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MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT  
GALLATIN COUNTY

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COTTONWOOD  
ENVIRONMENTAL LAW  
CENTER; CRAIG MATHEWS;  
QUINN O'CONNOR; STEVE  
ATENCIO; ISAAC CHEEK,  
Plaintiffs,

vs. Case No. DV-22-1121A

THE STATE OF MONTANA by and  
Through the MONTANA  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY,

Defendants.

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DEPOSITION OF RON EDWARDS 30(b)(6)

Taken via Zoom:  
Bridger Court Reporters, Inc.  
210 Henderson Street  
Bozeman, Montana  
April 4, 2024  
10:00 a.m.

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I N D E X

Witness: Page:  
RON EDWARDS 30(b)(6)  
Examination by Mr. Meyer.....5, 44  
Examination by Mr. Pettis.....43

E X H I B I T S

Exhibit 1 Closure Letter to Ron Edwards  
from DEQ dated March 5, 2024.....17

Exhibit 2 EPA Report regarding the  
investigation of the Big  
Sky Water and Sewer District's  
holding ponds.....32-33

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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:

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12 ATTORNEY APPEARING ON BEHALF OF THE  
13 DEFENDANTS, THE STATE OF MONTANA by and  
14 through the MONTANA DEPARTMENT OF  
15 ENVIRONMENTAL QUALITY:

16 Mr. Aaron Pettis, Esq.  
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23 appetis@mt.gov

24 ATTORNEYS APPEARING ON BEHALF OF THE BIG SKY  
25 WATER & SEWER DISTRICT:

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1 RON EDWARDS 30(b)(6)  
2 April 4, 2024; BOZEMAN, MONTANA

3 \* \* \* \* \*

4  
5  
6 BE IT REMEMBERED THAT, pursuant to  
7 Notice, the Deposition of RON EDWARDS 30(b)(6) was  
8 taken at the time and place and with the  
9 appearances of counsel hereinbefore noted before  
10 Marla Jeske, Court Reporter, CSR - Notary Public,  
11 for the State of Montana.

12 It is further stipulated and agreed by  
13 and between counsel for the respective parties that  
14 this deposition was taken pursuant to the Montana  
15 Rules of Civil Procedure.

16  
17 The following proceedings were had:

18  
19 RON EDWARDS 30(b)(6),  
20 having been called as a witness by the  
21 Plaintiffs, being first duly sworn, was  
22 examined and testified as follows:  
23

24 MR. MEYER: The deposition is beginning. I'm  
25 going to identify everyone in the room. I have

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1 the entire sentence or the entire report. So  
 2 you're cherry picking things from information you  
 3 provided to EPA. I'm not sure what you want this  
 4 witness to testify about.  
 5 BY MR. MEYER:  
 6 **Q. Mr. Edwards, have you reviewed the mass**  
 7 **balance of the Big Sky Water and Sewer District for**  
 8 **the years 2015 through 2020?**  
 9 MR. PETTIS: Object to form.  
 10 MS. BRONSON: Join. And I also think that's  
 11 outside the scope.  
 12 MR. MEYER: You can answer the question.  
 13 THE WITNESS: We provided data to both DEQ  
 14 and EPA from the spreadsheet that looks at total  
 15 flows, total irrigation out, total water pumped up  
 16 the hill in Spanish Peaks and Yellowstone Club.  
 17 BY MR. MEYER:  
 18 **Q. And using your own numbers that you**  
 19 **provided the EPA and DEQ, don't those numbers show**  
 20 **that in 2015 and 2016 Big Sky Water and Sewer**  
 21 **District exported millions of gallons more of**  
 22 **treated effluent than it actually brought into the**  
 23 **plant?**  
 24 MS. BRONSON: Object to form, foundation and  
 25 again, mischaracterizing.

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1 MR. PETTIS: Same objections.  
 2 MS. BRONSON: And outside the scope of EPA  
 3 and DEQ's investigation.  
 4 MR. MEYER: Mr. Edwards, please answer the  
 5 question.  
 6 THE WITNESS: Restate the question.  
 7 MR. MEYER: Can I have the reporter please  
 8 reread the question.  
 9 (Whereupon, the last  
 10 question was read back.)  
 11 MS. BRONSON: Same objections.  
 12 MR. PETTIS: Same.  
 13 THE WITNESS: Am I supposed to answer?  
 14 MS. BRONSON: You can answer.  
 15 John, we are going to cut this off  
 16 because it's just -- again, this is not about the  
 17 investigation. You're asking him to interpret  
 18 data. What EPA did with it is not -- he has no  
 19 knowledge.  
 20 **THE WITNESS: That's correct.**  
 21 BY MR. MEYER:  
 22 **Q. What's correct, Mr. Edwards?**  
 23 A. We provided data to EPA and DEQ for  
 24 their investigations.  
 25 **Q. So using the data that you provided EPA**

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1 **and DEQ -- is not true, that in 2015 and 2016 the**  
 2 **sewer district exported more effluent than it**  
 3 **brought in? Now I understand that the defendants**  
 4 **and the DEQ are going to object. That's fine. We**  
 5 **can -- we'll do that on the record. No problem.**  
 6 **But, Mr. Edwards, isn't it true in 2015 and 2016,**  
 7 **the sewer district exported millions of gallons**  
 8 **more than it brought in according to the water**  
 9 **balance?**  
 10 MS. BRONSON: Object to form. Same  
 11 objections as before. And also, I'd like to  
 12 clarify that you said defendants and the district  
 13 is no longer a defendant in this case.  
 14 MR. PETTIS: Same objections.  
 15 MR. MEYER: Please answer, Mr. Edwards.  
 16 THE WITNESS: I don't have the spreadsheet  
 17 up, so I don't know.  
 18 MR. MEYER: I'm going to take about two  
 19 minutes and find the spreadsheet and then we can do  
 20 the calculations.  
 21 MS. BRONSON: John, we're not going to  
 22 testify about calculations or about the  
 23 spreadsheet. Again, this is outside of the scope.  
 24 It says the topics that you have asked about are  
 25 EPA and DEQ's investigations in the last five

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1 years. Everything about those is in -- that we  
 2 know -- that this witness knows is in these  
 3 reports. We're not going to start rehashing what  
 4 happened at the trial two years ago.  
 5 MR. MEYER: Okay. So --  
 6 MS. BRONSON: I'm not going to let the  
 7 witness testify to that. That is outside the scope  
 8 of this deposition.  
 9 BY MR. MEYER:  
 10 **Q. Mr. Edwards, you did not provide a water**  
 11 **balance to the EPA or DEQ; is that correct?**  
 12 **A. I provided the same spreadsheet that was**  
 13 **in both trials, federal and district court.**  
 14 **Q. And does the EPA or DEQ report have any**  
 15 **of your water balance, any of your data?**  
 16 MR. PETTIS: Object to form.  
 17 MR. MEYER: You can answer.  
 18 THE WITNESS: I assume they used the data we  
 19 gave them in the course of their investigations.  
 20 BY MR. MEYER:  
 21 **Q. And you see table 1 here in the EPA**  
 22 **report?**  
 23 A. Yes.  
 24 **Q. You see where it says "privacy"?**  
 25 A. Yes.

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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.

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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

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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?**

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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.

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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  
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 22 \* \* \* \* \*  
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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 Notary Public for the State of Montana  
 24 residing at: Bozeman  
 25 My commission expires: February 04, 2027

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1 DEPONENT'S CERTIFICATE  
 2 PAGE LINE CORRECTION  
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 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.  
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 24 \_\_\_\_\_  
 25 RON EDWARDS

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