## In The Matter Of:

LIVINGSTON COUNTY ZONING BOARD OF APPEALS

February 9, 2015

Area Wide Reporting and Video Conferencing
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			February 9, 2015
L*47	47*L* Page 1861		Page 1863
1	LIVINGSTON COUNTY ZONING BOARD OF APPEALS	_	(Common sing at 6:30 mm)
2	CASE SU-7-14 PLEASANT RIDGE WIND ENERGY PROJECT	1	(Commencing at 6:29 p.m.)
3	February 9, 2015	2	CHAIRMAN CORNALE: All right. If we can
4	6:30 PM Pontiac Township High School	3	, ,
	Pontiac, Illinois	4	going this evening. Call the meeting to order.
5	BOARD MEMBERS	5	Chuck, roll call please.
6	Michael Cornale, Acting Chair Rich Kiefer	6	<b>MR. SCHOPP:</b> This is the February 9th,
7	John Vitzthum Joan Huisman	7	2015, continuation hearing of the Livingston County
8	Diana Iverson Tom Blakeman, Attorney for Zoning Board of Appeals	8	Zoning Board of Appeals review of Livingston County
9			Zoning Case SU-7-14, Pleasant Ridge Energy, LLC,
10	Charles T. Schopp, Administrator Livingston County Regional Planning Commission		Pleasant Ridge Wind Energy project.
11	112 W. Madison Street Pontiac, IL 61764	11	Roll call is Michael Cornale.
12	James R. Griffin	12	CHAIRMAN CORNALE: Here.
13	Attorney for Livingston County Schain, Banks, Kenny & Schwartz	13	MR. SCHOPP: John Vitzthum.
14	70 W. Madison Street, Suite 5300 Chicago, IL 60602		MR. VITZTHUM: Here.
15	312.345.5700	14	
16	Appearing For Applicant/Invenergy:	15	MR. SCHOPP: Richard Kiefer.
	Michael S. Blazer Attorney at Law	16	MR. KIEFER: Here.
17	Jeep & Blazer, LLC 24 North Hillside Avenue, Suite A	17	MR. SCHOPP: Diana Iverson.
18	Hillside, IL 60162 708.236.0830	18	MS. IVERSON: Here.
19	mblazer@enviroatty.com	19	MR. SCHOPP: Howard Zimmerman. Joan
20	Appearing for United Citizens of Livingston County: Phillip A. Luetkehans	20	Huisman.
21	Attorney at Law	21	MS. HUISMAN: Here.
22	Schirott, Luetkehans & Garner, LLC 105 E. Irving Park Road	22	<b>MR. SCHOPP:</b> Gibs Nielsen. We have a
23	Itasca, IL 60143 630.760.4601	23	quorum. Just a quick announcement so everyone's
24	pluetkehans@slg-atty.com		aware. After tonight, we have a meeting tomorrow
	Page 1862		Page 1864
1	INDEX OF PRESENTERS		· ·
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Page 1865

- 1 I would like to at least hand out his report tonight
- 2 so that the board has the opportunity to look at it
- 3 if they have time. I know I'm not giving them a lot
- 4 of time. Mr. Blazer received that Friday, at least
- 5 the final report. He received a draft a couple days
- 6 before that. And I know Mr. Griffin and Mr.
- 7 Blakeman received it Friday as well.
- So I would like to at least get this in
- 9 your hands, because, as you know, the reports that
- 10 Invenergy did you all had well before their
- 11 testimony. I'm just hoping that I can help out a
- 12 little bit and move this process along. So this
- 13 would be UCLC 7.
- And we would ask Marvin Stichnoth to come to the stand.
- **CHAIRMAN CORNALE:** Mr. Stichnoth, if you could for me, please, would you like to be affirmed or take an oath?
- **MR. STICHNOTH:** I don't really care.
- 20 CHAIRMAN CORNALE: Okay. Could you please
- 21 raise your right hand?
- 22 (Marvin Stichnoth was duly sworn.)
- 23 CHAIRMAN CORNALE: All right. Could you
- 24 please state your name and address for our court

- 1 farm was built in Indiana across the state line from
- 2 me. I live three and a half miles from the Indiana
- 3 state line, and in Benton County, one of the first
- 4 wind farms in that area was built. And I was
- 5 watching it being built and was pretty exciting. It
- 6 went into action and I thought it was pretty great
- 7 to have it over there.8 Well, a couple years later, a wind farm
- 9 was planned in my area and I thought, hey, that's
- 10 great, this is free energy, so to speak, which I
- 11 learned later is not free, but I was very excited to
- 12 see it being built. I watched it carefully as it
- 13 was built. The nearest one was about a mile from me
- 14 and there were several more just a little bit
- 15 farther than that.
- It's probably about two years, two and a
- 17 half years ago in the summer it started in
- 18 operation. When I would be sleeping at night, I
- 19 would hear this low, very low frequency noise.
- 20 Sounded like a jet plane in the distance or a
- 21 freight train several miles away, but it never got
- 22 any closer. It just was a constant low frequency 23 noise.
- One night, my wife was gone and it was

Page 1866

Page 1868

- 1 reporter?
- 2 MR. STICHNOTH: My name is Marvin
- 3 Stichnoth. My address is 2836 East 1160 North Road,
- 4 Milford, Illinois.
- 5 **CHAIRMAN CORNALE:** Mr. Stichnoth, could
- 6 you please spell your last name for our reporter?
- 7 **MR. STICHNOTH:** I often have to do that.
- 8 S-T-I-C-H-N-O-T-H.
- 9 **CHAIRMAN CORNALE:** Thank you. Mr.
- 10 Luetkehans, you may proceed.
- MR. LUETKEHANS: I think Mr. Stichnoth has
- 12 just a statement he'd like to make or statement he'd
- 13 like to read or say, and I'll just let him go
- 14 forward if that's acceptable.
- MR. STICHNOTH: I live in -- near Sheldon
- 16 Township in Iroquois County where the location of
- 17 the Settlers Trail wind farm was built two and a
- 18 half years, three years ago. In the past, I've
- 19 always been excited about wind energy. When the
- 20 wind farm was built in Bloomington, I would go over
- 21 on rare occasions, drive through it. I thought this
- 22 is great. Sure would be great if it could come to
- 23 my area.
- Well, probably five, six years ago a wind

- 1 exceptionally bad. I got up and couldn't believe
- 2 what it was. I got out and walked out into the yard
- 3 in the middle of the night, and sure enough, the
- 4 wind turbines were roaring something terrible.
- Well, in the meantime, we -- my wife and I
- 6 put up with it for a couple years. It doesn't
- 7 happen every night because the wind doesn't blow
- 8 every night, and I'm a mile away, so the conditions
- 9 have to be right for it to be really annoying. I
- 10 certainly feel sorry for the people who have them
- L1 all around them.

22 so irritating.

- But we would lay there at night and
- 13 usually we'd go to sleep by the TV. Then maybe two
- 14 o'clock, three o'clock in the morning we'd wake up
- 15 with this roar. You couldn't -- you couldn't get
- 16 away from it. You'd go into the bathroom in the
- 17 middle of the house, shut the doors, and it would
- 18 penetrate. It's such a low frequency that nothing
- 19 stops it. It -- I'd put my pillow over my head and
- 20 still it would come through. It's hard to imagine
- 21 if you don't experience it the low frequency that is
- Well, what can you do? Finally, my wife
- 24 says we've got to do something. So she got a box

Page 1869

- 1 window fan that sat on the floor of the bedroom, and
- 2 now for six months now we've been running the box
- 3 fan at night. And it's a low frequency too, but
- 4 it's not so irritating and it's just loud enough
- 5 that it drowns out the sound of the wind turbines.
- I still -- I still don't have a good
- 7 night's sleep when they're running. Somehow it --
- 8 the fan overpowers the wind turbines, but it still
- 9 penetrates your body and it still causes sleep
- 10 deprivation. What I don't quite understand is
- 11 President Obama has determined that sleep
- 12 deprivation is a form of torture and is not to be
- 13 used on prisoners of war. So why is it used upon us
- who live in the wind farm area?
- Really, that's pretty much all I've got to 15
- 16 say.
- **QUESTIONS BY** 17
- **MR. LUETKEHANS:** 18
- 19 Q. Mr. Stichnoth, I have a couple -- one real
- follow-up question. Do you know whether Iroquois 20
- County has changed their ordinances related to wind 21
- turbines recently to protect the citizens of the 22
- county? 23
- 24 A. I'm glad you asked this. I was on the

- Illinois Pollution Control Board sound requirements
- for nighttime levels previously or was it more
- 3 stringent before?
- A. It was more stringent than what the 4
- Illinois Pollution Board. We looked at other 5
- ordinances throughout the country and tried to come 6
- 7 up with something that somewhat mirrored some of the
- ones that we saw that we thought were effective.
- 9 CHAIRMAN CORNALE: Okay, all right, very
- good. All right. Any units of local government, 10
- school districts, that have any questions for Mr. 11
- Stichnoth? Anybody out there? All right. 12
- Mr. Blazer, do you have any questions for 13
- Mr. Stichnoth. 14
- MR. BLAZER: I do, Mr. Cornale, thank you. 15
- **QUESTIONS BY** 16
- MR. BLAZER: 17
- Q. Mr. Stichnoth, the wind farm that you're 18
- 19 talking about is Settlers Trail?
- A. Yes, it is. 20
- 21 Q. And that's operated by a company called
- E.ON? 22

Page 1870

- 23 A. That's correct.
- 24 Q. That's E period O N?

Page 1872

- county board here the last couple years and I was on
- the zoning committee and used my experience to help 2
- rewrite zoning ordinances to try to protect the 3
- citizens of Iroquois County in the future. 4
- Q. How were those rewritten? 5
- A. We increased the setback, we established 6
- noise limits. Those are the things that come to
- mind, you know, without looking at the ordinance 8
- 9
- Q. You said they increased the setback. Do 10
- you know what the increase to the setback was? 11 A. We established it to be 12 rotor diameters 12
- from the foundation of any house, and as I 13
- understand it, that's going to be changed pretty
- soon to 12 rotor diameters from property lines, and 15 16
- that is only for nonparticipants. And anyone can opt out of that. You can allow it closer. 17
- MR. LUETKEHANS: Thank you. I have 18 nothing further for Mr. Stichnoth. Wait a second, 19
- Mr. Stichnoth, people may have questions for you. 20
- CHAIRMAN CORNALE: Any other board members 21 have questions? Anything? One question is you made 22
- reference to the sound that the -- as the county, 23
  - Iroquois County, changed it. Did it mirror the

A. Yes. 1

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20

- Q. Now, you described the sound that you
- heard as low frequency noise; is that correct? 3
- A. That's correct. 4
- Q. And how do you know that? 5
- A. Pardon me? 6
- Q. How do you know it's low frequency noise? 7
  - A. Well, I live with it every day.
- Q. Right, I --9
  - A. You can pretty much tell high frequency
- from low frequency. My wife is a musician and she's 11
- very adept at the frequency levels. 12
- Q. But you can hear, you can clearly hear 13
- roaring that you described as low frequency noise, 14
- 15
  - A. Yes, very clearly.
- Q. Okay. Am I correct that you've been 17
- pretty vocal about your complaints regarding this 18
- wind farm? Is that a fair statement? At least when 19 you were on the county board.
  - A. Yes, I expressed my feelings and I
- expressed my opinion on what should happen and how 22
- 23 it -- the citizens of Iroquois County should be
- protected, yes. 24

Page 1873

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14

- Q. And, you know, I did some checking and it 1
- looked like you were the one who -- on the Iroquois
- County board, you were the one who took the lead on
- this issue. And I think you mentioned that, see how
- you described it, that you used your experience to
- help rewrite the ordinance; is that correct? 6
- A. Yes, I did. And I was not the lead. 7
- There was a team that was leading. 8
- 9 Q. Okay. And you gathered -- I think
- starting sometime in early 2011 you started 10
- 11 gathering information on wind farms, right?
- A. Yes, as soon as I became aware of the 12
- conditions living in them, I did start trying to 13
- gather evidence from all over on what other people 14
- 15 were experiencing.
- Q. And that was from the Internet? 16
- A. Yes, part of it was from the Internet, 17
- part of it was from personal experience with 18
- 19 interaction with people.
- Q. Okay. Could you tell me some of the sites 20
- 21 that you looked at on the Internet to find this
- information that you were gathering? 22
- 23 A. I'm sorry, I looked at so many sites and
- 24 I'm not prepared to -- this has been a couple years

- **MR. BLAZER:** I think that's testimony, not 1 an objection, so --2
  - A. I'd like to point out --
- MR. BLAZER: He has to rule first. 4
  - CHAIRMAN CORNALE: Yeah, we'll go ahead
- and allow these questions just based on you did make 6
- 7 some reference to some experiences, both yours and
- some other information. So we'll allow these, but 8
- we're kind of on the borderline. 9
- MR. BLAZER: I understand. 10
- 11 **BY MR. BLAZER:**
- Q. Do you remember going onto a site called 12
- Wind Turbine Syndrome? 13
  - A. I'm sorry, I don't -- no, I don't recall
- 15 that one.
- Q. All right. Now, Settlers Trail began 16
- operating in 2011, right? 17
- A. Well, I can't -- yeah, I don't really 18
- 19 remember the exact year. When -- when you live in
- hell, it seems like time just passes and you don't 20
- 21 know.
- Q. Well, do you remember that it operated 22
- 23 in -- it began operating in phases, part of it
- toward the end of 2012 -- 2010, excuse me, and then

Page 1874

Page 1876

- ago, so I really don't -- I'm not prepared to tell
- 2 vou what sites.
- Q. Well, for example, was one of them a site 3
- called National Wind Watch?
- A. I looked at that a little bit, yeah, but 5
- that's only one of many. 6
- Q. Right. Another one was Illinois Wind 7
- Watch, do you remember that one? 8
  - A. I'm not familiar with Illinois Wind Watch.
- MR. LUETKEHANS: I'm going to object to 10 this being beyond the scope. He was testifying as
- 11
- to his personal basis and what he did. What he 12
- reviewed was not -- he didn't sit here and say what 13
- other sites said or what everybody else said. He
- just talked about his personal experience and what 15
- he did. 16

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- MR. BLAZER: Well, he didn't just talk 17 about his personal experience. He said he used his
- 18 experience to help rewrite the ordinance. I think 19
- it's important to find out what his experience is 20
- based on. 21

22

- MR. LUETKEHANS: And he is one of how many
- county board members, 20 something? One person's 23
- feelings is not the county board.

- another part of it early 2011? Does that ring a 1
- 2 bell?

- A. I --3
- MR. LUETKEHANS: Objection. And he just 4
- testified he didn't recall. 5
- MR. BLAZER: Well, I'm trying to see if we 6
- can plumb the depths of his recollection. 7
  - Q. Do you remember that, sir?
- A. I remember they started building them in
- the winter and they were having a terrible time 10
- because of the conditions. I don't believe any were 11
- running in the end of that particular year, 12
- 13 whichever it was, but as the next year
- enfolded[sic], I think towards spring or summer, a 14
- 15 very few of them started running, and more of them
- ran as the year went on, whichever year that was. 16
- Q. Well, do you recall that in early 2011 an 17 organization called Illinois Wind Watch began
- 18 participating in an anti-wind effort in Iroquois 19
- County? 20
- A. Actually, no. I don't recall anything 21 about Wind Watch being in Iroquois County. 22
- Q. Well, let me see if we can refresh your 23
- recollection. 24

Page 1877

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- 1 MR. LUETKEHANS: I'm going to object to
- 2 the relevance to this. We're going way afield now.
- 3 What Illinois Wind Watch did in Iroquois County is
- 4 completely irrelevant and is being used to do
- 5 nothing but taint the witness.
- 6 **MR. BLAZER:** Again, he's talking about his 7 experience. He said he did research. I'm trying to
- 8 find out where he got the information.
  - **MR. LUETKEHANS:** And Illinois Wind Watch coming into the county is not doing research.
- CHAIRMAN CORNALE: And he did make reference he did not have knowledge of that coming in, so --
- A. I don't think -- I don't think they came in. I have no knowledge of that.
- 16 **CHAIRMAN CORNALE:** Okay, he genuinely
- 17 doesn't have knowledge of Illinois Wind Watch --
- 18 MR. BLAZER: Okay.
- 19 CHAIRMAN CORNALE: -- having a presence in
- 20 the county.

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- 21 BY MR. BLAZER:
- Q. You were on the Iroquois County Board in
- **23** February 2011?
- A. I -- I don't think I took office until

- someone testify to that, that's fine, but this isn'tthe witness to do that.
- 3 CHAIRMAN CORNALE: Right, the only -- I
- guess the only thing is was there a sign-in? Did hesign in to the February 11th Wind Watch meeting?
- 6 Was he present at that meeting? Otherwise, he
- 7 doesn't have any reference to a 2011 meeting.
- 8 A. Okay, I do remember I attended that 9 meeting. I had no knowledge that it was --
- 10 CHAIRMAN CORNALE: Okay.
  - A. -- Wind Watch.
- 12 CHAIRMAN CORNALE: All right. Mr. Blazer,
  13 you can continue with Wind Watch questions from
  14 February the 11th.
- MR. BLAZER: Thank you, sir.
  - A. I frankly thought that was Tea Party.
- 17 CHAIRMAN CORNALE: Well, it was Tea Party18 and Wind Watch it sounds like.
- 19 BY MR. BLAZER:
- Q. Now, Mr. Stichnoth, I've handed you what's been marked as Pleasant Ridge Exhibit 315, which are
- 22 the -- is an excerpt from the Iroquois County Board
- meeting minutes dated February 8th, 2011. And I'm
  - 4 referring to the last page, the very last page, the

Page 1878

Page 1880

- 2012 in December. Yeah, it was 2012, December 1stof 2012 when I took office.
- Q. Well, you're no longer on the board,
- 4 right?

15

- 5 A. That's correct.
- 6 Q. And you served for a four year term or a
- 7 two year term?
- 8 A. A two year term.
- 9 Q. Okay. So you're not aware that in -- on
- 10 February 8, 2011, Barb Offill of Illinois Wind Watch
- and representing the Iroquois County Tea Party
- invited any persons interested to a wind energy
- informational meeting that would show the other side
- of the wind farms?
  - MR. LUETKEHANS: Objection.
- Q. Meeting to be held at the Masonic Lodge in Watseka --
- **MR. LUETKEHANS:** Objection, he just said --
- 20 Q. -- on February 10, 2011?
- MR. LUETKEHANS: He just said that he had
- no knowledge of Illinois Wind Farm[sic] coming intotown. You can keep asking the question, but the
- answer is he had no knowledge. If you want to have

- first paragraph up there. And you'll see up there
- 2 it says, "Finally Barb Offill, that's O-F-F-I-L-L,
- 3 representing the Iroquois County Tea Party invited
- 4 any persons interested to a wind energy
- 5 informational meeting that would show the other side
- 6 of wind farms. The meeting will be held at the
- 7 Masonic Lodge in Watseka on February 10, 2011."
  - And you were at that meeting, correct?
- 9 **MR. LUETKEHANS:** Would someone actually 10 show me where Illinois Wind Watch is even mentioned 11 in here because this is a wind energy informational
- **12** meeting?

