County 1:2 47:4 47:6	deponent 46:14	directly 5:24 20:22	<hr/> E <hr/>
compromise 25:17	couple 43:20	DEPONENT'S 46:1	disagree 36:15	E 3:1,4 47:1,1
computer 9:18 9:20	course 19:16 40:19	depose 16:10	disagreed 36:17	E-D-W-A-R-... 5:14
concerning 11:10	courses 22:2	deposition 1:12 4:7,14,24 5:17 5:18,22 6:9 7:17,20 10:1 14:1 15:12,21 17:10 27:7 33:3 40:8 44:25 45:11,15 46:15,20 47:9 47:11,13	discharge 33:9 33:22	e-mail 12:15
concluded 16:20 33:16 36:12 45:16	court 1:1,15 4:10 6:3,10,18 14:25 36:13,16 36:17 40:13 41:3 43:5 47:5	DEQ 3:5 5:3 7:12 8:1,5,11 8:16,22 9:9 10:11,20,25 11:4,6,17,25 16:6,10,16 17:15 18:9 31:22 37:13,19 38:23 39:1,4 40:11,14	discrepancy 34:19 41:13	earlier 25:25
conclusion 15:5 31:22 41:19	cover 34:12	described 24:17	discuss 11:4 13:4,7	East 2:13
conclusions 36:18 41:8	covered 12:23	describing 28:23	discussed 7:17 13:21 41:7	Edwards 1:12 3:2,5 4:1,7,19 5:1,11,13,15 8:4,22 9:6,12 9:25 10:8,19 14:3,13,23 15:4 16:3,12 16:16,25 17:14 18:2,24 19:4 23:5 25:12 27:13,18 30:16 32:12,20 33:7 34:5,10 35:16 36:7 37:6 38:4 38:22 39:6,15 40:10 41:11,21 42:3 43:3,13 43:24 44:9 46:14,25
connected 19:25	COVID 42:10 42:19	DEQ's 16:14 17:19 18:4 38:3 39:25 44:3	district 1:1 2:16 5:2,4,5,6,19 8:11,15,20,23 9:2 10:12,15 11:6,18,23 12:6,9 13:3,8 13:10,13 15:6 19:5,14 20:8 20:19,25 21:4 21:10 24:1,16 26:11 31:3 33:15,20,24 35:8,25 36:13 37:7,21 39:2,7 39:12 40:13 41:3	efficiencies 34:18
constant 23:11	CRAIG 1:4 2:3	designed 14:10 45:10	District's 3:7 19:2 23:11 32:22	effluent 15:6 22:11 23:11,13 30:12 37:22 39:2 41:12
contact 18:10,18	credible 17:21 18:6	details 43:25 44:2	document 32:5 32:8	EIGHTEENTH 1:1
contain 47:16	crew 29:15	determined 16:3 26:12	documented 30:2	either 26:24
continue 15:16 22:10 45:10	CSR 4:10 47:6	devices 9:14	documenting 31:1	ensure 9:24 22:25
continuing 24:23 44:23	current 21:2	Dickerson 2:23	documents 27:6 27:12	entail 24:6
conversation 8:13 9:10	cut 6:23 28:2 38:15	difference 34:25 35:3	doing 16:11	entire 37:1,1
copy 14:24 26:17 27:6 36:9	<hr/> D <hr/>		drained 21:6	entirely 27:10
correct 6:11 18:23 22:12 23:12 25:21 26:6 30:8 31:15 35:5,10 36:2 38:20,22 40:11 42:17,22 44:13 46:19	D 3:1		dredge 24:1,8 24:11	Environmental 1:3,9 2:2,5,10
correction 46:2 46:18	data 11:10 12:3 18:14 21:13,25 37:13 38:18,23 38:25 40:15,18 42:16		dry 29:3	
corrections 46:17	date 12:18			
Cottonwood 1:3 2:2,5	dated 3:5 46:22			
	DAVIS 2:18			
	day 13:1 20:17 22:21,24 46:22 47:20			
	deal 14:10			
	decision 17:1 21:17			
	defendant 5:19 39:13			
	defendants 1:10 2:9 39:3,12			

2:12 EPA 3:6 8:1 12:7,11,20 13:3,7,11 16:6 16:10,14 18:18 31:14,24 32:21 35:21 36:19 37:3,14,19 38:2,18,23,25 39:25 40:11,14 40:21 41:2,7 EPA's 35:18 36:5 41:8 43:25 equipment 24:8 Esq 2:4,11,17,18 2:22 estimate 43:8 estimated 43:14 estimates 42:12 42:16 43:16 44:12,16,19 evidence 17:22 18:6 exact 12:18 32:9 exactly 28:8 Examination 3:2,3 5:9 43:22 examined 4:22 excess 18:7 excessive 17:21 18:5 exhibit 3:5,6 17:5,9,11 33:2 33:4 exhibits 11:18 existing 28:3 expert 36:10,12 36:18 41:3,6 expert's 41:19 expires 47:25 explain 5:15 11:7 13:18,20 export 12:1 exported 35:8 35:25 37:21	39:2,7 exporting 15:6 expressly 7:13 extent 14:21 eyeball 21:18 eyes 21:18 <hr/> F F 47:1 facility 33:8,18 35:9 41:13 failure 21:15 fall 19:12 29:2 false 8:24 10:12 familiar 12:4 farther 9:12 February 47:25 federal 9:1 10:14,21 11:2 11:3,8,19 12:8 18:16,19 35:23 40:13 feel 6:7 file 16:20,22 filed 9:9 12:11 filling 25:15 filter 23:22 filtered 23:22 find 17:4 39:19 fine 32:14 39:4 44:11 finish 6:19 finished 6:24 finishing 6:22 first 4:21 19:14 25:23 47:9 five 11:10 39:25 42:10,13 44:20 five-minute 32:8 32:13 fixed 23:8,10 flood 42:9 flows 11:11 23:7 23:7,14 33:10 34:2 37:15 follow 44:10	following 4:17 follows 4:22 foot 28:2,6 30:7 30:7 foregoing 46:15 46:16 47:8,11 47:15 form 9:3,4 10:16 12:21 13:14,25 14:9,18 15:9 18:11,20 21:19 22:15 25:7 30:14 32:1 34:3,11 37:9 37:24 39:10 40:16 41:14 42:5,23 43:9 44:14,22 45:1 formal 6:2 forth 24:11 found 17:21 18:5 foundation 9:5 10:16 12:21 16:9,23 30:14 32:3 37:24 41:16 45:2 free 6:7 full 46:19 fully 20:10,13 further 4:12 <hr/> G Gallatin 1:2 47:4,6 gallons 34:25 35:4,5,9 36:1 37:21 39:7 42:21 gap 42:8 gaps 31:24 33:12 42:3 getting 22:16 give 7:9 27:6 given 31:1 45:5 46:20	glue 26:23,23 go 9:12 25:8 goes 23:21,22 going 4:25 5:15 6:19 9:13 10:8 15:10,10,15,16 17:3,4,24 19:1 21:1 24:22 25:9 27:5 35:11 36:3,23 38:15 39:4,18 39:21 40:3,6 41:4 42:25 45:10 golf 22:2 Golz 2:18 5:4 GRAHAM 2:18 ground 5:16 guess 11:13 guides 24:10 gun 26:23,23 guys 27:11 29:3 <hr/> H H 3:4 hand 47:20 happen 9:23 24:3 happened 12:19 40:4 happens 24:16 24:21 25:6 head 6:15 hear 21:22 heard 10:24,25 21:23 Helena 2:13 12:13 help 13:18 Henderson 1:16 hereinbefore 4:9 46:21 hereunto 47:19 high 29:3,8 30:19 highlighted 18:3	33:7 hill 22:2 37:16 hired 24:7 history 34:13 holding 3:8 8:12 8:17,25 10:14 12:7 19:3,6 31:5 32:22 42:20 hole 26:25 horizontal 29:24 <hr/> I identification 17:12 33:5 identify 4:25 impact 25:3 including 12:25 independent 29:12 index 26:18 indicate 28:22 indicated 33:15 individual 22:4 information 11:14 15:1 18:15 37:2 41:6 ink 46:18 inspect 20:8 21:1,7 26:2 29:6 inspected 21:5 installed 20:5 24:4 instructing 15:18 45:3 integrity 20:8 25:17 interpret 38:17 investigate 8:23 10:11 12:20 18:15 investigated 10:21,25 11:2 12:24 13:12