8

- A. Yeah, I frankly didn't know it was a WindWatch. I thought it was an informational meeting
- and I think Mrs. Offill is some connection with theTea Party.
- Q. Let me see if I can clarify that for you, sir.
- CHAIRMAN CORNALE: Just a question. I
  know this makes reference to the meeting, but what
  -- is there additional relevance to this particular
  exhibit?
  - MR. BLAZER: There is with this one. CHAIRMAN CORNALE: Okay.

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Page 1881

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## BY MR. BLAZER: 1

- Q. What I've handed you, Mr. Stichnoth, is a 2
- printout from the Illinois Wind Watch website from
- early 2011, and you'll see at the beginning there it 4
- says the Watseka Iroquois County Tea Party joined
- forces with Illinois Wind Watch and Energize 6
- Illinois due to the industrial wind farms coming to 7
- Iroquois County and it goes on and on. 8
- And then the people who put this out, if 9
- you go all the way to the end, you'll see it's 10 11 Carol, for some reason here it's Carol, Carol
- Gerwin, and on the last page there, Barb Offill, do 12
- you see that? You've got to flip --13

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- MR. LUETKEHANS: And I'm still trying to see how this ties into a February 11th meeting that's not mentioned in here at all.
- Q. If you can flip around to the back page, you'll see Ms. Offill's name. Do you --
- MR. LUETKEHANS: I have an objection as to 19
- 20 how some Tea Party document goes out and somehow is
- 21 relevant to a February 11th meeting that isn't mentioned in this document. This is nothing more 22
- than an attempt to somehow tie people together with 23
- 24 no real tie. This is the exact same thing we saw

- MR. BLAZER: I understand.
- MR. LUETKEHANS: And Illinois Wind Watch 2
- 3 has still not been shown to be at this meeting.
- A. Mr. Blazer, don't you think it's prudent 4
- that I should try to educate myself in all ways 5 possible --6
- 7 Q. Absolutely, sir.
  - A. -- to help write some ordinances?
  - Q. Of course. So since we both agree that
- it's prudent that you try to educate yourself, I 10
- 11 assume that you did by going to this meeting that we've been talking about, correct? 12
  - A. This is one meeting that I attended, yes.
- Q. You did. Very good, sir. I appreciate 14 15 that, thank you.
  - MR. LUETKEHANS: You know what? I'm going to move to strike all the questions about Illinois Wind Watch. There still is no evidence that Illinois Wind Watch was at this meeting.

MR. BLAZER: He just said he --

MR. LUETKEHANS: No, he said he attended a meeting. He never said Illinois Wind Watch. You're the only one that keeps talking about Illinois Wind Watch. There's not one piece of evidence that talks

Page 1882

Page 1884

- with Nina Pierpont's husband. Let's talk about the 2 evidence and not try and slander someone who came in to testify about it. 3
- **MR. BLAZER:** I'm not trying to slander 4 this witness. I'm trying to find out what the basis 5
- is for some of his testimony. And he said --6
  - MR. LUETKEHANS: It sure isn't Illinois
- Wind Watch because he said he never saw it. 8
- **MR. BLAZER:** He said he thought --9
- CHAIRMAN CORNALE: Okay, all right, you 10
- guys. He's made reference to attending the meeting. 11
- He could attend the meeting for purposes of 12
- information gathering or to have a bias. Okay. I 13
- allowed questions in regards to the attendance of 14
- that meeting, okay. We haven't had questions 15
- regarding the attendance of that meeting. So, Mr. 16
- Blazer, if you can focus on the information that he 17
- gathered at that meeting or his activity 18
- thereafter --19

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- MR. BLAZER: Okay.
- CHAIRMAN CORNALE: -- with regard to that
- group, that would be fine, but I'm not sure how -- I 22
- mean I understand this group and this group tie 23
- together, but that isn't him yet. 24

- about Illinois Wind Watch being at this meeting.
- Not one. 2
- MR. BLAZER: Except, of course, the board 3 meeting on February 8th which indicated that
  - Illinois Wind Watch was putting on the meeting.
- MR. LUETKEHANS: You show me somewhere 6 where Illinois Wind Watch is mentioned in that 7
- meeting and I'll listen to you. It says a wind
- energy informational meeting. You can say it as
- many times as you want; it's not in there. 10
  - **MR. BLAZER:** You know, shouting it louder doesn't make it any better.
    - MR. LUETKEHANS: Well, since you don't --**CHAIRMAN CORNALE:** All right.
- MR. LUETKEHANS: -- listen the first time, 15
- I've got to keep saying it. 16 17
  - CHAIRMAN CORNALE: Okay, okay, you guys. A. And I did state that I wasn't aware that
- Wind Watch was there. 19
- CHAIRMAN CORNALE: Hold on, hold on. Mr. 20 Luetkehans is right. The -- it says wind energy 21
- informational meeting. It clearly says that. 22
- 23 Clearly. So it doesn't say Illinois Wind Watch.
- The only correlation would be the Iroquois County 24

Page 1885

- 1 Tea Party. Those are both referenced very
- 2 blatantly, so...
- 3 MR. BLAZER: And that's why we also
- introduced 314, Mr. Cornale, because that's the one
- 5 that indicates that the Iroquois County Tea
- 6 Party/Illinois Wind Watch were working together in
- 7 that effort.

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- MR. LUETKEHANS: As of what date? I don't
- 9 see a date on here. I don't see anything. As of
- 10 last week? I mean who knows when this is.
- MR. BLAZER: It was before June 2011
- **12** because that's when they were heading toward -- read
- 13 the document, Phil, you'll see. I think you already
- 14 have. You're just doing this for show.
- MR. LUETKEHANS: You know what? I'm going
- to object right now. That's absolutely improper.CHAIRMAN CORNALE: All right.
- 18 MR. LUETKEHANS: And I would ask counsel
- 19 to tell Mr. Blazer that that's not how this should
- 20 be -- how this should be occurring. We need some
- 21 civility here and some actual trying to get to
- evidence instead of trying to imply that people are
- 23 somehow doing something they're not, including the
- 24 witness.

- 1 A. I did not know Carolyn at that time, so
- 2 no, at that time I was not aware of her.
  - O. Do you know her now?
- 4 A. Yes, I do know her now.
  - Q. And how did you come to know Ms. Gerwin?
  - A. I --

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- 7 MR. LUETKEHANS: Objection as to
- 8 relevance.
- 9 CHAIRMAN CORNALE: Okay, he said he didn't
- 10 know her at that meeting, you're still on the
- 11 meeting and --
- MR. BLAZER: I'll move on.
- 13 **CHAIRMAN CORNALE:** -- he said -- okay,
- 14 thank you.
- MR. BLAZER: I'll move on.
- 16 BY MR. BLAZER:
- Q. Did you elect -- did you decide not to run
- again next year?
- 19 A. No, I was defeated.
- Q. All right. What was the name of your
- 21 opponent?
- 22 A. There were --
- MR. LUETKEHANS: Objection, relevance.
- 24 A. I think there were three, three opponents

Page 1886

Page 1888

- 1 CHAIRMAN CORNALE: Okay. We will move to
- 2 strike the comments from Mr. Blazer towards Mr.
- 3 Luetkehans. We're not here to have a whatever we're
- 4 having. Okay, now we need to move forward with the
- 5 evidence that we've got. I've asked and I'm going
- 6 to implore that you ask the questions specifically
- 7 about the meeting that he attended. If there's some
- 8 information that you'd like to gather from that
- 9 meeting from him, ask those questions. Otherwise,
- 10 we're going -- we're going to move on or we may move
- on without you.
- 12 BY MR. BLAZER:
- Q. So just so we're clear, you did attend
- 14 this wind informational meeting February 2011,
- 15 correct?
- A. I definitely did because I needed to educate myself on all aspects.
- 18 Q. All right. And do you remember the names
- of any of the people who were there putting on this informational meeting?
- 21 A. I assume Barb Offill was. I'm not sure
- 22 who else was involved.
- Q. Okay. Do you remember Carolyn Gerwin
- 24 being there?

1 or four.

2

- MR. LUETKEHANS: Objection, relevance.
- 3 **CHAIRMAN CORNALE:** Mr. Blazer.
- 4 MR. BLAZER: All right.
- 5 BY MR. BLAZER:
- 6 Q. You do know since you left the board that
- 7 the board is revisiting the language of the Iroquois
- 8 County wind ordinance, right?
- 9 A. That's my understanding. I mean I
- 10 attended the last zoning, Zoning and Planning
- 11 Commission meeting, and they did discuss that.
- Q. And did you attend the last actual county
- board meeting on January 13?
- A. Yes, I think that's my civic duty to
- 15 attend meetings.
- Q. And one of the things they're going to
- 17 revisit are the setbacks that were established when
- 18 you were on the board?
- A. From what I heard at the zoning meeting, I think that's what they're going to do.
  - Q. Okay.
- MR. BLAZER: That's all I have, sir.
- 23 CHAIRMAN CORNALE: Thank you. All right.
  - 4 Have any other interested parties from the audience

Page 1889

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- that would like to ask Mr. Stichnoth a question? 1
- You may come forward if you want. You'll need to 2
- identify yourself. Pose your question. 3
- MR. KELSON: Okay, I'm Nate Kelson from 4
- rural Fairbury. Just had one question for you on
- your personal experience. 6
- MR. BLAZER: I believe Mr. Kelson is one 7 of Mr. Luetkehans's clients. 8
- CHAIRMAN CORNALE: He has the 9 opportunity --10
- **MR. KELSON:** I'm not one of his clients, 11 but I will be speaking. I just have one question 12
- for you tonight on --13
- MR. BLAZER: If we could just stop for a 14 second, I thought he was on Mr. Luetkehans's list. 15 Am I wrong, Phil? 16
- 17 MR. BLAKEMAN: No, he's not on the list.
- MR. BLAZER: No? Okay. My apologies. 18
- 19 **QUESTIONS BY**
- 20 MR. KELSON:
- Q. On your personal experience, I just was 21
- curious, had you ever tried to leave -- you 22
- mentioned about the sleep deprivation. 23
- 24 A. I'm sorry, say that --

MR. SLAGEL: John Slagel. 1

**OUESTIONS BY** 2

MR. SLAGEL:

- Q. I've heard you speak before, and one of
- the interesting things you talked about the last 5
- time I heard you talk was the difference between the 6 7 effect of the red lights on you and your wife.
- Could you talk about that a little? 8
- 9 A. Well, the red lights you can do something about in the house. We spent a fair amount of money 10 for vertical blinds on the patio door, we bought 11 heavier curtains, we bought blinds for the windows. 12 That's -- that doesn't bother me so much because I'm 13 able to shut that out. My wife doesn't feel quite 14 the same as I do, she's upset with them, but that's 15
- something you can maybe plant a tree and in 20 years 16 it will block out the light.

But the light is not as offensive as sleep

deprivation. Sleep deprivation is a health hazard.

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If you don't get that deep sleep or the REM movement 20 21 of your eyes, if you don't get that, which with the

- real low frequency you don't seem to, then you just 22
- 23 don't wake up rested in the morning. And if you
- 24 don't wake up rested, you can't perform.

Page 1890

Page 1892

- Q. You mentioned about it interrupting your 1 2 sleep.
- A. Oh, yeah. 3

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- Q. Have you ever tried to go somewhere else 4
- for a night or two nights, three nights, and have
- you noticed that you sleep differently if you were 6
- outside the footprint versus inside the footprint? 7
  - A. I'm glad you asked that. My wife has a
- maiden aunt in Des Moines in a nursing home and it's 9
- up to us to take care of her, so we four or five 10
- times a year go out to Des Moines, stay in a motel. 11
- The motel happens to be about 500 feet from 12
- Interstate 80/35, the window facing the highway, 13
- traffic out there. I get very good sleep there. 14
- The noise is not a constant uninterrupted roar. 15
- It's traffic that comes and goes and ups and downs. 16
- That is not disturbing like this constant low 17
- frequency damned awful roar. 18
- MR. KELSON: That was all I had. 19
- CHAIRMAN CORNALE: Thank you. Anybody 20
- else from the audience have any questions for Mr. 21
- Stichnoth? 22
- 23 MR. SLAGEL: Hello?
- **CHAIRMAN CORNALE:** Please state your name. 24

- Q. Thank you. Also, do you know -- do you 1
- know, is it like one particular turbine affecting 2
- your -- making the noise or is it a group? Do you 3
- have any experience there? 4
  - A. Well, there's approximately five or six of
- them lined up on the township line, and I'm just 6
- barely south of the township line, so no, I can't 7
- say which one's doing it. 8
- Q. Okay. And how far -- like you said it's 9 about a mile. Do you know the exact distances? 10
- A. According to Google Earth, it's 1.18 miles 11 from the nearest one, and there are several that are 12 just a little farther than that. 13
- MR. SLAGEL: Okay, thank you. That's all 14 15 I have.
  - CHAIRMAN CORNALE: Thank you. Anybody else in the audience have questions? Who does?

Please state your name for our court reporter.

MR. BIECK: My name is Dr. Dan Bieck. I'm a veterinarian from Blackstone, Illinois.

**QUESTIONS BY** 22

23 MR. BIECK:

Q. In reference to your sleep disturbance,

Page 1893

- going back to the very beginning of the ZBA
- hearings, the wind energy side had a lady come up 2
- that showed studies that the quality of life of
- people was not affected. And she stated that the
- people they had done research on, their lives had
- not changed a whole lot, but she failed to mention 6
- whether the people actually enjoyed the windmills or
- liked the windmills there. Would you say with your 8
- experience that your quality of life has been 9
- diminished? 10

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- A. It definitely has been diminished. If you
- don't wake up rested in the morning, how can your 12
- quality of life be good? You just -- you just don't 13
- feel good. And there is evidence that sleep 14
- 15 deprivation over the long-term causes definite
- health problems. 16
  - Q. Is there a level of annoyance of them
- visually? Do you mind looking at them? 18 19 A. My wife hates looking at them. I don't
- care. They don't bother me as far as looking at 20
- 21 them. Some people don't like to see them in the --
- on the horizon, but frankly, no, the actual, you 22
- know, sight of them being there doesn't bother me. 23
- 24 It's the noise. When the noise affects my quality

- could please raise your right hand.
- (Paula Kelson was duly affirmed.) 2
- 3 CHAIRMAN CORNALE: Can you please state
- your name and address for the court reporter? MS. KELSON: My name is Paula Kelson. My 5
- address is 10849 North 2400 East Road, Fairbury. 6 7 MR. LUETKEHANS: Paula, you're going to
- 8 need to keep that a little closer.
  - MS. KELSON: Okay.
- **CHAIRMAN CORNALE:** There you go. 10
- 11 MR. LUETKEHANS: I know you have a statement to make. I would just -- feel free to 12
- 13 make it please.

decision.

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- MS. KELSON: Okay. Hello, my name is Paula Kelson. I live in the country with my wonderful husband and four young children under age ten. We live within one mile of nine proposed wind turbine locations. It is uncomfortable for me to share my experience in a public setting, but I hope that you will consider this testimony in making your
- To see what the turbines are like, I very briefly visited the turbines near Bloomington. Another time I visited the Cal Ridge area staying

Page 1894

Page 1896

- of life, that's what I really object to. 1
- 2 Q. Okay.

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- A. And like I said before, I was really 3
- enthused about them until they came to live with me. 4
  - MR. BIECK: Thank you.
  - CHAIRMAN CORNALE: Anybody else? Don't
- 7 see anybody. All right, any questions come up,
- counsel? County staff? All right, Mr. Stichnoth, 8
- thank you for coming out this evening. 9
  - Let the record indicate Pleasant Ridge
- Exhibit 315 is the Official Proceedings of the 11
- County Board of Iroquois County Recessed Session 12
- February 8, 2011. And let the record indicate 13
- Pleasant Ridge Exhibit 314 is the Illinois Wind
- Watch four page document. There's not really a good 15 date. 16
- MR. BLAZER: I'll follow up with a date 17 later, Mr. Cornale. 18
- CHAIRMAN CORNALE: All right. Okay. Mr. 19
- 20 Luetkehans, you can go ahead with your next witness if you'd like. 21
- MR. LUETKEHANS: We would ask Paula Kelson 22 to testify, K-E-L-S-O-N. 23
- CHAIRMAN CORNALE: Ms. Kelson, if you 24

- for about 45 minutes. Shortly before leaving the 1
- 2 Cal Ridge area, I noticed a slight ringing in my
- ears which stopped after we drove away. It was a 3
- little strange and I was not expecting that at all. 4
- With some encouragement from a family member, I
- decided to visit the Streator Cayuga wind turbines. 6
- I wanted to see what they were like up close and in 7 8
- every direction.
- 9 So last fall I drove up north with another adult and four children. Wind speed was around 20 10
- miles per hour. I told the children we were just 11 going to look at the wind turbines and play outside. 12
- They were excited and thought it was a fun outing. 13
- While driving down the road, within several minutes 14
- of being inside the footprint with the windows up, I 15 noticed that my ears popped, similar to when you are 16
- changing elevation driving through the mountains, 17
- and continued to pop periodically to relieve 18
- pressure. After driving a few miles, they could no 19
- longer pop and I felt some pressure building. 20 21 Again, I was not expecting anything like this.
  - Our first stop was between 14 to 1600 feet downwind. We all got out to play with the kids along the road, and within five minutes, both the

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Page 1897

- other adult and I had noticeable pressure in our
- heads. To me, it felt like pressure right behind my
- ears and across the back of my neck. The other
- adult described it as a pulsing sensation in his
- eustachian tubes. We stayed there about 15 minutes.
- We both agreed that it was not our imagination. It 6
- was obviously a real physical change that we could
- feel. We were both very surprised to feel this and 8
- 9 it was not expected at all.

The next stop was around 2500 feet away. 10 11 I played freeze tag with the kids; they all acted normal. The other adult and I both continued to 12 feel the pressure although not as strong. We stayed 13 at this spot about 15 minutes. And as a side note, 14 since I later continued to feel pressure for several 15 16 hours after being exposed and this was not our first stop, the pressure at this distance could possibly 17 be the remaining effects from the previous location 18 19 which was closer.