---	--	---	--	--

investigation 3:7 12:15,17 12:19 15:25 16:17,21 17:20 18:4 31:23 32:21 38:3,17 43:25 44:3	16:8,9 20:19 21:10 27:2 28:8,12 30:4 31:9 35:19 36:4,4 39:17 40:2 41:1	31:4 Lining 8:2 26:1 26:18 28:16 31:7,10 Lisa 13:16 Lisa's 12:23 Lisa-Kay 12:13 12:16 33:16	mass 37:6 match 26:19 material 46:17 MATHEWS 1:4 2:3 matter 19:16 31:23 33:21 43:4 mean 20:10,14 28:5 measure 22:5,7 meeting 12:14 mentioned 46:21 messaging 9:17 met 12:25 metering 34:18 meters 34:20 42:10,12,18 43:16 meticulous 33:10 34:1,4 Meyer 2:4 3:2 4:24 5:10,20 8:3 9:6,11,24 10:3,18,22 13:2,19 14:3,6 14:13,15,23 15:3,18,22,25 16:6,11,15,25 17:2,8,13 18:1 18:17,22 21:21 22:22 23:4,9 23:15,24 25:1 25:11,16 27:11 27:16 30:16,23 32:6,11,18,19 33:6 34:5,8,15 35:13,15 36:7 36:14 37:5,12 37:17 38:4,7 38:21 39:15,18 40:5,9,17,20 41:10,20,25 42:2,7,15 43:2 43:7,12,17	44:8,18 45:3,7 45:11 MEYERS 35:20 Michael 2:18 5:4 michael.golz... 2:21 Mike 8:13 9:10 million 34:25 35:4,4,9,25 36:1 millions 37:21 39:7 mind 17:5 minute 28:21 minutes 39:19 mischaracteri... 17:25 37:25 missing 5:7 mistakes 6:11 Montana 1:1,8,8 1:17 2:6,9,9,13 2:24 4:2,11,14 5:3 8:16,22 10:11 11:4 47:2,7,23 month 8:14,17 months 11:13 morning 27:8 move 19:1 moves 22:20 moving 22:23 23:11,13 28:14 28:15
investigations 15:14 16:2,5 16:14 38:24 39:25 40:19	knowledge 38:19 known 19:10 knows 40:2	listed 29:20 little 10:9 25:8 LLP 2:18 located 28:9 location 26:19 31:1 long 31:21 longer 39:13 look 22:11 29:15 30:17 31:6 36:20 looked 13:17 16:7,9 21:14 looking 41:23 looks 26:22 36:11 37:14 lose 25:14 lot 34:12 45:6 lowered 24:13 29:5	mentioned 46:21 messaging 9:17 met 12:25 metering 34:18 meters 34:20 42:10,12,18 43:16 meticulous 33:10 34:1,4 Meyer 2:4 3:2 4:24 5:10,20 8:3 9:6,11,24 10:3,18,22 13:2,19 14:3,6 14:13,15,23 15:3,18,22,25 16:6,11,15,25 17:2,8,13 18:1 18:17,22 21:21 22:22 23:4,9 23:15,24 25:1 25:11,16 27:11 27:16 30:16,23 32:6,11,18,19 33:6 34:5,8,15 35:13,15 36:7 36:14 37:5,12 37:17 38:4,7 38:21 39:15,18 40:5,9,17,20 41:10,20,25 42:2,7,15 43:2 43:7,12,17	millions 37:21 39:7 mind 17:5 minute 28:21 minutes 39:19 mischaracteri... 17:25 37:25 missing 5:7 mistakes 6:11 Montana 1:1,8,8 1:17 2:6,9,9,13 2:24 4:2,11,14 5:3 8:16,22 10:11 11:4 47:2,7,23 month 8:14,17 months 11:13 morning 27:8 move 19:1 moves 22:20 moving 22:23 23:11,13 28:14 28:15
irrigation 19:10 28:14,20 29:5 34:14 37:15 42:9,14 ISAAC 1:5 2:3 issued 31:14	leak 30:12 leakage 8:25 10:13 18:5 30:21,24 leaking 17:21,22 18:6 22:10 23:1 42:21 learn 19:14 25:23 leeway 45:6 legal 6:2,3 length 21:14 29:22,24 letter 3:5 8:1,1,5 8:7,8 16:17,19 17:4,15 level 22:5,7,12 28:18 30:20 31:2,5,5 levels 22:1 23:8 34:13 line 15:10 46:2 liner 20:4,15 21:5,7,11 22:10 24:4,24 25:4 26:25,25 28:3,6,8,15,25 29:17,19 30:19 liners 19:6 25:18 25:21,23 26:2 26:6,13,16 29:6,16,19	LLP 2:18 located 28:9 location 26:19 31:1 long 31:21 longer 39:13 look 22:11 29:15 30:17 31:6 36:20 looked 13:17 16:7,9 21:14 looking 41:23 looks 26:22 36:11 37:14 lose 25:14 lot 34:12 45:6 lowered 24:13 29:5	mentioned 46:21 messaging 9:17 met 12:25 metering 34:18 meters 34:20 42:10,12,18 43:16 meticulous 33:10 34:1,4 Meyer 2:4 3:2 4:24 5:10,20 8:3 9:6,11,24 10:3,18,22 13:2,19 14:3,6 14:13,15,23 15:3,18,22,25 16:6,11,15,25 17:2,8,13 18:1 18:17,22 21:21 22:22 23:4,9 23:15,24 25:1 25:11,16 27:11 27:16 30:16,23 32:6,11,18,19 33:6 34:5,8,15 35:13,15 36:7 36:14 37:5,12 37:17 38:4,7 38:21 39:15,18 40:5,9,17,20 41:10,20,25 42:2,7,15 43:2 43:7,12,17	mischaracteri... 17:25 37:25 missing 5:7 mistakes 6:11 Montana 1:1,8,8 1:17 2:6,9,9,13 2:24 4:2,11,14 5:3 8:16,22 10:11 11:4 47:2,7,23 month 8:14,17 months 11:13 morning 27:8 move 19:1 moves 22:20 moving 22:23 23:11,13 28:14 28:15
J Jeske 4:10 47:5 John 2:4 5:20 35:12 38:15 39:21 41:22 john@cotton... 2:7 join 23:19 35:14 37:10 Jon 28:13 judge 6:1 JUDICIAL 1:1 July 12:19 jury 11:8,15,19 11:20 13:21 42:20	known 19:10 knows 40:2	M M 2:17 mag 42:10 maintain 24:19 maintained 22:1 maintenance 19:2,17 26:3,4 26:8,12 major 21:15 map 30:17 March 3:5 8:8 17:15 mark 17:5,8 33:1 marked 17:12 33:5 Marla 4:10 47:5	mentioned 46:21 messaging 9:17 met 12:25 metering 34:18 meters 34:20 42:10,12,18 43:16 meticulous 33:10 34:1,4 Meyer 2:4 3:2 4:24 5:10,20 8:3 9:6,11,24 10:3,18,22 13:2,19 14:3,6 14:13,15,23 15:3,18,22,25 16:6,11,15,25 17:2,8,13 18:1 18:17,22 21:21 22:22 23:4,9 23:15,24 25:1 25:11,16 27:11 27:16 30:16,23 32:6,11,18,19 33:6 34:5,8,15 35:13,15 36:7 36:14 37:5,12 37:17 38:4,7 38:21 39:15,18 40:5,9,17,20 41:10,20,25 42:2,7,15 43:2 43:7,12,17	missing 5:7 mistakes 6:11 Montana 1:1,8,8 1:17 2:6,9,9,13 2:24 4:2,11,14 5:3 8:16,22 10:11 11:4 47:2,7,23 month 8:14,17 months 11:13 morning 27:8 move 19:1 moves 22:20 moving 22:23 23:11,13 28:14 28:15