The next and final stop was very close, around 540 feet away, even though we remained on the public road. Pressure for both the other adult and I increased noticeably. I was more sensitive and my neck was very uncomfortable and I avoided moving my

pressure and ache which gradually decreased

- throughout the evening and was gone by morning. The
- ache was not bad enough to prevent most quiet
- activities, but it was a constant nuisance. My son 4
- could still feel an ache during the evening and it 5

was gone by morning. 6

7 Since this experience, we wondered if it was repeatable. At different times we have visited 8 the Streator Cayuga wind farm separately and 9 experienced similar pressure and sensations again. 10 11 The pressure does change with wind speed and proximity to a wind turbine. I have not tested 12 13 prolonged exposure time nor can I explain how it is

happening, but I do have heavy concern about how our 14 15 family will be impacted by having nine turbines 16

closer than one mile to our home.

During these hearings, you have heard hired experts state that any health effects are all made up, called the nocebo effect. With all due respect, perhaps their skepticism or lack of personal experience or bias mar their conclusions. I must admit that I, too, was very skeptical when I first heard that other's had health issues with turbines and before I had experienced the effects

Page 1898

Page 1900

head too quickly. 1

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I had told the children on the drive up that we were just going to look at the windmills and made positive and mutual comments about seeing them.

At this point I took each of the kids individually 5 aside out of earshot for a few questions while the 6

others played. One child was swayed by the power of

suggestion, so I don't trust those answers, another

child was too young to answer, and another child felt -- said she felt fine. 10

I asked my six-year-old son if his shoulders, arms, feet, et cetera, felt funny. He said no. I asked if his ears, stomach or anything else felt funny. He said no, but then he added firmly that his neck felt achy. I did not suggest any pain nor did I use the word ache. I think his answers are valid, and when I think about it, that more accurately described my own neck, that it had an ache. We left then, probably only there ten minutes. Our total time in the wind farm was a mere 45 minutes.

While driving home outside the footprint, the other adult's pressure cleared up. My body is more sensitive as I could still feel quite a bit of

myself. 1

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These are some questions that I -- that had come to my mind earlier and how I would now answer from experience. One, were these people making things up? My answer: It is real as experienced by myself, my son and another trustworthy adult. If you do some simple online research, which I did after I had this experience, there are other testimonies under oath of people with negative health impacts.

Two, do these people have windmill phobias? My answer: I do not have a phobia, and very obviously my six-year-old son doesn't either, and neither does the other adult.

Three, if they did have negative health effects, was the cause something entirely different but easy to blame on the windmill? My answer: I am in great health and almost never get headaches. I know what I experienced was directly from the turbines because it only happens in proximity to a turbine. I have never in my life felt that kind of distinct pressure and ache in my ears and the back of my neck.

Four, were these people just upset because

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- they didn't get any money but had to look at the
- turbines? My answer: I would get indirect 2
- financial benefits from a turbine and the other
- adult would actually own land hosting a turbine, so money is not a factor.

Five, if this were a real issue, why don't we hear more about it? My answer: You have heard it yourself. The wind industry does not acknowledge any negative health impacts, and in some cases they make victims look like they are mentally unstable.

11 Would you be willing to subject yourself to this kind of treatment?

12 13 Just last week I received a copy of Robert Rand's study of the Pleasant Ridge wind energy 14 15

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project. On page 32 of the report, I found that our home is on the list of homes with predicted sound 16 levels exceeding the Hartke home predicted levels for California Ridge which was abandoned. Our home 18

19 is three decibels higher than this home. This is very concerning to me and my family, especially with 20 21 my experiences in the wind farm north of our home.

Although I know the ZBA has already seen 22 this letter, I would like to point out that it says that the Pleasant Ridge application is not in

Page 1903

decibel margin for downwind turbulence within seven blade diameters of other turbines. And three, no 2 3 facility-designed decibel margin found to assure compliance. 4

I would like to point out why noise limits are measured at all locations in a property not just a home. My husband and I built our home a few years ago by a creek on one of my father's farms. If there would have been an existing wind farm near the property and the noise limits where we built were not in compliance, how would we have ever known not to build there? Would we have had to pay thousands of dollars to have a noise study done to measure the limits in the exact area where we wanted to build and then possibly learn that we could not build there due to the noise?

Also the report shows that Illinois law, Chapter 35, Section 900.102, is not addressed. The application omitted information necessary for the zoning board to assess or permit as suitable for enjoyment of life. Noise pollution is defined under Section 900.101 as the emission of sound that unreasonably interferes with the enjoyment of life or with any lawful business or activity.

Page 1902

Page 1904

compliance with Illinois law, Chapter 35, Section 1 2 901.102. One, predicted noise levels are exactly at upper limits, no design margin, no room for error. 3 The measurements were made at homes an appreciable 4 distance away --5

MR. BLAZER: Mr. Chairman, I do hate to interrupt, but I believe Mr. Rand will be appearing at some point to talk about his report. I don't think it's appropriate for this person to be talking about Mr. Rand's report.

MR. LUETKEHANS: You know what? These people are also here for public comment, and we can have her come back and do public comment, but I don't think that's really what she wants.

CHAIRMAN CORNALE: Ms. Kelson, you can proceed uninterrupted. We'll sort through it at the end.

MS. KELSON: Okay, it shows that 155 18 nonparticipating properties were found with levels 19 above legal limits. Illinois law requires 20 compliance with its noise limits at all locations in 21 a property receiving the noise emissions not just at 22 23 a home. The application only considered noise levels at residences. Two, no evidence of operating

One, noise levels documented in supporting 1 reports are associated with home abandonment 2 3 following appeals to stop the noise. Two, predicted noise levels exceed World Health Organization sleep 4 5 disturbance threshold and Tesla wind turbine criteria. Three, predicted levels exceed low 6 frequency nuisance level. Four, predicted noise 7 levels appear certain to exceed Danish indoor limits 8 for industrial wind turbines. 9

The report also states that the facility appears certain to result in regulatory default under County Section 56-625. By not disclosing the limited options for wind turbine noise control, smaller size or sufficient distance during permitting, or shutdown complaints during operation, the application can mislead the reader into thinking there are other useful noise control options available after construction. It appears that the Pleasant Ridge application is out of compliance with the law in multiple areas.

Mr. Rand has issued this professional caution with the express intent to observe the law and protect the safety, health and welfare of the residents in the vicinity of the proposed facility.

Page 1905

- He states, "In my professional opinion, the sum of
- deficiencies found in the application and further 2
- 3 independent analysis makes clear that this facility
- as proposed appears certain to breach Illinois law.
- The proposed Pleasant Ridge wind project appears
- certain to exceed Illinois law noise limits in 155 6
- nonparticipating properties and cause adverse
- impacts to enjoyment of life, including sleep 8
- interference to possible home abandonment, in an 9
- area encompassing hundreds of homes throughout some 10
- 11 141 square miles with the severest impacts expected
- closer to the turbines where the noise levels are 12
- louder. Regulatory default appears certain. This 13
- is a staggering degree of environmental noise 14
- pollution and breach of law with no apparent 15
- justification." 16

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So once again, I would appreciate your considering my testimony in your decision. The only proven method to avoid negative health impacts is

- distance. Experts suggest proper setbacks of 1.25 20 21
- miles or greater. The improper setbacks in the application could cause adverse health effects on 22
- 23 many local families and children due to these
- 24 breaches in the Illinois law. Thank you.

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- government, school districts, anybody out there?
- All right. Mr. Blazer, any questions?
  - MR. BLAZER: No, sir.

CHAIRMAN CORNALE: All right. Other 4 interested parties in the audience? Anybody in the

- 6 audience have any questions for Ms. Kelson? Nobody.
- 7 County staff? Thank you, Ms. Kelson.
  - MS. KELSON: Thank you.
  - MR. LUETKEHANS: Next I think is Nate Kelson.

CHAIRMAN CORNALE: Mr. Kelson, could you please raise your right hand?

(Nate Kelson was duly affirmed.)

CHAIRMAN CORNALE: Thank you. Please state your name and address for our court reporter.

MR. KELSON: It's Nate Kelson and it's 16 17 10849 North 2400 East Road, Fairbury, Illinois.

CHAIRMAN CORNALE: Thank you, Mr. Kelson. 18 19 Mr. Luetkehans, you may proceed.

MR. LUETKEHANS: Mr. Kelson, I know you have a statement you'd like to make. Please feel free to make that.

MR. KELSON: Okay. I just want to state my wife and I have four young children, and a few

Page 1906

Page 1908

- CHAIRMAN CORNALE: Thank you, Ms. Kelson.
- 2 Fellow members of the ZBA, do we have any questions?
- **QUESTIONS BY** 3
- MS. HUISMAN: 4
  - Q. Mrs. Kelson, which direction from your
- home are the proposed turbines going to be? 6
- Surrounding? 7
- A. They are in every direction around our 8 home, yes. 9
- Q. And they're within a half mile or a mile? 10
- A. There are nine of them within one mile. 11
- The closest one to our home I believe is a little 12
- over 2500. There are four three-quarters to a mile, 13
- that range. 14
- Q. And with the pressure sensitivity that you 15 experience, do you experience that in other settings 16 as well? 17
- A. I have never felt that before, not in that 18 same way. My ears popping I've felt obviously on a 19 plane or driving through mountains, but not the 20
- pressure that built up behind my ears and across the 21
- back of my neck. I've never felt that anywhere. 22 23 MS. HUISMAN: Okay, thank you.
- **CHAIRMAN CORNALE:** Units of local 24

- years ago we decided we would like to raise our
- 2 family in a rural setting near Fairbury. We
- 3 purchased some property and planted 550 trees and
- 4 built a home there. We have spent many hours and
- 5 dollars improving the property. We knew that living
- in the country took more effort and maintenance than 6
- living in town, but we chose that because we enjoy 7
- the peacefulness of the country and the room for our
- kids to grow up. 9

When we heard of the possibility of many wind turbines being constructed near our home, we wondered what turbines are and what effect they have 12 on their surroundings. When we learned that the 13 turbines would be similar in size to the ones on 14 15 California Ridge south of here, my wife visited that wind farm to see what kind of noise they put out and 16 how they changed the landscape. You've heard her

testimony on what she experienced. 18 19 As you heard, she has visited turbine areas on still nights and windy days, and she and 20 21 other people have felt negative physical effects, such as pressure within their heads and neck when 22 they are near the turbines, but the effects go away 23

once they have been away from the turbine area.

Page 1909

This alarmed us and caused us to research more to see if this happens to others. 2

3 We found out that people have abandoned their homes because of the inability to sleep in them due to the low frequency sound waves given off by turbines that penetrate homes. Studies have 6 shown that only 10 to 15 percent of the population

are seriously affected physically by this 8 disturbance caused in a person's inner ear, but if 9 one person is driven from their home, the rest of

11 the family is apt to leave with them.

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The Pleasant Ridge industrial turbine 12 project will be within a mile of around 800 homes 13 and a school. I mention the school because studies 14 15 have shown that children and elderly are most susceptible to low frequency negative effects. 15 16 percent of 800 homes is 120. If the average home 17 has four people in it, that would negatively affect 18 19

480 people. With a county in Wisconsin recently condemning a wind turbine industrial zone as a human health hazard and the recent denials of some turbine projects in other counties, it's becoming apparent that these concerns are real and not a figment of

turbine project brings to our communities. For my

family, it's the biggest concern. 2 3 CHAIRMAN CORNALE: Thank you. Fellow

members of the ZBA, do we have any questions for Mr.

Kelson? All right, units of local government, 5

school districts, anybody? All right. Mr. Blazer, 6

7 do you have any questions --

MR. BLAZER: No, sir. **CHAIRMAN CORNALE:** -- for Mr. Kelson?

Okay, thank you. Interested parties in the 10

11 audience? Anybody from the audience have any questions for Mr. Kelson? Please state your name 12

13 for the record.

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MR. HARMS: Patrick Harms. Sorry about that.

**QUESTIONS BY** 

MR. HARMS:

Q. One question. What was the year you built 18 19 your home out there?

A. It was built in 2011. We moved in in 20 21 November of 2011.

Q. Did you know that there was a possibility 22 23 of wind turbines coming in before you built your home in 2006?

Page 1910

Page 1912

- people's imaginations. The setbacks allowed in
- Livingston County wind ordinances do not adequately 2
- protect people's health. Livingston County's 3
- Planning Commission Board recently stated that the 4
- application turned in by Invenergy does not do near 5
- enough to protect the citizens within the footprint 6 7

of their project. 8

Allowing a massive turbine project like Pleasant Ridge to enter a rural community where people have chosen to reside because of its peaceful 10 surroundings goes completely against the people who 11 have invested so much into the area. Our family, 12 like many others, had hoped to make this area our 13 home for years to come. So many of us have worked 14 hard to bring the facts in front of our government 15 representatives in ongoing hearings. We appreciate 16 your willingness to hear our concerns.

To the county board members who will be voting on this project, I feel that we have made it crystal clear that Invenergy's massive wind turbine project is not welcomed in our communities. We hope that you will take to heart the seriousness of the situation as you have heard displacement because of health is only one of many concerns that this

- A. In 2006? 1
- 2 O. Yes.
- A. We had heard at one point that they were 3
- building them to the north there by Odell. I guess
- it took us off guard when this application was turned in. 6

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**MR. HARMS:** Okay, no further questions.

A. Okay.

CHAIRMAN CORNALE: Anybody else in the audience with a question? All right. County? No questions. All right, Mr. Kelson, thank you.

Mr. Luetkehans, it looks like you have a 12 13 few more witnesses. Do you want to take a little break now or how is your next witness looking for 14 15

**MR. LUETKEHANS:** My understanding is the next witness is about 20 minutes, and then the one after that will be much longer, so maybe if we get this one in, it might give everybody just a --

CHAIRMAN CORNALE: Yes, and that will give us a second to get the PowerPoint going. That sounds like a good point.

MR. LUETKEHANS: He also has a PowerPoint, but I think it's -- they have it back there all set

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up, so hopefully all I have to do is move the table. 1 CHAIRMAN CORNALE: Okay, all right. Yeah, 2 3

why don't we go ahead with that, so --

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MR. LUETKEHANS: Nelson Zehr. 4 **CHAIRMAN CORNALE:** Just as a quick reminder, too, for everybody in the audience, I ask 6 that you respect everybody up here speaking and be as best of an audience as we can be to those. So keep it down in between when they're up here trying to speak. I would appreciate that.

MR. LUETKEHANS: If it's acceptable for the board, I think Mr. Zehr would feel more comfortable at the podium, if that's okay with the board.

CHAIRMAN CORNALE: Yeah, whatever works for you, Mr. Zehr.

MR. LUETKEHANS: Mr. Zehr is telling me it's going to be about a half-hour. I don't know if that changes your mind. I just wanted you to know what I know.

21 **CHAIRMAN CORNALE:** It's 7:30. I'd hate to stop you in the middle of it too, but I think we're 22 23 better off to try to get through you. Why don't we 24 stick this one out.

maybe we can revisit it then.

The title of my presentation is 2

3 Participation Considerations of the Pleasant Ridge

Wind Farm. And this is really from the perspective 4

of our farming operation, from our farming family.

6 And maybe just introduce our farming family here a 7 little bit.

The name of our operations is Zehr Acres. We have the hub of our operations four and a half miles south of Fairbury, and we've been there since 1887, seventh generation family farming operation, 128 years, southeast Livingston County.

We currently have three generations involved in our operations, my father Warren, Quinn and I are brothers, and his son Blake. We do have two sons in college that anticipate coming back to the farm, so furtherance of our operations is eminent and critical for us.

Currently we have four families living off our operation. We are a diversified grain and livestock operation. We farm corn and soybeans in three different counties, the majority of it in Livingston County and Ford and McLean. And like I said earlier, the hub of our operations is in

Page 1914

Page 1916

All right, Mr. Zehr, before you get going, 1 2 would you like to be affirmed or sworn in? 3

(Nelson Zehr was duly affirmed.)

CHAIRMAN CORNALE: All right, can you 4 please state your name and address for the court 5 reporter? 6

MR. ZEHR: Nelson Zehr, 3617 North 2300 East Road, Fairbury, Illinois.

**CHAIRMAN CORNALE:** Thank you. MR. LUETKEHANS: Mr. Zehr, just please proceed.

MR. ZEHR: Okay. Just to begin my presentation, several weeks ago I did approach one of the county officials about presenting the information I'll present tonight as public comment at one of the county board meetings, thinking I would feel more comfortable in that setting, and I guess the recommendation was that all the public comment information was going to be channeled through these ZBA hearings. So I guess tonight I'll present this information. Like I said, I would feel

maybe I'll present later in my presentation, and

more comfortable in probably a public setting situation considering some of the information that

southeast Livingston County. 1

We have an extensive livestock operation called Zehr Acres Custom Heifers. I skipped a slide. There we go. The scope of our custom raising operation, we raise replacement heifers for four different areas in Illinois. We don't actually own the animals. We raise the heifers from a baby calf, day old, through eight months of age. So maybe a little bit of a summary of our operations.

It's kind of a big calf nursery, 1800 to 2,000 head inventory, and the small calves, less than eight weeks of age, are raised in individual hutches, and 750 head in those hutches. And for the clients that we raise for, there is a performance expectation, weight gain, health, mortality or death loss. And anything that can impact, any stresses or whatever, obviously we would be concerned about as far as how it would affect the performance and the ability to serve our clients.

This is a couple pictures of a little bit of our operation. The top picture is Quinn and I in front of our open-fronted heifer barn, one of our grower barns. It was constructed in 2003 I think. The bottom picture is just some heifers feeding at a

Page 1917

1 lower barn.

This is kind of a picture of our individual hutch layout if you've never seen one before. The top picture shows the individual --

kind of the isolation that we create, no

nose-to-nose contact between the calves because they
 are still developing, obviously developing immunity

at this point.

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Bottom picture is kind of taken from the top of our grain bin that shows the layout of our huts and big grower barn in the back. So able to spend the first eight weeks of their lives in the hutches.

Maybe to cut to the chase a little bit, I guess, you know, there's a lot of -- quite a few people have asked us, are you concerned about wind turbines coming into, you know, your area, how they're going to affect your animals, how it's going to affect the calves? And I guess it's an understatement to say, yes, we are. We're very concerned.

You know, you've heard the different impacts it can have on specifically young, and how that will impact the calves we really at this point

1 away from it. They're not in an open area.

2 Some of the decisions -- we are not signed 3 up for the project, but some of our neighbors' 4 decisions, you know, could directly affect the

 ${f 5}$  functionality of our business. This is kind of a

6 little -- maybe on a different note as far as

7 directly affecting the calves, but maybe more of a

land use issue is dairies we work with expand and welike to expand with them to handle their calf flow

to accommodate our existing clients. A certified

nutrient management plan that we have for ouroperation dictates how we handle waste, and it's

is kind of based on animal head units. As we expand,

there's always need to spread out. We can only putso much so close as far as manure and that sort ofthing.

So we're looking to utilize, you know, property that's adjacent to, next to participating property. And it's definitely a consideration as we see kind of ourselves surrounded by participating property how that will affect our ability to expand and use, fully utilize property that, you know, we own, we have expectation, you know, of possibly building on or expanding on.

Page 1918

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Page 1920

- are not sure, but if it does, it will be serious.
- 2 We will have four turbines within one mile of our
- 3 facility and we will be downwind from at least three
- 4 wind directions. If you look at the printout there
- that came off of the interactive map on the PC wind
- 6 turbine website, there will be one at 1950, 2618,
- 7 3990 and 4349, so it reads there. You can see the
  - two houses that underneath the arrow. The hutches
- 9 will be between those two residences.

So maybe just a few more details.

Calves -- express our concern maybe as far as the calves in general. They are less, you know, less than eight weeks old and they're still developing immune systems and are more vulnerable to stress than other older stock. Not sure how they would be affected, but if they are, it will be, you know, too late once the turbines are in. Can't make any corrective measures then.

A small percent, you know, of the animals that would be affected could be big numbers if we take them out of one-time inventory. It would affect maybe even 5 percent, which would still be 90 head or more. Exposure to noise, infrasound and flicker will not be optional. We can't move them

And my last point maybe in regard to just our family and our operations generally. This is certainly not meant to be the least concern. That is, we do have three of our residences within -- with four turbines within one mile. I know that's a long ways from nine of them within one mile, but we can't move our operation, it's pretty much planted where it is, so we hope that we don't have issues if the project goes through.

What I did here was kind of outline Zehr Acres's economic impact. There's been some economic impact information shared within these hearings, and I guess maybe the main point of this is not how this will focus on our operation specifically, but how agriculture in Livingston County affects the economy of our county.

And I would say we buy Livingston County seed, fertilizer, crop protection products, feed, bedding, veterinarian, animal health supplies, equipment parts and repairs. Probably not a week that goes by that we don't go to Pontiac buying parts and equipment. Fuels and oil. We finance, we bank in Livingston County, we hire labor force out of Livingston County, we do our healthcare and our

Page 1921

family living expenses in Livingston County.

Obviously pay taxes in Livingston County. 2

3 But in 2014 we -- this is, I guess, our economic impact, what we spent in Livingston County.

This doesn't include what we spend out of county.

6 1,325,000. So, like I said, don't focus on that

coming necessarily from us, but it's, I think, any

other livestock operations and, for that matter, 8

grain operations, whatever it might be that, you

know, would be affected in some negative way. That 10 11 we do -- we do support this county. I mean there's

a major economic impact in the county. 12

13 I guess the question to ask is: Is it more important to keep developing agriculture as the 14

number one industry in Livingston County or take the 15 risk on success of wind energy? And very pleased on 16

February 2nd when Livingston County Regional 17

Planning Commission voted unanimously that PRWF does 18

not meet the county's Comprehensive Development

Plan. And I think one of the focal points of that 20

21 plan is preserving and furthering agricultural

industry in our county. It was an encouragement to 22

23 us.

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Shifting gears a little bit to maybe some

branch out.

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I guess how many landlord -- or how many 2 3 landowners would've made the same decision if they were acting independently signing a potential 4 42-year easement to put a 400-foot tower in the 5 middle of their farm? I know the way we operate and 6 7 we operate around a lot of very good producers, and this isn't the sort of thing that we would -- that 8 9 we would do independently, kind of subject to what our neighbors are doing to a certain degree, but I 10 11 think there was some influence here and it caused the project to kind of roll forward. 12

Many participating landowners are now evaluating their situation I feel like more on an individual base including: I know a lot more today than I knew X number of years ago when I signed my easement. My circumstances have changed. I would make a different decision if I made it today. I wouldn't be sorry if the project went away. And that was kind of a statement that we hear frequently.

As a family, too, here's some -- I've got I think there's five different points, five different categories, that we considered before

Page 1922

Page 1924

- of the experiences we've had as a family throughout,
- 2 you know, I would say the last several years as far
- as making decisions on participation in PRWF. I'm 3
- going into selling of the project a little bit,
- signing the easements, and then I just outlined a
- little bit of the different time frames there of 6
- whether it was ourselves or neighbors, whatever, was
- contacted, and then there was, you know, interaction
- between people deciding whether this was a good or
- bad idea. 10

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And one of the common statements that we hear a lot is if you're going to have to look at them, you might as well be getting paid. And, you know, as a family, we also made that statement. You know, if we're going to have to look at these things, then, boy, it'd sure be great to be getting a check. But my dad who's a very slow man to react,

17 he just said, you know, if it isn't good, it isn't 18

good, and -- whether we're getting paid or not. 19

And maybe the statement next is the 20 situation, well, our neighbors signed up, so we 21

might as well be too. This is another motivator. I 22

23 think, you know, kind of once it established a base

of participation, it seemed like it was easier to

- signing up, and maybe, more important, why other
- 2 landowners are reconsidering participation. Number 3 one is maybe just sit down with the easement itself
- and what does it mean, what is it that I have 4
- 5 committed to?

An easement is different than typical 6 leases and stuff that we're used to in our business. 7

They actually involve, my understanding, a real

percentage in -- interest in the property and

legally can be more binding probably than what we're 10 11 used to. What am I giving easement and permission

to other than my property? And then spending time 12 13 with the easement. I'm just going to thumb through

my notes here. 14

15 Some of the things that are permitted in the clause in the easement is electromagnetic 16 effects, audio, flicker, visual view, light, noise, 17 vibration, air turbulence, wake, electrical radio 18 19 interference, shadow, and all inclusive, all other

effects attributed to wind power facilities, so 20

21 we're giving easement to a lot of things rather than just access and use of our property that affect --22

affect the quality of life for ourselves and the 23

neighbors if they're signed up. 24

Page 1925

Maybe a final point. The 1 easement-to-easement that was written and offered by 2 the developer focuses on protecting their interest and then -- enough said. 4

All these easements affect long-term land use, improvement and value. What are the opportunity costs? And this varies by operation, by, you know, how you would evaluate this. This is just an example. In the easement, new structures on participating property must be within a hundred feet of existing buildings and not to exceed 50 feet in height, not to interfere with wind speed and flow.

12 13 I know the last 45,000 bushel bin that we put up was over 50 feet, and, you know, the 14 15 opportunity to put buildings a hundred foot away from our existing facility is almost a necessity for 16 expansion, so I guess you could consider large grain 17 producers, their ability to store grain on the farm, 18 19 make those type of improvements. I guess that would affect the way we do business, it would affect the 20 21 way we market, affect our profitability, a lot of different things. These are things you need to 22 23 think over.

How will the easement affect or encumber

this is actually a tile map, GPS tile map from an 80

- acre field that we farm for a landowner that is
- 3 signed up. In 2012, we installed this subsurface
- drainage system. There's probably farmers in the 4
- 5 audience tonight that can appreciate it. The
- 6 turbine is located there with a little red dot with
- 7 a circle around it, that's where it's going to be,
- and I keep looking at this trying to figure out what 8
- the best approach to -- you know, even if I do have 9
- any say as a tenant, I would recommend getting in 10
- 11 there and constructing, you know, how the cranes are
- going to come in. Just almost seems like whatever 12 13
- angle you would come in, we're going to be on top of sub mains, we're going to be on top of multiple 14
- laterals, and, you know, I'm not sure if it could 15
- ever be fixed to where it would be back to what 16
- we're experiencing right now as far as the benefits 17 of a subsurface drainage. 18
- 19

Just following up on my points there, what damage will be done and how will this system

- 21 function once the turbine -- turbines, access roads
- and transmission lines are installed, and what say 22
- 23 will I have ultimately in, you know, repairing them 24
  - and making it back to the original condition?

Page 1926

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Page 1928

- the title of the property, value of -- value of fee
- 2 simple ownership of property, maintaining control of
- all mortgage rights of a property? And our family 3
- submitted a letter on this on fee simple ownership 4
- as an editorial and it is a big concern. There's a 5
- lot of questions on what, you know, what lien rights 6
- are out there, what can happen, and maybe there's 7 8
  - more questions than answers at this point in time.

I know I had a conversation with an

individual not too long ago and we were talking

- about this very issue, and he said he had talked to 11 his financial advisor and his advisor says, well, if 12
- this happens, he said, we'll have to figure it out. 13
- We need to figure it out before then. We need to 14
- 15 understand, you know, what can be taken at what
- point in time, and if liens are taken, how are they 16
- released and how that will affect our property and 17
- how we're able to use it for collateral, for other, 18
- you know, operation collateral, real estate 19
- collateral, equipment collateral, whatever it might 20 21

be.

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- How will the turbine construction and
- 23 24
- transmission line installation affect surface and subsurface drainage, number four. As you can see,

- Typical response to a system like this is 10 to 30
- 2 bushel in corn yield and how will this ultimately be 3 affected in the long run.

This is maybe even a little bit more of a

- bigger concern for us coming. We have Indian Grove
- Drainage District which drains a lot of the farmland 6
- around our main hub of operation. And a couple 7
- years ago, we decided to propose a project to
- replace the main tile that comes up into our land,
- and this is kind of just a snapshot of a part of 10
  - that project.

And you can see three turbines there that are located around the engineered part, this leg of

the property, and I -- this is self-explanatory. 14

15 The one is very, very close, I'm not sure exactly

how that's going to fall, right on the new main, but 16 it's a big concern for us. 17

This is maybe just following up some 18 points of the project. It's to replace our 19

hundred-year-old existing main line, a \$1.2 million 20 21 project, and it was proposed in April of 2012 and

- currently is kind of on hold. See how we work 22
- 23 through this. Scope is a 36-inch main that comes up 24
  - and then with 24-inch and 18-inch sub mains. And

Page 1929

- this does provide -- like I said, it's the main drainage artery of sorts for our farmland and for 2
- 3 our farmsteads.

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And due to minimal grade, we have a flat topography where we're at, extremely flat, so the location, the depth of our main line is critical for proper water flow and capacity. You would like to

think that we could move it around or whatever, but 8 it's been engineered to follow a certain path. And,

you know, how will that installation, how will 10 11 installation of turbines, access roads, transmission

lines affect the long-term use of this, even the 12 13 positioning of it, depending on when it goes in in

relation to the project? 14

So, once again, maybe the question to ask, and this is the conclusion of the drainage part, is: Does approving this project, PRWF, help or hinder agriculture in Livingston County as far as from a drainage perspective? And it's a very critical part of raising row crops in Livingston County.

This is another point, supposed to be number four or five I believe, effects of participation on adjacent nonparticipating properties. And I already touched on this just that is recommended by some turbine manufacturers.

What this would mean is if a turbine would start to

3 fly apart, start throwing chunks of whatever, it

would be best if those pieces would land on 4

participating property, so they're recommending a 5

1640 foot/500 meter setback. So if it would start 6

tossing into something that isn't -- you know, is 7

nonparticipating, to me that would be a legal

concern. So this might be something that the county 9 wants to consider as far as looking at the 10

11 ordinances.

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Who takes responsibility for noise complaints and property devaluation if and when they occur? And how all this works, you hear different stories about, you know, complaints are ignored, whatever, as neighbors, and if you're responsible for those, I'm not sure what the legal channels would be there.

And I guess the main concern is the infrasound low frequency noise, the ILFN, and just referencing a nonparticipating homeowner that has nine turbines within one mile, that's just -- I don't know, it doesn't seem like a proper zoning, zoning in order to protect rural residences.

Page 1930

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briefly, but one thing we need to think about is 2 general acceptance of nonparticipating neighbors and how it will affect the value and development of 3

their properties. And a lot of times this isn't 4 5

learned until it's too late.

But I put this little diagram up here, it's just more as a reference than the specific dimensions on there, although they are pretty relevant to our situation because the setbacks are very close, but if you look at the -- where this turbine is located, that little star, that is 1.1 tower heights I believe from the property lines. You draw a 1200 foot setback radius around there, so you're looking at almost 40 to 45 acres there that, you know, would be in that setback.

Comments made is, well, go ahead and build in there, there's nothing restricting you from using that land, and it certainly would not be my preference to position livestock buildings, residences, whatever it might be, in there. I would try to get them as far away from there as possible.

I'm thinking maybe we can reference back to the other picture then. I've been made aware of there's a 1640 foot debris evacuation zone setback

The last part of my presentation tonight 1 2 is going to be what I'm calling participation review 3 of PRWF. I don't know if any of you remember this, 4 I think it was in August at one of the county board 5 meetings, during public comment I presented some participation percentage numbers. At that meeting 6 it was basically 14,000 acres that were south of 7 Route 24, it was just kind of right over the top of our operation, and just kind of present what the actual percentage of acreage, participating versus 10 11 nonparticipating, was at that point.

Basically this review kind of stemmed off of that, numbers that were put together here in the last few weeks. So this basically includes the whole project area rather than just a specific part. One of the main considerations when you started -when you started this was how do we establish project area boundary? And maybe I'll just read down through these slides a little bit and then maybe, you know, I'll have a comment.

Okay, review of different project areas, and I'm going to call it original versus application, and they are both developer maps. One was generated and available on June 5th, 2014, and

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the other one, which is in the application, August 20th, 2014. 2

3 This is the first one. This is a reprint on the one I just had on the previous slide. I'm going to call this, this is the original, the one 6 Invenergy used when they were starting to develop the project or releasing some of the participation data. And I'm going to -- I guess, for lack of a 8 better word, I'm going to call it smooth boundary 9 represents general inclusion of affected properties. 10 11 And properties are included that are at least within one-half mile of participating properties or 12 13 turbines. Properties offered -- or properties in this boundary were offered easements and/or neighbor 14

agreements. In comparison to -- this is the one that was actually in the application, a notched project boundary, identifies specific inclusions of participating properties, properties excluded that may be within 500 feet of a turbine. So for this participation summary, I used the June map for project area boundaries. So it would be, back to this blue, it's more of a smooth line boundary.

You know, the argument is going to be,

It's basically an acreage participation summary.

It's broken down by the nine different townships 2

3 that are represented in the project area. It's a

pretty simple tally. The first column is the total 4

acres, the next one is participating, 5

6 nonparticipating, and then percentage of

participating. Obviously there's -- the highest is 7

71 there in Chatsworth, it's a very small number of 8

acres to begin with, all the way down to Indian 9

Grove at 31.8, with an average of 53.4, once again 10 11 based on 66,480 acres total.

This is the next part of the summary, and this one is not based on acreage but rather by property owner, participation levels of property owners. If you look across the top, the top four numbers, this was a -- this was kind of a daunting task coming up with total number of property owners in PRWF in the project area. This took some time to develop these numbers accurately. And I would like to tell you that they're down to the property owner, but they're close.

We came up with 741 property owners in the area, and that includes farmland owners and home site owners, this is people that have two acres and

Page 1934

Page 1936

- well, you've got more acres involved there, and that 1
- is true, but I do feel like representing the 2
- participation versus nonparticipation, the smooth 3
- line boundary map is a more accurate way of 4 5

evaluating it.

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Just maybe a couple points about how we 6 did the summary. Participation acreages and property owners are accurate to the August map, even 8 though we -- it sounds like a little bit of a combination here, but even though we used the June 10 boundary, we updated the participation properties to 11 the August map and adjustments for -- says 12 adjustments for additional participants, and there

13 was also some corrections in there where there was 14 15

actually nonparticipating properties that were marked as participating and made those corrections 16

One thing we didn't do in the property owner summary was adjusting for executed neighbor agreements. I have no source of information on that other than I think Mr. Parzyck's testimony acknowledged that there was none executed at that point of that testimony and that may have changed.

So this is the first part of the summary.

- a house, this is everybody that is considered a
- 2 property owner in the footprint. 289 participating,
- 3 that would be everybody that has a -- has an
- easement, turbines or transmission lines, whatever 4
- 5 it is. So 452 nonparticipating. So 39 percent of
- the people/landowners within the project area would 6
- be considered participating. This is individual 7
- entity landowners, you know, irregardless of acres, 8
- size of it, whatever. 9

Then we broke it down a little bit, participating property owners, and I'll just -- how they break down. Of the 289, there's 99 individual property owners that have easements that allow turbines or that are going to have turbines, or 13.4 percent of the 741.

Then we took the turbine owners and broke it down as far as where they're actually living. Four different categories here. The first one is I call it turbine owners. It's actually landowners that have easements with turbines on them. This is -- the first line is those that are living in the project area and they're in Livingston County. They're obviously in Livingston County living in the project area. There's 37 property owners

too.

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representing 45 of the turbines. 1

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The next line is those living in 2 3 Livingston County but living out of the project area, so surrounding towns, Fairbury, Pontiac, whatever, and it would be 31 of those representing 49 of the turbines. 6

And then those living out of Livingston County and living in Illinois, this would be like people living in Bloomington, Pekin, wherever, 20 property owners representing 26 turbines. And then out of Livingston County and living out of state, 11 property owners, 16 turbines.

13 So kind of a subtotal put down at the bottom, you see 62 property owners representing 91 14 turbines that are not living in the project area, so 15 not really too worried about the effects of turbines 16 on their quality of life, in comparison to almost 61 17 percent of people up there at the top not 18 19 participating, and really at this point in time their only avenue, you know, of say at this point in 20 21 time is hoping the county board, if they can protect their properties by voting no on this project. 22

23 Now, this slide is kind of my last one, I 24 think, as far as on the participation thing.

neighbor issues if they're going to arise." And I don't have any figures to quantify that. I don't --I wouldn't do that.

So just a couple slides here quick on 4 conclusions. Participation summaries are an attempt to show property owner support. I personally feel 6 like, even though there's a lot of time and I feel like fairly accurate, I think a better way to 8 9 determine support in our community would be a public referendum vote township by township would be a 10 11 better way to establish community support or opposition, and then use that -- use that vote as a 12 13 recommendation for whoever the governing bodies are that are making these decisions. 14 15

The summary that I presented here I feel like does not show support needed to justify the effects that could result from the development, whether they would be land, property value, business effects, infrastructure effects, and effects to our viewscape based on the whole gamut of all the property owners that are affected.

One statement here I would just interject, because I know when Mr. Parzyck presented in one of his opening presentations, he did make the comment

Page 1938

Page 1940

- Adjustments to participation data. There is a group 1
- 2 of participating property owners out there who are
- signed up or favoring nonparticipation. This is a 3
- nonsolicited group. It's just a group that I would 4
- say over the course of the last six months has come 5
- forward and expressed in a pretty serious way, I 6
- guess, if they would have the option today, they
- would like to get out of their easement for reasons 8
- we've already reviewed. 9

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This represents a group of maybe at this point 30 property owners, and that represents about 4,010 acres, represents about 17 turbines. I know some of these have approached the developer as far as their desires; some of them have not. If you take this into percentages, maybe be about 4 percent of the property owners, not a real big number, maybe 6 percent of the acreage. I didn't do the percentage of the turbines.