K keep 15:10 34:1 34:7 keeping 33:10 kind 25:8 26:23 31:21 knot 26:23 know 6:18,24 7:2 10:20,23 10:24 11:1 13:9 15:14	level 22:5,7,12 28:18 30:20 31:2,5,5 levels 22:1 23:8 34:13 line 15:10 46:2 liner 20:4,15 21:5,7,11 22:10 24:4,24 25:4 26:25,25 28:3,6,8,15,25 29:17,19 30:19 liners 19:6 25:18 25:21,23 26:2 26:6,13,16 29:6,16,19	M M 2:17 mag 42:10 maintain 24:19 maintained 22:1 maintenance 19:2,17 26:3,4 26:8,12 major 21:15 map 30:17 March 3:5 8:8 17:15 mark 17:5,8 33:1 marked 17:12 33:5 Marla 4:10 47:5	mentioned 46:21 messaging 9:17 met 12:25 metering 34:18 meters 34:20 42:10,12,18 43:16 meticulous 33:10 34:1,4 Meyer 2:4 3:2 4:24 5:10,20 8:3 9:6,11,24 10:3,18,22 13:2,19 14:3,6 14:13,15,23 15:3,18,22,25 16:6,11,15,25 17:2,8,13 18:1 18:17,22 21:21 22:22 23:4,9 23:15,24 25:1 25:11,16 27:11 27:16 30:16,23 32:6,11,18,19 33:6 34:5,8,15 35:13,15 36:7 36:14 37:5,12 37:17 38:4,7 38:21 39:15,18 40:5,9,17,20 41:10,20,25 42:2,7,15 43:2 43:7,12,17	N N 3:1 name 5:12,13,20 named 47:13 national 24:7 necessary 28:22 need 6:13,17 20:15,15 24:19 25:3,24 26:13 29:9 34:1 44:24

<p>needed 19:14 21:11 needs 20:9 never 14:7 20:14 20:15 new 6:23 20:20 non-irrigation 12:2 15:8 Northwest 8:2 26:1,18 28:16 31:7,10 notarial 47:20 Notary 4:10 47:5,23 noted 4:9 notice 4:7 7:17 29:22 NPDES 33:9,25 Number 17:11 33:4 numbers 35:18 35:21 36:5,10 36:15 37:18,19</p> <hr/> <p>O</p> <p>O'CONNOR 1:4 2:3 object 7:12,21 9:3,4,5 10:16 12:21 13:14,25 14:9,18,21 15:9 16:23 17:24 18:11,20 21:19 22:13,14 23:16 24:22 25:7 30:14 32:1 34:3,11 35:11 36:3,23 37:9,24 39:4 39:10 40:16 41:4,14 42:5 42:23 43:9 44:14,22 objection 27:9 36:6 41:9 43:11 45:1</p>	<p>objections 10:17 14:12,20 22:17 23:2,18 38:1 38:11 39:11,14 obligation 6:3 occurred 30:22 occurs 30:24 October 29:7,9 29:13,14 30:3 office 12:14 27:15 offline 20:24 21:1 Oh 11:13 okay 10:4 11:3 11:17 18:8 23:15 27:1,17 32:12,15 35:13 40:5 45:7,11 once 14:25 29:4 operating 28:18 30:20 31:2,5 operational 21:15 operators 26:1 opportunity 6:10 opposed 32:7 oral 46:20 originally 21:8 outside 14:1,19 15:20 22:16 37:11 38:2 39:23 40:7 44:24 45:9 overflowing 22:24</p> <hr/> <p>P</p> <p>P.O 2:5,12 page 3:1 41:22 46:2 pages 46:16 47:16 part 13:1 26:8 33:8</p>	<p>parties 4:13 patch 28:16 30:2 Peaks 12:1 15:7 37:16 percent 41:12 perform 24:17 period 24:14 permit 33:9,19 33:22,25 Pettis 2:11 3:3 5:2 9:3,5 10:17 12:22 13:14 14:2,12,20 16:23 17:24 18:12 22:14,17 23:3,19 30:15 32:2 35:11 36:3,23 37:9 38:1,12 39:14 40:16 41:4,15 41:17 42:6,24 43:10,20,23 44:5,15 45:1 phone 9:15 picking 37:2 pipe 20:1 23:6 place 4:8 43:16 46:20 47:12 plaintiffs 1:6 2:2 4:21 5:21 plan 21:2 plant 20:20,22 22:21 23:23 37:23 please 5:11,12 9:14 17:9 18:3 33:2 38:4,7 39:15 plenty 18:8 point 24:19 32:8 pond 17:21 18:5 19:9,9,10,21 19:22,22,23,24 19:25 20:2,3,4 20:8,11,11,14 21:1,5,6,11,15</p>	<p>21:16 22:1,4,5 22:5,7,11,21 22:23 23:7,8 23:13,14,14,21 23:23,23 24:1 24:10,13,24 25:14,20,20 26:5,5,16,16 28:14,18,19,20 28:20 30:21 31:2,5 33:10 34:2,13 ponds 3:8 8:12 