Another bullet point here, participating property owners who want to be neutral, that's kind of a statement, but often make the statement, "It wouldn't hurt my feelings if the project were voted down. Payments don't seem to be enough for the risks associated with the project and the potential

- that it is very important to Invenergy as far as
- public acceptance, community acceptance and support, 2
- 3 and -- before they would site a project. I feel
- 4 like at this time we do not have that in our
- 5 community. There is a significant petition drive
- underway right now to establish project opposition 6
- in our community, in the community, and I don't have 7
- any numbers to share on that, but those will be
- forthcoming at some point.

9 This is a point I've already made. If the 10 11 project is approved, the livestock industry in our townships could struggle with building siting 12 13 expansion issues. If our community, county, schools

need financial support, would feel more comfortable 14 15 with a tax referendum. Revenue. Generating revenue for established need rather than perhaps leaning on 16

wind farm funding, and this would avoid issues that 17 we cannot really measure in dollars. Let's control 18

the controllables. If we need more money, we're 19 willing to help and do that. 20

21 When people visit our community, we want them to leave and remember us for our agriculture, 22 our legacy and our heritage and not as an electrical power plant. And I guess this is maybe a thought 24

Page 1941

- 1 after I have visited. You know, you go to some of
- 2 these places, Cal Ridge, Cayuga Ridge, we have been
- 3 through there a bunch of times. I don't normally
- 4 leave those communities thinking, well, that was
- 5 just a great agricultural community, great livestock
- 6 area, some of the best soil on the face of the
- 7 earth, but more remembering that I just left a place
- 8 with a bunch of wind turbines.
- And I guess from the legacy of our family farming operation, we just hope that the decision of
- our -- for these nine townships, for our community,
- would be that we can keep this development out and
- 13 leave our townships, our communities focused on
- 14 agriculture, what we do best. Thanks.
- MR. LUETKEHANS: I have a couple follow-up questions, if I may, Mr. Chairman, or would you
- 17 rather take a break? It's up to you.
- **18 CHAIRMAN CORNALE:** Yeah, why don't we go
- ahead and take -- let's take ten minutes. I've got
- 8:12, so let's try to be back about 8:22, and then
- we'll continue with our questions for everybody.
  (Recess at 8:12 p.m. to 8:24 p.m.)
- 23 CHAIRMAN CORNALE: All right, we'll get
- 24 going. Mr. Zehr, Mr. Zehr.

A. Yes.

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- Q. If that -- if you were unable to, for
- whatever reason, grow or just if the growth of those
- 4 heifers were stunted, what would be the business
- 5 effects of that do you think?
  - **MR. BLAZER:** Objection, there's no
- 7 evidence in this record that any such effect would
- occur.
- **CHAIRMAN CORNALE:** If -- please just answer the question.
- **MR. BLAZER:** My objection is it's speculative.
- **CHAIRMAN CORNALE:** Right. We can speculate either way on this issue. So if you can answer the question, just please answer it.
- A. I would say I wouldn't be able to quantify any kind of economic, specific economic impact at this point.
- 19 BY MR. LUETKEHANS:
- Q. But you would run the risk of losing customers.
  - A. If it did, for sure.
- Q. If it occurred, and I'm not saying you
- 24 know one way or another.

Page 1942

Page 1944

- 1 **VOICE:** He's up there.
- **VOICE:** At the table.
- 3 CHAIRMAN CORNALE: Oh, okay. All right,
- 4 welcome to the stage. It's real exciting up here.
- 5 MR. ZEHR: I'd rather be facing this way,
- 6 but --

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- CHAIRMAN CORNALE: Yeah, I know. You have
- 8 to look at everybody. All right, we left off, did
- 9 you get -- you did get through everything that you
- wanted to present with your PowerPoint, correct?
- 11 MR. ZEHR: Yes, yes, I did.
- 12 CHAIRMAN CORNALE: Okay, all right. So,
- 13 Mr. Luetkehans, you had some follow-up questions?
- **MR. LUETKEHANS:** Yeah, just a few.
  - OUESTIONS BY
    - MR. LUETKEHANS:
- Q. The last two pages of your PowerPoint,
- 18 they actually -- well, excuse me, UCLC Exhibit 80,
- 19 those are letters to the editor that were sent to
- 20 local newspapers by your family; is that correct?
- 21 A. Yes, that's correct.
- Q. You went through a lot of -- you talked
- 23 for a while about your business relates to dairy
- 24 replacement heifers, correct?

- A. Right.
- Q. You were pretty clear you don't know one
- 3 way or another --
- 4 A. That's right.
  - Q. -- whether it would occur.
- 6 A. But if it did, you know, it would
- 7 obviously alter the way we do business.
- Q. And alter the amount of money that you --or the amount of goods and services that you were
- able to purchase in Livingston County.
- to to purchase in Ervingston
- 11 A. Correct.
- Q. Okay. You talked about the indoor -- or
- 13 excuse me, the Indian drain -- let me get to the
- 14 right page, the Indian Grove Drainage District
- mainline tile project. And you won't need to look
- at this, but -- I don't think you need to look at
- 17 the sheet for this. What is the purpose of that
- 18 project? Is it really -- or, you know, how does
- 19 that project going through affect your business or
- 20 how will it help your business?
- 21 A. As I kind of explained during the
- 22 presentation, it's -- it's the main, for lack of a
- 23 better word, artery I guess or main subsurface
- 24 drainage system that drains pretty much all the sub

Page 1945

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- mains that are not pictured on this, you know, the picture that I put up there, that would feed into 2
- 3 this thing. The smallest tile that would be
- represented on this map would be about an 18-inch
- line, which is still a big main. 5
  - So, you know, if this thing quits working or, you know, whatever, if it's affected in some
  - way, it is kind of -- I mean it just has a huge
- impact on production. That's why the old-timers a 9
- hundred years ago finally tiled things out so that 10
- they could quit playing in the mud. Maybe that's --11
- we have to keep it up. 12
- Q. That's what I'm really trying to figure 13
- out. What's the physical effect if this -- if a 14
- drain tile project like this were to fail or 15
- whatever? What's the physical effect on a farm, I 16
- don't know, just anywhere? 17
- A. Yeah, I mean affects all the farmland 18
- 19 that's connected to it and all of the subsurface
- 20 drainage system that comes into it and the
- farmstead. I mean you have farmstead drainage, too, 21
- so --22

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- Q. Okay, so it would -- it could possibly 23
- 24 create flooding of areas that --

- A. I would say that, you know, according to 1
  - my diagram here that I referred to earlier, I don't
  - have the opportunity to refer to my slides, but the
  - biggest concern here was there was specifically one
  - turbine that's almost directly in the path of where 5
  - a new proposed line would go, and whether there's 6
  - 7 options to re-engineer that, the engineering has
  - already been done for the project. 8
    - Q. Okay, but the purpose of the line is to
- avoid flooding farms, correct? 10
- 11 A. That's right. I mean it's to make it so
- we can time -- so we can, you know, in a timely 12
- 13 fashion farm our land. That's the investment that
- we put in. We'll be paying for this thing, you 14
- know, with taxes or whatever, and we don't really
- want to pay for it twice, so yeah, we want it to 16
- effectively drain our land for another hundred 17 vears. 18
- 19 MR. LUETKEHANS: Thank you, Mr. Zehr, appreciate it. Nothing further. 20
- CHAIRMAN CORNALE: All right. Fellow 21 members of the ZBA, do we have any questions for Mr. 22 23 Zehr?
  - MS. HUISMAN: I've got one.

Page 1946

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Page 1948

- MR. BLAZER: Again, Mr. Cornale, if, could 1 2 possibly.
- MR. LUETKEHANS: Oh, gosh. 3
- **MR. BLAZER:** Where are we going with all 4 this speculation? 5
  - MR. LUETKEHANS: You know what? He talked
- about a drainage project and I'm trying to 7
- understand what the effects of not -- that drainage 8
- project not working is. 9 10
- MR. BLAZER: And what does that have to do with anything we're talking about? It's pure speculation. 12
- MR. LUETKEHANS: It's -- you know what, he 13 testified to it. I'm just trying to do follow-up and --15
  - CHAIRMAN CORNALE: All right. MR. LUETKEHANS: -- if this tile is
- 17 affected, I want to understand what the effect is. 18
- **MR. BLAZER:** That's two ifs. 19
- CHAIRMAN CORNALE: All right. Mr. 20
- Luetkehans, we'll allow that question just in the 21
- respect that the proposed siting is within a 22
- proximity of this hundred-year-old main line. 23 24
  - Q. Do you remember the question, Mr. Zehr?

- CHAIRMAN CORNALE: All right. 1
  - **OUESTIONS BY**
  - MS. HUISMAN:
- O. Mr. Zehr, what kind of stimuli stress 4
- calves or cows? And if they're different because of 5
- the age range, can you specify that for me too? 6
- A. I would say one of the primary, you know, 7
- factors of stress in our operation, you know,
- regardless of age, is weather, whether it's the heat of summer, you know, brutal cold of winter. Those 10
- are probably the most -- the main stressors. You 11
- know, there's others. Trying to think of -- we 12
- always try to limit exposure to, you know, other bio 13
- security issues, whatever it might be, bringing in 14
- outside animals that maybe have a pathogen or 15
- something that's different than what we have as far 16
- as introducing new stress or whatever it might be. 17
- But I guess the first thing that comes to mind would 18
- be weather. 19
- Q. You said weather? 20
  - A. Yes.
- Q. Okay, thank you. And with regard to the 22
- drainage district, I'm assuming you're a member of 23
- that drainage district. 24

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- 1 A. Yes. I'm not a commissioner. I have
- 2 talked to commissioners about the project. They
- share the concerns for sure. But I'm not a
- 4 commissioner, I'm just -- we're just a participant
- 5 in it.
- 6 Q. Okay. Are you aware of who -- who mapped
- out the placement of tile and how this drainage
- 8 district is going to flow? Do you get that -- do
- 9 you have input from the county on that?
- 10 A. I believe the commissioners hired an 11 engineering company, Andrews Engineering, I'm not
- sure where they're from, but they engineered the project, laid out the path and, you know, the fall
- project, laid out the jon the main.
- Q. So then do you have to make like the FSA office or Soil and Water Conservation aware of what
- 17 you're doing so that they know where's the placement
- of the tile? If you don't know, that's okay.
- 19 A. I don't, I don't know what --
- Q. I'm just curious.
- 21 A. I don't know what the path is as far as --
- 22 you know, I don't think so, but it could be.
- Q. Okay. And then one question on your -- on
- 24 the property owner participation summary. Can you

- and that's really all I have to base my numbers off
- 2 of, and if there was, then those could be
- 3 corrections you could make in this tally because
- they would be considered participants.
  - MS. HUISMAN: Okay, that's all I've got.
- 6 **CHAIRMAN CORNALE:** Any other questions 7 from the ZBA? Units of local government, school
- 8 districts, anybody out there? Mr. Blazer, do you
- 9 have any questions?

10 MR. BLAZER: No, sir.

CHAIRMAN CORNALE: All right. Interested
 parties from the audience? I've got a few here.

13 I'll take -- yeah, come on up. Please state your14 name for the court reporter.

**MR. HARMS:** Donald Harms, Fairbury. I want to ask Nelson this.

CHAIRMAN CORNALE: Microphone, Mr. Harms.

MR. HARMS: Excuse me, am I on?CHAIRMAN CORNALE: I think so. Green

20 light going?
21 MR. HARMS: The red light's on.

MR. HARMS: The red light's on.
CHAIRMAN CORNALE: Well, it will turn

green. Flip it up, leave it alone, it will come on. **MR. HARMS:** Got it. That better?

Page 1950

Page 1952

- 1 just clarify for me, I might not have been paying
- 2 close enough attention, the difference, near the
- 3 bottom of your page, between participating property
- 4 owners being 289 and participating property owners
- 5 with turbines being 99.

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- A. Right. If you would take 289 minus 99,
- you would come up with the number of individual
- 8 participants that are just -- they're not receiving
- 9 turbines, they're not getting turbines on their
- 10 property. That's just they're, you know, signed up
- 11 for connectivity to the collection line system,
- 12 they're whatever, you know.
- Q. So transmission lines, but did you say
- 14 that you did not have access to like good neighbor
- agreements, so those numbers wouldn't take that --
- they wouldn't -- you're not considering them
- 17 participating, are you?
- 18 A. If there would be good neighbor
- 19 agreement -- if there's neighbor agreements that
- 20 have been signed, I mean I would consider those as
- 21 participating entities. I don't have any -- I don't
- 22 have any knowledge of that, if they're -- you know,
- 23 like I said, I think Mr. Parzyck testified that none
  - had been executed as of the date when he testified.

- 1 **CHAIRMAN CORNALE:** Yes, it is.
  - QUESTIONS BY
    - MR. HARMS:
- 4 Q. Nelson, I want to ask a question. If I
- read the board correctly, the screen correctly,
- 6 you've already circulated a petition for a no vote
- 7 on the wind power; is that correct?
  - A. I think the petition that's being worked
- on is just a list that would be those opposing,
- 10 opposing the project, you know. So if you're
- 11 signing the petition, it would be -- it would be
- 12 expressing your opposition for, you know, furthering
- 13 the project.
- Q. Okay. Have you or your committee, have
- you ever told the group of people out here and the
- people that are opposed how much revenue is going tocome off of this wind farm?
  - **AUDIENCE VOICE:** Are you serious?
- A. I certainly haven't told all of the, you know, people that have -- no, I haven't. I mean
- Q. My feelings are if you're going to circulate the petition by getting people to say they're against this petition, then you're --

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I --

Page 1953

CHAIRMAN CORNALE: Mr. Harms, Mr. Harms. 1 2 **MR. HARMS:** Ask a question, okay.

3 **BY MR. HARMS:** 

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Q. Okay. Are you aware of how many millions 4 of dollars every year is going to come in from this

wind farm in your community? 6

A. I'm not -- I'm not going to testify to

those numbers as far as that goes. Like I said, 8

9 mentioned earlier in my testimony, if there's a need

for, you know, additional revenue to support our 10

11 county, we feel like there's better ways of going

about that. We don't -- you know, we don't know 12

that there's any guarantees as far as the revenues 13 that they're projecting. 14

Q. There will be an article in the Fairbury 15 Blade and the Leader --16

17 CHAIRMAN CORNALE: Mr. Harms, Mr. Harms.

Question on his testimony. 18

MR. HARMS: Better cut it off, huh?

CHAIRMAN CORNALE: Well --

21 **MR. HARMS:** Okay, sorry. Thank you.

A. Thank you.

23 **CHAIRMAN CORNALE:** Any other questions

from the audience? Carolyn, come on up. 24

figure out who has turbines and who doesn't or how

did you figure that out? Or did you look at that

3 listing? You went by what the applicant gave you is

what I'm trying to get at. 4

A. Yeah. From a participation standpoint, 5

all of that information was things that we 6

referenced from their materials. The... 7

O. Okav.

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A. I mean turbine -- determining the turbines didn't come from the maps necessarily. That came from, you know, just looking at the list.

Q. The list.

A. And there's -- obviously there's certain owners that are getting multiple turbines, you know, so we kind of -- what we wanted to do is kind of, especially on the property owner thing, was just get it down to where it's just individual entities, you know, rather than just multiple -- reading the whole list was some would have multiple listings under them getting numerous turbines, so --

Q. Well, that's a good segue into my next question which is the reason I came up here, which is you indicated there were 99 owners that were getting turbines or that were listed as turbine

Page 1954

Page 1956

## **QUESTIONS BY** 1

## MS. GERWIN:

Q. This is Carolyn Gerwin, Pontiac, Illinois.

A couple points of clarification. You had -- again, 4

with the chart, when you identified the 5

participating owners, were you going according to 6

the information provided by the applicant? You were 7

going according to the yellow spaces as marked on 8

their map; is that correct? 9

A. That's right. We -- there's an August --10

like I said, the application, the application map 11

that was -- I had a copy of it there. According to 12

the August submission that they submitted, that's 13

where we -- yeah, from an acreage standpoint, that's

what we based it off of.

Q. Okay.

A. Made it accurate to the August submission I guess you would say.

18 Q. Well, the thing that kind of jumped out at 19 20

me, so you're taking their word for -- you're not questioning which of those listed property owners 21

are turbines versus like a good neighbor agreement 22

or transmission lines or electrical lines. You're 23

just -- did you compare the map to that list to

hosts and the number of turbines is only 136, so --

and it's down to 134 now, so that means they're like 2 3

getting 1.3 turbines per owner then.

So if you're saying that there are some owners that are getting multiple turbines, that 5

means that some of these turbine hosts are not 6

7 getting any turbines. Is that accurate?

A. No, no. All the property owners that are 8 listed here as getting turbines are getting at least one. The majority of them are getting one, and there are some that are getting two, and there's some that are getting four or five, just a few, so that's the situation. All of the ones -- all 99 are

12 13 getting at least one. 14 15

Q. Okay. All right, that's what I wanted to know. Thank you. Oh, wait, I have one more question. Are they guaranteed they're getting one?

A. I can't speak to that.

MS. GERWIN: Okay, thank you. 19

CHAIRMAN CORNALE: Anybody else in the 20 21 audience with a question? I don't see anybody. County staff, questions? All right, Mr. Zehr, I 22

23 believe you're done, thank you.

All right, Mr. Luetkehans, I believe you

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have another witness that would like to testify this 2 evening.

3 MR. LUETKEHANS: Yes, Amber Severson. **CHAIRMAN CORNALE:** All right, Ms. 4

5 Severson.

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(Amber Severson was duly sworn.)

**CHAIRMAN CORNALE:** Ms. Severson, please state your name and address for the court reporter.

MS. SEVERSON: Can you hear me? Okay, my name is Amber Severson. I live at 200 West Maple Street, Fairbury, Illinois.

Okay, I'm going to call out a couple points of housekeeping just as we go through here. There are just a couple of them. I'm calling them housekeeping, just so you know what I'm talking about when I get there. But one of them is actually the Pleasant Ridge Wind Generation Power Plant application that I have here.

Wind farm. This has nothing to do with farming. That's marketing. This is a power plant. 20 21 And I feel strongly that if we weren't dealing with a private entity and we were dealing with -- we were 22 23 dealing with Ameren or Commonwealth Edison, a lot of 24 the questions that we've had as a group would have

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So the first thing I want to talk about was the Livingston County ordinance, wind farm energy. When I first started looking at the ordinance, it struck me as kind of odd. I was going through and I first was -- I first was looking at the applications and I first stumbled upon the solid waste application. So it was a long thing looking through the municipal code, but once I figured out how to go through, work my way through the municipal code to look at all of our ordinances, I read through this solid waste ordinance. And if you can see here, just for reference, it has many sections and it talks about filing requirements, accommodations of waste, public welfare, effects on surrounding property, location, hazardous waste.

Anyway, to make my point, I had the expectation when I was looking at the wind ordinance that I would find something similar, right, written by our board or written by our community, whatever, articulated in that fashion. But what I found is highlighted there in red, right here, is that the wind ordinance really only covers the siting application review requirements. It really doesn't give us any other information on any of these areas.

Page 1958

Page 1960

been answered because they would have to have been 2 answered because they were a utility company. So I just wanted to make that point before we get started 3 here. 4

CHAIRMAN CORNALE: We're going to have to do something different with you because it's going to keep feeding back. It's your position relative to that speaker above you.

MS. SEVERSON: Okay. Can I move to the 9 10 right?

**CHAIRMAN CORNALE:** Yeah, if you move to one side or the other, that should solve that problem.

MS. SEVERSON: Okay.

MR. LUETKEHANS: You can sit here. MS. SEVERSON: I just want to say that --

let me see if I can get this to move. I'm articulating seven points, and I'm going to try and

move through this fairly quickly. A lot of this is 19 just visual, I'm a visual person. Also, we've 20

talked a lot at high levels about things, but 21

oftentimes you find the devil's in the details, and 22

23 so I wanted to point out some of those details and

then just show a bigger picture.

And so from my perspective, I thought that that was lacking. 2

So I took a hard look at it because I was 3 trying to figure out where it came from. So I went 4 on the Internet and I started Googling some of the verbiage in the ordinance, and what I found out 6 immediately was that we were not the only county 7 with this exact same ordinance. All of these 8 counties around us in red have the exact same 9 wording in their ordinance. Identical. The ones in 10 orange were almost identical and had some minor 11 changes. Cook County doesn't even have a wind 12 ordinance. The ones in blue have completely 13 different wind ordinances, and I think it would be 14 15 very hard if you read through their ordinances to know whether or not they could even put a large wind 16 farm facility there, okay? But I thought this was 17 interesting and I thought how do all of these 18 19 counties have exactly the same ordinance?

And the reason this one says AWEA is because it actually says AWEA in their ordinance. They even called it out, so I imagine that's where they got it from. So I went and looked a little bit further and I found the model for the ordinance.

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Page 1961

- You can see here that this ordinance was delivered
- in -- scroll down. This ordinance, this was
- actually a model that was made and it was made at
- IIT in Chicago. So just what I did was I went
- through here and I started looking at all of the
- connections, all the connection points. 6

So what do I see here? I see this was 7

from a grant from Illinois Clean Energy Community 8

Foundation with help -- they had help from the law 9

firm of Baker and McKenzie doing pro bono assistance 10

11 on this draft. There's a girl down here, Holly

Gordon, who had quite a little bit to do with it, so 12

13 I just went a little bit deeper. Excuse me, sorry.

And one of the things that was -- that I 14

thought was fascinating also was that property 15 owners are mentioned only five times in our 16

17 ordinance. And something to remember as we're going

through this is right here, it says "property owner 18

19 from whom land is leased for locating the WECS." It

is spelled out in our ordinance as it is now and it 20

21 is spelled out that same way in the model ordinance,

but I just thought it was interesting that property 22

23 owners are not mentioned very often in this

24 ordinance. So, for instance, something that was excluded or was

added was to be updated every three years as 2

3 determined by the zoning board. And in the model,

what was taken out from our ordinance was a 4

provision that county municipalities shall have 5

6 access to the site pursuant to reasonable notice or

7 to physically effect or complete decommissioning.

And I thought that was a little bit of a significant 8

little phrase there because right now the county 9

doesn't have access to the site per the ordinance, 10 11 so that part was taken out. I thought that was

interesting. 12

So I went a little bit deeper and I

Googled Holly Gordon and I found her, found her on 14

15 LinkedIn, and she was the girl who was on that

model. She went to IIT, Chicago Kent College of 16

17 Law, Baker and McKenzie helped write this ordinance,

and it was through the direction of the Illinois 18

19 Clean Energy Community Fund. Howard Learner was

very instrumental in this Illinois Clean Energy 20

21 Fund.

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interesting.

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So now all of a sudden what I'm finding is

23 I'm finding politics. I'm finding that an old

governor, who made a deal with Commonwealth Edison

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What I did do here was I compared the two 1 2 ordinances just to see if there were differences, and there really aren't very many differences. One 3

difference that I see here, Section 56.617, fees, 4

through Freedom of Information, I believe that was 5

the one and the only amendment made to this 6

ordinance from the county zoning board. So this

ordinance was adopted by the board and it really

doesn't have anything in it; it's just coming from 9 10

this model.

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These are some of the changes, some of the things that are in our ordinance that are a little bit different. For instance, if you compare the model ordinance, you're going to see that these numbers are different. I think it says like one million in the model ordinance and these numbers are different. So all this stuff is different in our ordinance, but we didn't from -- this stuff is different in our ordinance from the model, but we did not make those changes, they were already there,

20 21 which means from the model to us somebody made changes on that and it wasn't us. 22

23 In the decommissioning plan, there's some changes also and some things that were excluded. 24

when they got to sell some power plants, said you

2 have to take \$250 million and you have to -- you

3 have to create this Illinois Clean Energy Fund, a

4 non-for-profit. So all these guys that are sitting

5 on the board here are elected by -- are handpicked

by the governor, the House, the Speaker of the 6

House, so on and so forth. And this last guy is 7

picked by Commonwealth Edison and has to be someone

in the clean energy field. 9

So Holly's over here in San Francisco right now, she's the legislative vice-president for this company Sunrun, so she's still obviously in the industry. Howard Learner here, he runs the Environmental Law and Policy Center which started in Illinois, and from a political standpoint, he is very closely associated to the Obamas, so that was

Then if you go down here, there's Mr. Obama. Oops. There's Mr. Obama. A lot of legislation that was written specific to the laws in Illinois here that we've been discussing, I think Mr. Loomis was talking about the public acts and the taxation, the taxation laws, the mandate that we have to have 25 percent of our energy by 2025 and 75

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- percent of that has to be wind energy, that was all
- legislation put in under Governor Blagojevich. And
- just this last year, President Obama came to
- Illinois to do some fundraising during the last
- gubernatorial race and the senators and so on, and
- 6 he had a fundraiser sponsored by this gentleman
- here, and that happens to be Michael Polsky, and he

is the CEO of Invenergy.

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So when I look at this, I'm like, holy cow. This is where my -- this here is where my ordinance comes from, and there's this whole big trail that leads around and it leads right to Invenergy, and I thought that was interesting. I didn't go looking for that; it just happened. I

14 just thought that was very interesting. 15

So at that fundraiser, you know, we've got people collecting \$35,000 a couple to have dinner with the President at Michael Polsky's Gold Coast home, that's where the fundraiser was held, and just for information's sake, there's also information

21 about this stimulation package and individuals who received stimulation aid from there. And that would 22

23 be Michael Polsky. And I feel it's relevant because

24 here we are with Invenergy sitting in our back yard,

number of wind towers on a farm. I mean this is all concerns that the board brought up way back when in 2006 when they adopted this ordinance.

Now why is this important? Because it's 4 not our ordinance. It's not ours. We didn't write 5 it. And there's a lot of people here who don't want to move forward with it. If you take into consideration what you know here, it would be important to think about not -- denying this permit because we didn't even write this. This was written by someone else. This is not our ordinance.

Okay, number two. Took a step back and I wanted to know what the heck the hedonic method was because I don't know. And Invenergy put a lot of stock in that and said that it would not affect our property values and that this report was stellar. So what I did was I took a look at -- I went out looking for something that could give me an idea of what a hedonic model was.

So I went out there and I looked and I found something. This link up here is to this paper, but what I wanted to point out was there's a few things that are important about the hedonic model. One of them is that you need to have -- you

Page 1966

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and we've got all this stuff going on here. 1

We talked a little bit before about the wind energy supply chain, and I just thought this is actually -- comes straight from the wind energy, and if you look at this when we were talking about supply chain, this is where all -- this is where the money's going to go. And you can see Gamesa is in

there, Invenergy is in there. So that's something you can take a look at. 9

Now, why is it all important? It's important because through Freedom of Information Act I got the minutes of the meeting when this ordinance was put into place. And part of that discussion was right here. The discussion is the board members would like to have an ordinance with tighter restrictions to protect landowners. There's no allowance for property value guarantees in the

ordinance. This is not an economical idea but 18

social engineering passed by legislators, which I 19 20 found was very interesting that someone actually

said that, because if you follow all the dots, 21

that's exactly where our ordinance came from. And 22

23 if amended, it doesn't pass; there's no criteria or

procedures in place for wind farms to adhere to; the

need to have homogeny in your -- excuse me. I'm 2 going to skip through a couple of these.

You need to have homogenous data instead of heterogenous data. What does that mean? The data has to be the same kind of data, it's got to be the same. So if you're talking about houses, they need to be similar houses. If you're talking about geographical location, it needs to be the same type of geographical location. If you're talking about neighborhoods, there has to be some neighborhood specificity. So that's really important when you're talking about the hedonic model.

So there's some -- there are some things that work with hedonic modelling from the perspective of assuming that the market operates under perfect competition and there are a number of buyers and sellers, okay. That's not necessarily true. Hedonic price model only works under the assumption that market equilibrium is there and there's no interrelationships between the implicit prices of attributes. Well, that's not true.

So what's important to remember in going through this, sorry if this is long, is that your data needs to be homogenous and one of our

Page 1969

- neighborhood attributes is going to be wind
- turbines. And they did try and make -- and
- 3 misspecification, overspecification,
- underspecification is a problem. 4

So one of Pleasant Ridge's exhibits was 5

- Exhibit 35, Values in the Wind: A Hedonic Analysis 6
- of Wind Power Facilities, by Heintzelmann and 7
- Tuttle, so we've all heard about this. But what 8
- Invenergy said was that this report supported their 9
- findings of no sales property value declines, and 10
- 11 what this report actually said was there are three
- areas that it looked at. And in one of the areas, 12
- 13 in Lewis County, there were no declines, but in
- Clinton County and in Franklin County there were 14
- substantial declines, and they were within .5 to 2 15
- miles. 16

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17 And so as we go through this, you're going to see that I think -- I think -- and then it also 18

- 19 said finally this paper breaks with the prior
- literature in finding any statistically significant 20
- 21 property value impacts from wind facilities. So
- Invenergy is using this paper to support that 22
- 23 there's no sales difference in price, but the paper
- 24 itself says there's -- they do break with it because

- 8.8 and 14.49 percent, within a radius of .5 miles
- to the nearest turbine. And, again, if you go 2
- 3 through this information, what you're going to find
- is that there was a decline in proximity if you had 4
- a view, but there was a larger decline if you had 5
- noise. So you could add approximately 3 to 7 6
- percent of the sales price can be explained by the 7
  - exposure to noise.

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So I think what's important with this one is that when you put them altogether, the reports

11 that we've seen, the Heintzelmann and Tuttle, this

one, and even Invenergy's own reports from Dr. 12

13 Thayer, Mr. Thayer, they all come to a conclusion

that anything within about two miles from point zero 14 of a wind turbine is an area of concern whether or 15

not it's going to produce a property value decrease. 16

And I just put a map like this on here.

This is Denmark. That's the size of Denmark on the 18

19 United States. In that Danish study, if you take

the time to read it, you're going to see that they 20

21 were very, very concerned about the homogeny of

their study knowing that, because it was a real

23 estate market, they were going to have heterogony,

but they were so concerned about it. And what's

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Page 1972

they do find a significant difference. 1

This is the area that they -- these are 2

- the areas that they said they did the report in, 3
- Lewis County, Franklin County and Clinton County, 4
- and I just wanted to give you this map so that later 5
- on you can reference these actual wind farms and you 6
- can see that where I'm leading here is significant. 7

I found a study, hedonic study, that kept

its scope very limited, it was very homogenous, and

it didn't have -- it didn't have a ton of variables, 10 which is something you want in a hedonic model. 11

- It's from Denmark. And what they actually said was 12
- Heintzelmann and Tuttle find that nearby wind 13
- facilities significantly reduce property values. 14
- And at first this report said, made the stipulation 15
- that the Heintzelmann and Tuttle use proximity to 16 wind turbines as a proxy for noise and visual 17
- pollution, which implies the results that 18
- Heintzelmann and Tuttle find property values reduced 19
- should be interpreted with caution. 20
- 21 But what this study did was it actually
- took into consideration noise and visual pollution. 22 23 And what they found, their conclusions and results
- were that they found a significant decline, between

- funny is the report that was done by -- that was presented by Invenergy wasn't at all worried about 2
- 3 the homogeny because they had us all over the
- country with their data collection. 4

All right. Sorry I'm a little bumpy here,

- but I think I'm going to smooth out here. So now 6
- we're going to examine Pleasant Ridge Exhibit 31, 7
- which is the Impacts of Wind Power Projects on 8
- 9
- Residential Property Values, so this is their own report. And I took a different view of this. 10

11 First of all, as I said earlier, I wanted

to do a little housekeeping and this is one of those 12

- 13 housekeeping moments. Right here at the top, this document was prepared as an account of work 14
- 15 sponsored by the United States Government. All
- right, this is part of their disclaimer. And I have 16
- to say as someone who writes white papers often and 17 who has collaborated with people at work to write 18
- papers, I always know exactly what my paper is 19
- about, I always know exactly what's in it, I know 20
- 21 what the other people's content is because my name is on it, and so I would know if I wrote this paper 22
- 23 whether it was sponsored by the United States
  - Government or not. Just saying.

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- So another point of housekeeping. While 1 this document is believed to contain correct information, neither the United States Government nor any agency thereof, nor the Regent of the
- University of California nor any of their employees, makes any warranty, expressed or implied, or assumes 6
- any legal responsibility for the accuracy,
- completeness or usefulness of any information, 8
- apparatus, product or process disclosed, or 9
- represents that its use would not infringe 10

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- 11 privately-owned rights. I think that's a very huge
- disclaimer considering that they're using this 12
- 13 report to preface why they want to put a big wind

complex somewhere, anywhere, in the country. That's 14 15 a huge disclaimer.

They also have an abstract, and we already know some of this, but I just wanted to point it out. We've heard it before. The present research collected data on almost 7500 sales of single family homes situated, and here's the important part, within ten miles of 24 existing wind facilities in

nine different U.S. states. 22 23

Also, the conclusions of this study were 24 drawn by eight different hedonic pricing models that different people, there's so many variables there.

- There's something in real estate that's called 2
- 3 location location, and what's happening
- here in Illinois is not going to be the same as 4

5 what's happening over here.

6 Okay. So I was looking to see if I could look at their maps differently, and I came across this website. It's called -- it's by the USGS. It's called Wind Farm. If you hit on it, this is what you're going to get. What we're looking at here is we're looking at all those red dots all over the country, those are all wind farm facilities. So

12 13 that kind of gives you a general idea of how many wind farms are out there. 14

Now, if you use these little instruction things over here, you need a different view, and this view separates it by capacity up here. So you can see 0 to 1 is blue, that's 0 to 1 megawatt, 1 to 2, 2 to 3, 3 to 4. So blue are small turbines. Get up here to yellow and red, we're talking about lot bigger turbines. So you can kind of just get an idea by looking here what you're seeing.

So I used this to take a look at their maps. First of all, just to familiarize you with it

Page 1974

Page 1976

- they smooshed together. Once you do that with a
- 2 hedonic model, you take eight of them and you smoosh
- them together, you are just adding and adding and 3
- adding, you're losing homogeny, you're adding 4
- heterogony, and the fact that we're concentrating on 5
- properties that can be up to ten miles away from a 6
- wind facility really goes against the thought
- process that we are focussing on what's happening
- within two miles of it. We know right there that

that's where there's problems. 10

> And then down here it says, "Although the analysis cannot dismiss the possibility that individual homes or small numbers of homes have been or could be negatively impacted, if it finds that these impacts do exist, they are either too small or too infrequent to result in any widespread, statistically observable impact."

17 Okay. Well, this is what we're going to 18 19

look at here. This is what I did. Here's their map. Here are their nine locations. As you can 20

see, it's very heterogenous, they're all over the 21

country. We all know just from common sense that 22 23 these are all very different geographical areas,

they all have very different landscapes, very

- a little bit. I focused in. I used these controls
- over here and I focused in, and this is Livingston
- County. Take a look. There's Dwight, this is the 3
- 4 wind farm up there by Dwight. Here's Odell. Here's
- 5 us down here. Cool thing about this is if you hover
- over this wind farm, any given wind farm, it gives 6
- you a whole bunch of information. It gives you 7
- capacity of the turbines, it gives you the blade
- length, it gives you the total height of the -- of
- each turbine. That's pretty interesting. And just 10
- to give you a close-up of it so you can read it a 11
- little better. And then if you go in closer, you're 12
- going to get a closer look, you're going to actually 13
- see -- you know, this is just like Google Earth, you 14
- 15 just go down and you can see all the different wind

turbines.

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So what I did to take a hard look at their 17 maps is I created kind of a target. And so big 18 circle is five mile radius, four, three, here's the 19 two mile radius, one mile, and this goes by quarter 20 21 miles. I wanted to do this because I wanted to kind of plot things on a steady map and see what -- just 22 23 see what it showed us.

And so if you look at Cayuga Ridge, for

instance, where there's 100 turbines, here's a five
mile radius around one that's closest to Odell, and
you can see that Odell itself falls inside of a two
mile radius, so there's areas there that fall inside
of two miles. Now, of course, one of these two mile
circles obviously would fit on any one of these and
it would create a bigger -- it would create a big
mess.

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So what I wanted to do was I just put them on the outside edges just to take a look and see what kind of a footprint two mile radius means. We're assuming in here that everything is within a two mile radius because it's all smooshed together. So this is what the footprint looked like of Cayuga Ridge. So this is what I was going for as I was going to go through their report and their maps.

16 Okay. So their study area was nine, nine 17 locations, and in those nine locations they had 18 19 different facility names. If you take a look here, this is in Washington, in Oregon, and they had a 20 21 number of facilities, and there's 582 turbines out there. Wow, okay, so there's a lot of turbines out 22 23 there, and then we go down the list. So what I did 24 was I took a look at their maps and I mapped it,

Page 1979

What we're looking at is we're looking at a five mile radius around this town. Now, why is this impressive to me? This is impressive to me because when I look at this, I see everything within

a two mile radius affecting virtually no one.Everything within a five mile radius, it hits a

7 little bit between two and three miles of the town,

8 this Highland area, but they were measuring out here

on a ten mile radius, out ten miles. And so if youwould include houses outside here, I don't see how

11 that would really be impacted, so I don't see how

that's relevant to using this to locate other windfarms. You know, this, there's nobody here in these

14 two miles, it's not going to affect anybody.

Remember, within two miles of ground zero is where it's important.

And the other thing that I thought was interesting was this is a 10 meter building right here. That's our ordinance. I mean our ordinance without special use is a building can only be 35 feet high out here in agricultural land. And those Washington turbines that they were talking about that we just looked at, they were 91 meters high.

This is what they want to put at Pleasant Ridge. So

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too, and I took a look at just what I could see.