8:17,25 10:14 11:11,11 12:7 17:22 18:6 19:3,6,8,11,14 19:19 20:23 29:4 30:24 32:22 42:20 portable 24:9 position 20:23 29:6 possible 27:18 preceding 44:21 precisely 28:24 prepare 7:19 present 6:1 presented 11:8 press 24:9 prevents 22:24 22:25 previous 9:1 10:14 Prideaux 12:13 12:16 prior 29:1 privacy 36:11 40:24 privileged 7:22 14:22 privy 43:24 44:2 problem 39:5 Procedure 4:15 procedures 5:16 proceeding 6:2</p>	<p>proceedings 4:17 proposal 28:1 provide 11:18 35:21 40:10 provided 8:24 10:12 11:19 13:4,8 27:11 27:14 30:18 31:7 37:3,13 37:19 38:23,25 40:12 41:6 public 4:10 14:25 47:6,23 pull 26:21 32:8 pulled 42:11,18 pump 34:18 42:9 pumped 22:1 37:15 pumping 34:13 pumps 34:14 pursuant 4:6,14 put 20:22 21:7 26:24 28:17 puts 29:6</p> <hr/> <p>Q</p> <p>quality 1:9 2:10 2:12 34:9 question 6:20,23 6:25 7:3,5,13 9:7 10:9,18 14:4 18:21 23:4 25:11 31:8 34:6 35:15 36:8 37:12 38:5,6,8 38:10 42:7 43:2,12 44:10 questioning 15:10 questions 5:23 6:7 7:12 13:16 15:17 43:17,18 43:20 45:9</p>
---	--	---	--	--

QUINN 1:4 2:3 quite 31:8	relevant 15:12 15:22 REMEMBER... 4:6 remove 24:19 25:13 removed 24:21 repair 19:2 24:25 25:3 26:21 27:8 28:1 29:4,12 29:23 30:1,2 30:13 31:13 repaired 19:5,7 19:8,11,15,19 19:21,23 20:9 20:16 21:12 25:21,24 26:6 26:13 29:1 repairs 19:18 26:2,15,19,20 26:22 27:12,21 28:22 29:7,16 29:18 30:2,5 30:19 31:4,10 rephrase 6:7 replaced 19:5 20:9,16 replacement 24:25 25:3 42:19 report 3:6 8:2 12:23 26:17,21 26:22 27:14 29:21 30:3 31:6,14,17,19 31:20 32:21 35:6,7,12,17 35:18 36:24 37:1 40:14,22 41:2,7 reported 47:13 reporter 4:10 22:18 23:16 38:7 47:5 reporter's 6:18	Reporters 1:15 reports 40:3 representative 5:1 representing 5:20 request 11:12,17 11:22 requested 11:9 11:14 required 28:16 33:11 reread 7:25,25 8:1 38:8 RESERVED 45:19 residing 47:24 respective 4:13 response 12:10 Restate 38:6 review 13:10 reviewed 7:16 13:24 14:7 16:16 17:17 31:17 37:6 reviewing 33:17 right 28:17 rip 22:9 rip-rapped 20:10,13 ripped 21:11 rips 28:24 road 43:1 Ron 1:12 3:2,5 4:1,7,19 5:1,13 46:14,25 room 4:25 9:15 42:9 ruined 42:9 rules 4:15 5:16 run 24:10 running 42:13 runs 20:2	says 17:19,25 28:1 33:8,18 34:3,24 35:3,6 35:7,24 36:21 39:24 40:24 scene 42:14 schedule 12:14 12:17 scope 9:9 14:1 14:19 15:11,20 16:14 22:16 24:23 37:11 38:2 39:23 40:7 44:25 45:9 screen 27:17 28:12 seal 47:20 season 12:2 15:8 29:5 section 18:3 see 17:19 21:16 21:18,24,25 27:18,23 33:7 33:13 34:21,21 34:24 35:2 36:21 40:21,24 seeking 14:22 seen 32:24 sense 9:20 sent 12:3,24 29:15 sentence 37:1 set 24:10 47:19 sets 24:8 Seven 41:25,25 sewer 2:16 3:7 5:2,4,5,6,19 8:11,15,19,23 9:2 10:12,15 