2 What does it show me? Hold on.

Okay, so this is Invenergy's map that they 3 provided in their study, I shouldn't say Invenergy 4 but Dr. Thayer's study, and what I want you to take note of in the Invenergy maps is that down here 6 they're on different scales. So we're going to 7 look, we're going to go through these maps, but in their maps you're going to see a ten mile scale, you're going to see an eight mile scale, six mile, 10 four mile, two mile, you know, but what I did was I 11 put everything on a five mile scale so that we could 12 just really take a look at it. 13

Now, the purple is houses, the houses 14 that -- the homes that they have sold, homes, and 15 these are the wind turbines. So this is what I see 16 on a topographical map, and mine are a little closer 17 in. So this is their nine canyons where they had it 18 all combined, basically nine canyons, one or two, 19 and we're just looking at the yellow ones right now. 20 Why? Because that's all that was built at the time. 21 So -- or, excuse me, I guess there's some green ones 22 in there too. Excuse me, we're looking at the green 23 ones; the yellow ones weren't there at the time.

they're using -- they're using data and they're
using turbines that are so much smaller there's
bound to be a difference here in effect.

So this is their Stateline which is part of their map, and again when you look at this, see all these blue, these are all blue turbines, they're very little, they're not big turbines, they're not big giant turbines, and again within two miles there's nobody. You can see this is up in the mountains.

Right here there's some farmland, you can see that it's cut up in farmland, so this would be in the three to five mile radius. That might be more like us, but, you know, they're pretty far away. And, again, they measured out here. They went to up to ten miles away to get their data. And there's nothing there. So from my perspective, this is good siting of turbines. I mean you're putting it where there isn't anybody.

Here's their Vansycle Ridge, and I'm just going to go through these. This is the Vansycle Ridge, this is still in Oregon, and all that they were measuring in this one were these two groups, these two blue groups. None of this stuff was here

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before. When they did this study, the only thing
that existed were these. So again, there's nothing
there and so the impact is small. Of course, no
one's going to complain; there's nobody there.

Then there's Combine Hills in Oregon. Now 5 this is where the green ones were in, so the green 6 ones must have been in there at the same time, but 7 again, even when you take a look at it, here's the 8 five mile radius closest to the town, closest to 9 where there's population centers over here, it's 10 11 outside of the five mile radius. Everything within the two mile radius, there's nobody there. I would 12 13 consider that good siting.

Okay. So now we're just going to step 14 through these because what you're going to see --15 you know, if you guys want a copy of this, you can 16 get it or you can just take a look for yourself. 17 Again, here's Big Springs, Texas, and this is their 18 19 copy. And this is my picture. And what we're looking at here are the blue ones again because 20 21 that's all that was there at the time. So five mile radius. There's the town. It's within three to 22 23 five miles. There's a lot of people there and 24 that's kind of close. I mean that's splatter like

1 countryside, the more people you're going to impact.

2 I mean look at that. Because now there's so much

3 more space in a two mile radius of any given

4 turbine. And this -- and Weatherford, Oklahoma,

5 it's within two miles in a lot of places. So I look

6 at that and I think, hmm, that's kind of what we're

7 going to look like. We're going to have turbines8 spread all over the place and we're going to have

high impact within two miles.

9 high impact within two miles.10 Here's another location.

Here's another location. This is Iowa.

This is actually on their map. You can see this is an eight mile scale. And this is actually two different locations. There's a wind farm up here and there's a wind farm down here. They've got it combined. I've got it separated. Here's Storm Lake, which is the north one, and again you can see these are smaller turbines because they're blue, so they're not near as big as what they want to put by us, but you see how spread out they are?

And what does that look like when you put a five mile radius and then two mile radiuses around it? You've got a lot of people within a two mile radius of a turbine, so -- or I should say a lot of property, a lot of land. I'm not going to say

Page 1982

Page 1984

Fairbury, like Livingston County, but out herethere's nothing.

And if you look hard at these maps, 3 because you can look yourself, see all these little 4 pitted things and everything here? Well, if you look real hard, you're going to find that in Big 6 Springs, Texas, this is already an industrial town. All this pitting and everything that you're seeing, that's all like gas and oil, little, you know -- so this is an industrial town that just added some 10 small industrial turbines here, and later on they 11 added all these other ones. And you can see where 12 they added them. They added them out where they 13 have industrial stuff already. Well, we're not an 14 industrial location, so I just don't think this 15

either.

Now here's Oklahoma. There's Oklahoma's map, Weatherford, Oklahoma, and here's how they're sited. And what's interesting when you plot like this is that a pattern starts to come up. So you've got five mile radius closest to the town, and there's Weatherford and it's kind of in there, but the more you spread these turbines out across the

really equates to Fairbury or Livingston County

there's a lot of people there necessarily, but it
 just has -- it has the potential to be a larger
 impact because you're just spreading it out all over
 the place.

And the same thing with the -- this is the same lake, but this is that southern wind farm in Iowa. Again, it's spread out, and when you spread it out, you get that -- you get that same effect. And of course --

Okay, so then I went to Waverly, Iowa, and they didn't have a map for Waverly, Iowa, and I thought that one was interesting. And the reason they don't have a map for Waverly, Iowa, is because there's Waverly and there's the one turbine that exists there, so I don't think that that belongs in this study. I don't think that -- I mean that's not even comparable to anything. So there's one turbine and there might be -- and it's a small one and it's within a two mile radius and then Waverly is within a three to five mile. I mean one turbine, okay.

So here's Lee County, this is us, here's us in Illinois, so we're getting a little closer to home. And I mean I think we're all familiar with these because we've seen them if you drive up 39.

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Page 1985

- I'm from Wisconsin, so I go up 39 a lot. This is their map. Now, this is on a ten mile scale, so
- what you're going to see here is actually a wind
- farm here and wind farm over here. There's actually

two locations.

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So that first wind farm is right here, and, you know, those turbines when you're driving up

- 39 don't look very small, but these are actually 8
- small ones. These are actually small ones because 9
- they were in this study. And honestly, from a 10
- 11 siting perspective, it's pretty good siting in my
- opinion. Why? Well, they have the geographical 12
- 13 boundary of the highway anyway, so they already have
- that going through there, and they kept it in a 14
- 15 pretty tight group. And the tighter the group it
- 16 seems like, the less impact you're going to have
- within that two mile radius no matter how many 17
- people are there, right? So the less people that 18
- are there, the better, like out in mountains in 19
- Washington where there's nobody, or if you're going 20
- 21 to impact people, you know, keep it tight is kind of
- what it looks like here. And there's 63 turbines 22
- 23 there.

24 And then the next site is down here, and

there, would they be impacted? Perhaps, yes. Would

- their property values be impacted? Perhaps, yes. 2
- 3 But that footprint is very small, so not too many
- turbines, small turbines, closely put together. 4

And then we get to Pennsylvania. So on 5

6 their map, this is a -- excuse me, on their map,

7 this is a six mile scale. Here's the properties,

but there's actually a number of wind farms here

that I hit individually. So here's Green Mountain, 9

which is this one right here, it's only seven 10

11 turbines. If you look hard at this geography,

you're going to see that that is by a roadway, but 12

13 also we're up in the mountains. They're up in the

hills, high hills, there isn't anybody real close to 14

15 that, but you can see that that cluster is quite tight. 16

So again, it's a matter of there's a pattern that -- when you look at this, there's a pattern that's happening, and what's happening is if you put wind farms where there aren't people in tight clusters, probably works and you're not going to impact property values. You spread them out all

23 over the place, you have the potential to impact a

24 lot more people, a lot more property values.

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- they measured -- so this is really the same site,
- 2 all these over here and over here, and you see again
- it's by the highway, but these are larger turbines, 3
- and the more you spread them out, the more potential 4
- impact you have on property owners or
- nonparticipants because you just have -- because 6
- you're spreading it out. And there's only 40 7 8
  - turbines there.

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This is up in Door County, Wisconsin, this is part of their report, so you can see the purple properties, and this is actually a couple different wind farms too. And when I look at it, this is what I see. They're blue so they're small, so they don't really -- you know, they're not equal to what they're wanting to put here. They're quite small.

15 And there's 17 turbines in Red River, 16 Wisconsin, that's the footprint, but they've got 17 them pretty well -- they've got them pretty close, 18 so their footprint doesn't impact as many people or 19 as many -- potentially impact people. And here 20 there's only 14 turbines and again they're grouped 21 pretty closely, and so you can see that all of the 22 23 turbines are within one mile of each other. And so if there's anybody inside of that one to two miles

There's another one. There's only five 1 2 turbines, okay? I just don't feel like that 3 equates. Here's another one. There's 20 turbines. 4 You can see that that's on a ridge, so there's

nobody -- there's nobody there. And again, that 6 ridge encompasses two miles, two square -- or excuse

me, the radius of two miles. 7

> So we've got one more in Pennsylvania. Again, you can see clearly it's on a ridge. They're just -- I would say that's probably good siting. There's only 43 of them though, there's not 136.

Okay. Now we're going into New York, and again this map is on a four mile scale. So every time you look at one of their maps, it's really deceiving to your eye because the scale is different on every single map. I needed to put them in a scale so that I could understand.

So here's Madison, New York. Seven turbines. That's one of them they evaluated. Of course, these are a little bigger now, they're green, they're not blue, but tightly grouped all within -- if you look at that, that's all within a half a mile of each other. So of course you're not going to impact very many property owners that way.

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Okay, here's their next one, Madison 1 County one. And that's up here on my map. There's a little more impact there it looks like. It looks like it's in lower land, but, you know, like I said, the more you spread them out, the more potential you have to impact property owners and perhaps property

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values.

So the other thing I wanted to do was just point out that I did a scale model, and there's Oklahoma, Texas, Washington, another Texas one, their Oklahoma site -- can't see that -- Iowa, Iowa, Iowa. These are the sizes of the turbines out there. This is what they want to put here. So they used this study to say we don't impact property values, but they used turbines that were small, because that's all they had, guaranteed I understand that, but I don't see how it's relevant to siting now with a turbine that's this large with 136 of them.

So the next thing I want to go through is examining Pleasant Ridge Exhibit No. 11, the Pleasant Ridge neighbor agreement, and their Pleasant Ridge Exhibit No. 7, their standard easement agreement. And this is just a bit of

Page 1991

land is leased for locating the WECS." Leased is important because the ordinance, as the model and as 3 the ordinance that we have codified, indicates and insinuates that the landowners are going to be 4 signing leases. And this is why this is important. 5 This was actually brought up in the last 6 7 presentation.

This is important because if you have any background in real estate you're going to know the difference between a fee simple estate, a leasehold estate and an easement estate, okay. A fee simple estate is how people own their homes, most of them, you know, where you own your home straight out. It's the kind of estate that you want, okay?

A leasehold estate is the next best estate, okay? A leasehold, which is what was indicated in our ordinance, that the property owners should have a lease agreement, means that what we've been hearing. So what do I mean by that? Hi, I'm Invenergy, I want to put a wind turbine on your property, so it's only going to take up an acre or so or however much. If you just sign this agreement, that's -- you know, that's all we're going to take. We're going to need some little bit

Page 1990

Page 1992

- housekeeping. Mr. Parzyck made it a point to say in
- 2 his -- at the very beginning of their presentation
- that the Pleasant Ridge neighbor agreement does not 3
- have any kind of a gag clause in it or a 4
- confidentiality clause and that we as people on the
- Internet, because they were trolling, were wrong. 6
- There's no confidentiality clause in any of their 7 8
  - easement agreements.

Well, I was part of that conversation and we were not talking about the good neighbor agreement. We were talking about the standard easement agreement, and you will see it does have a confidentiality clause. So I just wanted to make that clear that this is what we were talking about and not the other one.

Now, I wanted to point out, as again earlier when I was going through the ordinance, that there was only five -- there was only five times that a property owner was actually even mentioned in that ordinance, just mentioned, and one of them is here when they're defining the owner. Defining the owner means Invenergy; they're the owners.

23 And what was interesting about this is, it's in the codified, that "property owners for whom

of land to get a road to it, we're going to actually 2 need a little more land to put wires and stuff to it 3 and put underground stuff to it, but, hey, we just want that piece of land for like, you know, a little 4 5 bit of time and that's what we're going to do.

But what we really have going on here are easement estates. An easement estate is very, very different. An easement estate is a grant of right of possession, and many times easements -- if you're taken to court because you've given someone an easement, it's going to be very, very hard for you to get rid of that easement.

Now, what's interesting about the order -the instrument that Invenergy is using, if indeed it's the instrument that everyone who is -- who they've solicited has signed, what's interesting about that, it has a lot of interesting language in it, and I wanted to point out some of that, some of that that you would expect, but some of it that you wouldn't.

So, for instance, when you grant an easement, this is what I would expect to see in green. Owner hereby grants and conveys to grantee an exclusive easement and lease to convert, maintain

Page 1993

and capture the flow of wind and wind resources over, across and through the surface estate of that certain real property. Okay, that makes sense.

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But as you go down through here, it turns 4 around and says together with the rights to all rents, royalties, credits and profits derived from 6 wind energy purposes -- okay, so that's wind energy purposes -- and then says upon, over, across, and under the property. Under the property. So if you're going over the property, why is there a 11 statement saying that you're going to go under the property? This again is an easement; this is not a 12 13 lease.

If you have a lease, you can lease something to somebody. You can say in 20 years, off you go, take your stuff off, that property is mine. If you have an easement agreement, they can take you to court and they can argue that easement into perpetuity.

Now, I know that these agreements are a combination. They've kind of bastardized this agreement. It includes the pre -- one agreement includes all of the pre-work for this project, it includes the project itself when they build them, it soil samples.

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So I thought about that one for a minute, 2 3 and I thought, well, if they're going to go under the ground and they can extract oil samples and 4 5 they're talking about other power generation on the 6 property or on adjacent lands, this doesn't sound like much like wind energy to me and it's an 7 easement, okay.

And then in number F here under easement, they permit electromagnetic, audio, flicker, visual view, light, noise, vibration, air turbulence, wake, electrical radio interference, shadow or other effects attributable to wind power facilities or any other operational or development activities. All of this is written so that the participant has to accept all of this.

So if you have signed one of these easement agreements, you can't complain about any of this stuff. You have no recourse. You have to take it the way it is because they spelled it out here. You can't complain about vibration. You can't have any ill effects from any of this. Doesn't matter. So if you're a participant, maybe you don't mind if you're not living on the property, but maybe you

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Page 1996

includes the money you're going to get for this project, and it includes even their right to be the 2 first -- they have first right to even extend this. So that means, you know -- I don't know, there's a 4 lot in here. 5

This easement, the purpose of easement, you're going to find things that you would expect, okay, for this easement are solely and exclusively for wind energy purposes is what it states and not for any other purpose, and grantee shall have the exclusive right to use the property for wind energy purposes and to derive all profits therefrom. Okay, we kind of all expect that.

But then you go down a couple more 14 sentences and then they state, which is kind of 15 contrary to that, together with any and all 16 activities related thereto, development activities, 17 including, without limitation, you would expect to 18 see determining the feasibility of wind energy 19 20 conversion, okay, and other power generation on the property or on adjacent lands. What? Other power 21 generation on the property or on adjacent lands? 22 23 That's interesting. Including studies of wind, wind direction, stuff we would expect, and extracting

will mind and you have no recourse.

of the owner to do any of the following with respect to all or any portion of the property. So right there I have a huge problem from a real estate perspective because what you've been told is we just want an acre to put a turbine on and we want a little bit of a easement for a road and we need, you know, da da da, but they have the right to all or any portion of your property, and they can use it to finance wind power facilities, okay?

Assignments. This is in there. Grantee

shall have the right without obtaining the consent

They can grant co-easements, separate easements, sub-easements, licenses or similar rights, however denominated, to one or more persons, or sell, convey, lease, assign, mortgage, encumber, hypothecate, pledge or transfer to any or more assignees the easement or any or all rights or interest in the easement or in the agreement or any or all rights or interest of grantee in the property.

Basically what they're saying to you is we have an easement for your whole property, so if you have 160 acres, we have an easement for all of your

Page 1997

160 acres. All of it. And if we want to -- if we want to -- if we wanted to sell a separate easement, we can. Who are they going to sub-easement this to? I'm not saying they're going to, we have to trust them that they won't, but I'm just reminded of some

other things that we have going on in our county.

We know that they want to run a rail through so they can run oil over the rail. We know that they want to put pipelines and things in, and some people in other parts of the county are fighting that. Well, if you have signed one of these easement agreements, you've given them the right to use your whole property as an easement.

And right here they said they can do whatever they want with it pretty much. "Failure of grantee to give notice of any such assignment shall not constitute a default under this agreement and shall not invalidate such agreement." So they don't even have to tell you that they have sub-easemented your property. It's not a default. They've put that in there. I find that very interesting.

So I wanted to -- after talking about the 22 23 easements, I wanted to go over a few other things 24 because I found it very interesting that they

kind of slow and blah blah, and there's really good-burning coal that burns like crazy. And guess

3 what we're sitting on? We're sitting on great coal.

So there's also something else we're 4 sitting on. We're sitting on natural gas. We're 5

sitting on natural gas fields. Now, these fields 6

7 down here are what's called in play, and if anybody

has been paying any attention, there's a fracking 8

9 bill that just got passed during a lame-duck session

here in Illinois, and they're targeting stuff down 10

11 here. But these lease -- these easement agreements who have locked these people in for 42 years, so 12

13 what's to say that that isn't going to happen? Is

this speculation? Yes, this is speculation, I will 14

15 admit that that's speculation, but it's in your

easement agreement that you're going to go under the 16 property and you can develop other types of energy. 17

So I feel like it's fair speculation. We also have 18

19 coalbed methane. It's a fuel source. We've got shale down there. Perfect for fracturing. 20

21 So the next thing I wanted to bring up was that we have an ordinance, we have a solicitation 22 23 ordinance, and I feel strongly that this

anti-solicitation ordinance has not been met by

Page 1998

Page 2000

could -- they want to go under your property, and I

2 find it very interesting that they wanted -- they

can generate other types of power. Even though they 3

say they're solely going to do wind power, they 4

threw something in there that says they can do other 5 6

types of power.

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Well, Invenergy itself is an energy company, and yes, it has wind and we know it has 8 solar and it also has natural gas, and someone asked me why are they targeting us from a wind 10 perspective? So here's the NREL wind map and you 11 can see over here the wind chart. Well, we have 12 quite a little bit of wind. Obviously right here 13 where we saw a lot of turbines over the country, 14 there's heavier wind here, okay. So that's kind of 15

interesting. 16 And here's Illinois, a little more 17 specific. There's us right in there. So that's why 18 we're being targeted. There's something else we've 19 got. Here's the power almanac and this is pretty 20 interesting. What else do we have under our 21 property? Here we are. We've got coal, we've got 22 23 coal reserves, and you know what, there's different types of coal. There's like bad-burning coal that's

- Invenergy. Why do I say that? Because the
- 2 ordinance, first of all, defines what solicitation
- is and who vendors are, what peddling is. So we've 3
- got peddling is the act of going from house to 4
- house, from place to place or from street or street, 5
- conveying or transporting the sale of goods, wares, 6
- magazines or merchandise. Sale of goods includes 7
- contracts. So as they've been going through our
- town or our unincorporated Livingston County for --

since 2006 soliciting contract sales, they're also a 10 11 transient merchant, okay.