11:6,17,22 12:6,9 13:3,8 13:10,12 15:5 19:2,5,13 20:7 20:18,25 21:4 21:10 23:11,25	24:16 26:11 31:3 32:22 33:15,19,24 35:8,24 37:7 37:20 39:2,7 shaking 6:14 share 27:17 28:12 shared 27:7 sheet 46:18 shorthand 47:14 show 37:19 showing 30:18 shown 36:16 sidestream 20:22 sidetracked 10:9 SIGNATURE 45:19 signed 46:19 significantly 36:22 sir 10:6 six 11:13 Sixth 2:13 size 30:4 skill 47:17 Sky 2:16 3:7 5:2 5:3,4,5,19 12:6 15:5 19:1,4,13 20:7,18,25 21:4,9 23:10 23:25 26:11 31:3 32:22 33:23 35:7 37:7,20 slides 11:18 sludge 24:18 25:2,6,13,15 small 26:25 29:24,25,25 30:1 smaller 30:10,11 solids 25:15 somebody 16:10
R		S		
R 47:1 R-O-N 5:13 Rauchway 11:7 RE-EXAMIN... 44:7 reach 12:16 reached 12:14 read 6:10 8:1,4 15:2 18:2 38:10 46:16 reading 36:25 really 24:23 reask 9:7 reason 7:8 29:2 recall 12:18 receipts 27:21 receive 9:16 received 8:8 recess 17:7 32:17 recognize 17:14 27:20 32:20 record 32:18 33:21 39:5 41:5 47:16 records 33:10 33:12,17 34:1 34:7,9 42:4 referring 8:7 28:19 regarding 3:6 8:17,24 10:13 16:17 17:20 18:5,10 27:12 32:21 Region 12:11 rehash 15:15 rehashing 15:11 40:3 43:1 related 16:13 24:24 relative 34:17		S 3:4		

28:15 sooner 29:10 sorry 13:20 22:18 23:16 sound 30:7 space 32:9 Spanish 12:1 15:7 37:16 speak 6:17 20:21 specific 32:4 spell 5:12 spent 12:25 spoke 8:11 spoken 14:16 spot 26:2,8,12 spreadsheet 13:17 18:14 35:22 37:14 39:16,19,23 40:12 spreadsheets 12:4 ss 47:3 staff 2:11 12:24 standards 18:7 start 6:20 40:3 starting 20:21 starts 25:14 state 1:8 2:9 4:11 5:11 18:7 33:20 47:2,7 47:23 stated 33:8,18 33:24 static 22:8,12 station 23:20 STEVE 1:4 2:3 stipulated 4:12 storage 19:9,9 23:14 Street 1:16 2:19 2:23 STUBBS 2:18 subpoena 7:25 suck 24:12	Suite 2:19,23 supposed 38:13 sure 10:24 27:10 28:23 37:3 41:23 Susan 2:22 5:5 8:9 Swimley 2:22,23 5:5 swimley@swi... 2:25 sworn 4:21 47:9 Synagro 24:7 system 33:23 T T 3:4 47:1,1 table 34:21,22 40:21 take 17:3 20:23 21:1 39:18 taken 1:14 4:8 4:14 17:7 32:17 47:12 talk 13:22 34:17 talking 32:9 Teams 9:17 tear 28:2,6,16 29:1,8,10,24 tears 28:24 29:22 tell 6:4 7:23 10:4 15:23 26:15 tells 5:24 ten 27:12 28:2,6 term 34:17 terms 41:13 testified 4:22 16:12 testify 37:4 39:22 40:7 47:9 testifying 6:2 testimony 7:9 8:24 10:13 11:4 13:4,7,21	13:22,24 14:8 14:17 16:4 47:16 Thank 6:12 10:7 32:15 theory 35:8 thereon 46:18 thing 25:7 41:24 things 37:2 think 12:23 15:22 30:21,25 33:21 34:12 36:16,19 37:10 42:13 45:5,11 three 14:10 15:13 25:9 three-minute 17:3 time 4:8 6:17 8:10 19:19 21:3 25:14 46:20 47:12 today 7:9,17 told 42:20 top 28:13,17 topic 15:23 16:2 topics 7:16 14:10 15:13 22:16 24:24 25:9 39:24 45:10 tore 28:15 torn 21:11 total 35:3,4 37:14,15,15 43:14 transcribed 47:14 transcript 14:25 43:5,6 46:19 treated 15:6 37:22 trial 9:1 10:15 11:3,8,15,20 12:2,8 13:5,21 13:23,24 14:7	14:11,17 15:11 15:15 16:3,13 18:14,19 19:3 19:6 21:14 31:4 35:23 36:13 40:4 41:3 43:1 trials 40:13 tries 10:4 true 39:1,6 46:19 47:16 truth 6:4,4,5 47:10,10,11 truthful 7:9 truthfully 5:23 trying 9:22,24 turn 9:13,16,19 two 16:4 39:18 40:4 type 26:22 typewriting 47:15 typewritten 46:16 U U.S 12:7 underdrain 19:25 20:2 understand 6:6 6:11,15 7:3,6 7:14 39:3 Understood 10:2 use 43:16 V vacuum 24:12 values 44:20 variation 36:22 vertical 29:23 volume 8:25 10:13 11:25 volumes 33:11 34:2 43:15 vs 1:7	W W 2:23 wait 29:9 want 9:19 10:24 16:9 23:17 32:4 37:3 41:23 wants 44:10 wasn't 31:8 water 2:16 3:7 5:2,3,4,5,19 8:10,15,19,23 9:1 10:15 11:7 12:6,8 13:10 15:5 18:10 19:2,4,13 20:7 20:18,22,25 21:4,9,13 22:1 22:3,20 23:7 23:10,25 26:11 30:21 31:3,25 35:7 37:7,15 37:20 39:8 40:10,15 43:14 44:20 waterline 28:18 way 28:17 we'll 20:21 39:5 we're 15:9,15,16 16:11 20:20 23:13 24:22 32:9 39:21 40:3 42:25 43:1 44:23,23 45:10 we've 19:16 21:14 45:5 week 16:11 weren't 28:23 WHEREOF 47:19 witness 3:1 4:20 7:21,25 9:8 10:2,20 12:23 13:16 14:5,14
---	---	---	--	--

14:24 17:1	19:9,22 20:2	3		
18:13 21:20	22:5 23:8,14	3 19:9,22 20:3		
22:18,20 23:6	23:23 25:20	22:6 23:23		
23:20 25:13	26:5,16 34:21	25:20 26:6,16		
27:14 30:17	40:21	28:20		
34:7,12 35:17	10:00 1:19	30(b)(6) 1:12 3:2		
36:9 37:4,13	11:15 45:16	4:1,7,19 5:1,18		
38:6,13,20	129.88 35:4	303)892-7495		
39:16 40:2,7	15 41:12	2:20		
40:18 41:18	1520 2:13	32-33 3:8		
42:8 43:4,14	1550 2:19	37 35:25,25		
43:19 44:16	17 3:5			
47:8,17,19	170 35:4	4		
work 29:2,12,14	17th 2:19	4 1:18 4:2		
31:13,13	18 41:12	40 35:8		
wouldn't 29:8	1807 2:23	40.171 34:25		
wrong 44:12		406)444-1422		
	2	2:14		
X	2 3:6 19:23,25	406)546-0149		
X 3:1,4 27:23	20:4,8,11 21:1	2:6		
	21:5,6,11 22:7	406)586-5544		
Y	33:4	2:24		
Yeah 17:23	2002 20:6 24:5	412 2:5		
20:13 23:17	200901 2:12	43 3:3		
27:19	2015 13:11	44 3:2		
year 20:4 35:1	34:24 35:10	46- 46:16		
35:10 36:22	37:8,20 39:1,6			
42:21	2016 19:20,21	5		
years 11:10	26:6 35:24	5 3:2,5		
13:11 16:4	37:20 39:1,6	500 2:19		
19:17 37:8	2020 13:11 37:8	596020-0901		
40:1,4 44:20	42:8,12,16,21	2:13		
44:21	43:15	59715 2:24		
Yellowstone	2023 12:19	59771 2:6		
12:1 15:7	19:12,18 24:5	5th 8:8 17:15		
37:16	25:21 26:16			
	2024 1:18 3:5	6		
Z	4:2 8:8 16:17	7		
Zoom 1:14	17:15 46:22			
45:15	47:21	8		
0	2027 47:25	8 12:11		
04 47:25	210 1:16	80202 2:19		
	23 30:3			
1	270 43:5	9		
1 3:5 17:5,9,11	270,000 42:21			