And what this ordinance says is there's a 12 license required to be a -- to solicit in our 13 unincorporated Livingston County and to be a 14 15 transient merchant. And so what I did was the Freedom of Information Act, and I got all of the 16 licenses from 1999 to the end of 2014, and there is 17 no licensing by Invenergy or any of the other

18 companies. 19

So I feel that because of this ordinance in place, that might be -- if you have an easement agreement, number one, our ordinance says property owners are making a lease agreement not an easement agreement. It's -- it's there. It's fragile I

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will.

- think, but I think it might be actionable, and I
- think that from a licensing perspective, none of 2
- these companies have been licensed and they've been
- peddling and soliciting contracts since 2006 in our
- county, in unincorporated Livingston County.

CHAIRMAN CORNALE: Ms. Severson, not to interrupt.

8 MS. SEVERSON: Yes.

CHAIRMAN CORNALE: You're on Section 4.

Have you got quite a few before we get to Section 5 10 or --11

**MS. SEVERSON:** Nope. Actually the rest of 12 it goes very quick. I did the long part. 13

CHAIRMAN CORNALE: Say that again.

**MS. SEVERSON:** I said the rest of this 15 presentation goes quick. It's almost finished 16

actually. 17

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**CHAIRMAN CORNALE:** Okay. 18

**MS. SEVERSON:** What time is it, I'm sorry?

**CHAIRMAN CORNALE:** It's a quarter to 20 21

10:00.

MS. SEVERSON: Oh, okay. Can you give me 22

23 15 minutes and I'll be done?

AUDIENCE VOICES: Yes, yes, yes. 24

turbine is \$6 million. So I think at least now we

have something that's a baseline for knowing how 2 3 much one turbine costs.

Well, they are wanting to put up 1.7, 1.6 4 megawatt turbines. They probably get a quantity

discount because they're putting up 136 of them, but 6

7 this is the math. This little chart up here comes

from the State of Illinois. This is how you figure 8

out this. There's a -- I have a -- I have a 9

reference to it so the board can look at it, but I 10 11 just wanted to make this comparison.

If I build a \$6 million home and they put up a \$6 million turbine, and my fair market value you know is going to be \$6 million, but because of this, their fair market value is only \$720,000. And you know my taxed amount is going to be \$2 million because it's one-third of that. Well, their taxed amount is only \$240,000. And we're about 10 percent taxes here in the county, so they're going to pay \$24,000 a year in taxes for the \$6 million turbine. For my house, I'm going to have to pay you \$200,000 a year for my \$6 million house.

Okay, so what does that mean for 136 turbines? That means \$24,000 a year, we're going to

Page 2002

Page 2004

CHAIRMAN CORNALE: Yes, 15 minutes.

MS. SEVERSON: All right.

CHAIRMAN CORNALE: Okay, 15 minutes. I'm 3

going to -- I'll signal you at five 'til.

**MS. SEVERSON:** Time me, time me.

CHAIRMAN CORNALE: Go. 6

**MS. SEVERSON:** Okay, so if my slides will

work. Number four -- excuse me, number five, money.

This is going to be a quick one. None of us know

how much a turbine costs to put up. We can't get

that information. It's a private company. That's

confidential. They're not a public utility; they're 12

not going to tell us. Well, I went looking.

Guess what? Seneca Nation of Indians

wants to put up one eight -- 1.8 megawatt wind 16

turbine. That's perfect. I can compare that to

what's going on here. This is March of 2014, so it's a comparable time. This is where they're going

to put it. And they gave me money numbers.

Now, a lot of it is subsidized you can

see. 2.5 million of it is subsidized by the federal 21

government and New York state. That's irrelevant to 22 23 us. The Indian Nation, Seneca Nation, is going to

include \$3.5 million. The total cost of that one

- get \$3,264,000 in taxes a year plus depreciation,
- 2 blah blah, for these turbines, but if we had
- 136 \$6 million homes, you would get \$27 million. So 3
- when it comes to money -- now, I know this is state 4
- law and I know that we can't change this right now, 5
- so I know this is the figure we're stuck with, but 6
- what I'm saying is we're not really making out here. 7
- And again, this goes back to the political portion 8
- of it that I showed earlier on. There's politics
  - going on here and it's not for our benefit.

Okay, let's talk about birds. This is a 11 whooping crane. These are near and dear to my 12 heart. I want to get through this fast because I 13 actually have a video that I want you to watch, but 14 I'm not going to ask her to play it because of our 15 time frame. If you'll let me play it at the end, I 16

What I want to say is it upset me very much, I'm from Wisconsin, it upset me very much when their biologist said that this is an experimental group and they're not really important. Well, you know what? That's crap. Experimental from an endangered species perspective means absolutely this. It's experimental so that they can try and

Page 2005

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- increase the herd without adhering to the stringency of the Endangered Species Act because it's really 2 hard to try and increase the number any other way. 3
- You have to be experimental. I have exhibits in
- there, too, to that effect.

Excuse me, this won't work. And the 6 eastern flock is the one they're talking about.

7

17

18

- They're bred up in Wisconsin, they're led by 8
- ultralights, and there's a pathway here. We have 9
- two flocks in the United States. And this one for 10 Operation Migration, this is called Deke's Way, it's
- 11 been around for almost 25 years. Okay, so we're 12
- putting these things in and we're not paying any 13
- mind to where we're really putting them when it 14

comes to this population or birds in general. 15 16

You can see right here, interesting enough, there's Livingston County. We have a stop here. LaSalle County's six, we're seven, and Piatt

19 County. That's us right there. And I always

thought it was cool because I lived here, until 20

21 whooping cranes, all of a sudden, didn't matter at all in a green environment. 22

So here's the distribution map of whooping 23 24 crane migration, and this is important because if

Page 2007

1 So the big picture. Here's the big picture when I look at the ordinance and what's 2 3 happening around us. You know, this is our county, Livingston County, and what I did was I mapped 4

here -- I found on Dr. Loomis's page from ISU, I 5 6 found three spreadsheets, and those are included in

7 in my documentation. One is for completed wind

farms, one is for proposed wind farms, and one is 8 9

for permitted wind farms.

And so this is our county. So here's a completed wind farm, two townships for 100. Invenergy wants nine townships for 136? That's what they are telling us. But I have to tell you, if you look on this website, you're going to see that the proposed amount here is for 333 turbines. So they've just put in an application for 136, but they have intention, at least Dr. Loomis has it recorded, that they intend to put 333 here.

**AUDIENCE VOICE:** Shame, shame, shame. MS. SEVERSON: So here what's permitted was K4 wind farm. However, Livingston County pulled out of that, so I'm happy about that. Even though it was permitted, we pulled out. Here's permitted up here, and this is one up by Blackstone that

Page 2006

Page 2008

- you look here, where are they flying? They're
- flying where the wind is because that's what birds 2
- do. The same thing they're doing here. And where 3
- are we putting wind turbines because it's green 4
- energy? Right where all the birds -- not just 5 whooping cranes but right where all the birds fly. 6
- Why? Because they use the wind. 7

So I just put this map back in there so 8

that you could see where we're building this stuff. 9

- Right in bird migration territory. It's not green 10 at all from that perspective, not at all. And from 11
- Operation Migration, I put a link there so that you 12
- can check it if you want, but in one of their diary 13
- entries, this is what they said about the species 14
- falling on hard times and losing habitat. And it 15 says, "The picture is also alarming in the cranes' 16
- migration corridor or where decreased rainfall 17
- amounts are expected to dry up at stopover wetlands, 18
- and thousands of wind turbines and associated power 19
- lines are being built right next to whooping crane 20 wetlands." I didn't make this up. It's fact. Some 21
- people might say who cares, it's just birds, but I 22
- 23 care. And if you watch the video, that will be
- cool. 24

- they've been arguing about or that people have not
- 2 wanted it to go through. That's 164, I put the
  - numbers up there, 164.

3 So if you do the math here -- here's one 4

that's permitted. There's overlapping. I mean what 5

part of our county -- outside of this, what part of 6 our county isn't going to have wind turbines in it? 7

And also remember that we're encroached upon. I 8

mean this -- the wind farm up here goes right to our county line. That's in LaSalle County. Obviously

10 this one over here, we have 25 of 100 over here. We 11

know this is being built, we're not participating in 12 it anymore, but it's going to be encroached right up 13

against our county, so we're going to be surrounded 14 15 by them, so much so that -- this is McLean County.

McLean County has gone insane. Here's the one wind farm. Then they built the second one and extended it towards Gibson City. So this is Route 9 and this is the other one they crammed in that little space right up there. Okay, they've got this whole area permitted. They've got this whole area

- permitted. They've got this, a proposed one, a 22
- 23 second one, on here. This right here, folks, is
- Route 24. This is us. 24

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Page 2011

Page 2009

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So here we are complaining about this big 1 ass wind -- excuse me, wind farm going over here, 2

- and we've already got McLean County permitted for
- hundreds and hundreds and hundreds of turbines.
- They've gone nuts. They've got proposed stuff down

here. 6

And I did one more because it's gone nuts, 7

too, and that's Ford County. That small little 8

county over there, they've gone nuts too. They've 9

got stuff permitted, here's K4 going over here, 10

11 they've got a few things built here, they've got

wind farms on top of wind farms being proposed. 12

And here's what the big picture looks 13

like. This is it. That's our stopover in 14

15 Livingston County for Operation Migration. That

circle right there, it's right in the wind farm, 16

folks, it's right there. This is north of the 17

river, and the proposed turbines are just south of 18

the river. And we're going to create a line right

across there right where we have an Operation 20

21 Migration stop.

19

We already have all these -- look at all 22

23 these wind farms that are already here. Everything 24 that's in red has been permitted, folks. This one

way and you can see why. They're ending up in

Indiana. They're supposed to come down this way,

it's safer, but they're coming closer to Chicago and

they're going into Indiana. 4

And if you give me a couple -- if you give 5

me eight minutes, we can play a video. I'd love it 6

7 if you would watch it. Mr. Chairman?

**CHAIRMAN CORNALE:** I've got four minutes to 10:00.

MS. SEVERSON: Okay, could you please --10 11 could you please play the video?

CHAIRMAN CORNALE: Yeah, you can play the 12 video. We may have some questions for you kind of 13 as the video is playing, how about that? 14

MS. SEVERSON: That's fine. 15

**CHAIRMAN CORNALE:** Can we negotiate? Mr.

17 Luetkehans, do you have any questions?

MR. LUETKEHANS: No. 18

CHAIRMAN CORNALE: Fellow zoning board members, do you have any questions? All right.

21 Questions? All right. It's late. School

districts, local governments. We never have any of

23 them, I'm going to quit asking for them. Mr.

24 Blazer.

Page 2010

Page 2012

- you can take out, that's why I have a red line
- 2 around it, that's not us, but we're encroached upon
- everywhere. So if we don't build one more wind farm 3
- in Livingston County, if all this stuff goes in, 4
- we're going to be surrounded anyway. All these 5
- green circles are towns. There's Route 24 right 6
- there. That's a five mile radius around each town. 7

So you can see the Odell wind farm, you 8

know what, it was grouped tightly, it's really 9 10

pretty big, 100 turbines, but it's too close to

Odell. But then there's little towns out here that 11

probably didn't want to be engulfed by these big 12

giant turbines either, so it's kind of catch-22 now, 13

we're in a catch-22. 14

15

16

So anyway, that's the big picture. And that's what it looks like from a little farther

distance. There's Operation Migration. You can 17

already see we've already -- I have a buddy who 18

actually is one of the pilots and went to high 19

school with him, and they had to take one crane 20

around this wind farm, flew right over my 21

employment, I got to watch them, because he would 22

23 not go over the top of them. Would not go. 24

A lot of the migration now is going this

**QUESTIONS BY** 1

MR. BLAZER:

Q. Just one question, ma'am.

A. Sure. 4

Q. And I don't need you to go to your slide 5

24, but slide 24 was where you talked about the 6

Heintzelmann and Tuttle study. 7

A. Yes, I remember. I was a little 8

discombobulated. 9

Q. And you had indicated that the study found 10

that they found no property value impact in Lewis 11

County? 12

13

A. In one county, yes.

Q. And you agree with that, right? 14

15 A. I agree with that, and actually I didn't

get to put it on here, which would have been more 16

maps, but if you look on the USGS map and take a 17

look yourself, what you're going to find is very 18

interesting. The pattern I was trying to establish 19

was that what's important is within a two mile 20

radius, and the more you spread out the footprint of 21

a wind farm, the more potential impacts you have and

23 I think the more impacts you do have on property

values. 24

LIV	INGSION COUNTY ZOINING BOARD OF APPEALS		February 9, 2015
	Page 2013		Page 2015
1	And if you apply that model to the	1	Considerations of Pleasant Ridge Wind Farm, UCLC 8.
2	Heintzelmann and Tuttle study, you're going to find	2	All right.
3	that there is not a high impact in the one county	3	We'll leave it on for those interested in
4	because it's again, it's up in the mountains,	4	watching. We'll technically recess our meeting. So
5	it's up in the hills, it's away from people, but	5	with that, can I get a motion to recess? I have a
6	where there was impact in the other two counties,	6	motion by Vitzthum. Can I get a second?
7	there was a large footprint and	7	MR. KIEFER: Second.
8	MR. BLAZER: That was my only question.	8	CHAIRMAN CORNALE: Mr. Kiefer is ready
9	A. Well, there you go. There's your answer.	9	with a second. All in favor?
10	CHAIRMAN CORNALE: All right. Audience,	10	ALL MEMBERS: Aye.
11	anybody in the audience have a question? Carolyn.	11	CHAIRMAN CORNALE: Opposed.
12	MS. GERWIN: Can I just stand here?	12	(Adjourned at 10:00 p.m.)
13	CHAIRMAN CORNALE: Yeah, speak loudly.	13	(ragourned at 19700 p.m.)
14	MS. GERWIN: Carolyn Gerwin. With regard	14	
15	to this migration where they lead the cranes, what	15	
16	is the time frame of what time of year and how	16	
17	long does it take for them to traverse? Because I'm	17	
18	thinking if it would be if this does get	18	
19	approved, maybe it could be mitigated through a	19	
20	curtailment during that time, maybe just	20	
21	A. So when do they migrate? They migrate	21	
22	in they start in October and it goes all the way	22	
23	into December depending on how long it takes them to	23	
24	get where they're going. I think that's probably a	24	
	Page 2014		Page 2016
1	good question from the perspective of we know that	1	STATE OF ILLINOIS ) )SS
2	there's usually fairly high winds and wind farms	2	COUNTY OF FORD )
3	tend to, you know, tend to be active if left to be	3	I, June Haeme, a Notary Public in and for
4	active in those months. And it happens to be prime	4	the County of Ford, State of Illinois, do hereby certify that the following Livingston County Zoning
5	migration. And it's not just like I said, these	5	Board of Appeals Case SU-7-14 hearing was taken at the Pontiac Township High School, Pontiac, Illinois,
6	are near and dear to my heart, but every winged	6	on February 9, 2015.  That the said deposition was taken down in
7	animal uses those same corridors for the same	7	stenograph notes and afterwards reduced to typewriting under my instruction and that the
8	reasons, whether they're endangered or not.	8	deposition is a true record of the testimony given.  I do further certify that I am a
9	Could you please play this? Thank you.	9	disinterested person in this cause of action; that I
10	CHAIRMAN CORNALE: Any other questions	10	am not a relative, or otherwise interested in the event of this action, and am not in the employ of the attorneys for either party.
11	from the audience? Don't see anybody. County	11	IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 23rd day of
12	counsel? County staff.	12	February, 2015.
13	MS. SEVERSON: Could you play this please?	13	
14	Thank you.	14	
15	CHAIRMAN CORNALE: Do you have a question?	15	TIME IN THE COD
16	AUDIENCE VOICE: Not a question. I've	16	JUNE HAEME, CSR NOTARY PUBLIC
17	just got a comment.	17	
18	CHAIRMAN CORNALE: Well, questions are	18	"OFFICIAL SEAL"
19	good right now. All right.	19	June Haeme Notary Public, State of Illinois
20	(Video playing.)	20	My Commission Expires: September 27, 2016
21	CHAIRMAN CORNALE: Just a reminder for	21	
22	everybody, tomorrow night we'll have the meeting at	22	
23	6:30 at the Walton Centre in Fairbury. For the	23	
1		1	

24 record, I'm going to accept Participation

24

-				
	According (5)	1885:21;1888:12;	advisor (2)	1996:19;1997:17,18;
\$	1892:11;1947:1;	1893:22;1932:10;	1926:12,12	1999:16;2000:22,23,24
•	1954:6,8,12	1970:6	affect (21)	agreements (9)
			1909:18;1916:18;	1933:15;1934:20;
<b>\$1.2</b> (1)	account (1)	Actually (37)		
1928:20	1972:14	1876:21;1880:9;	1917:18,19;1918:22;	1950:15,19;1990:8;
<b>\$2</b> (1)	accuracy (1)	1893:7;1901:4;1916:6;	1919:4,21;1924:22,23;	1993:20;1995:18;
2003:16	1973:7	1924:8;1927:1;	1925:5,20,20,21,24;	1997:12;1999:11
\$200,000 (1)	accurate (5)	1933:17;1934:15;	1926:17,23;1929:12;	agricultural (3)
2003:21	1934:4,8;1939:8;	1936:17,19;1942:18;	1930:3;1944:19;	1921:21;1941:5;
\$24,000 (2)	1954:17;1956:7	1957:16;1960:21;	1967:15;1979:14	1979:21
2003:20,24	accurately (2)	1961:3;1966:4,20;	affected (10)	agriculture (5)
,	1898:18;1935:19	1969:11;1970:12,21;	1893:4;1909:8;	1920:15;1921:14;
\$240,000 (1)	ache (6)	1976:13;1983:11,12;	1918:16,20;1921:10;	1929:18;1940:22;
2003:18	1898:16,19;1899:1,	1985:3,4,8,9;1986:11;	1928:3;1933:10;	1941:14
<b>\$250</b> (1)	3,5;1900:22	1987:8;1990:19;	1939:21;1945:7;	ahead (6)
1964:2				
<b>\$27</b> (1)	achy (1)	1991:6;1992:1;	1946:18	1863:3;1875:5;
2004:3	1898:15	2001:12,17;2004:14;	affecting (3)	1894:20;1913:3;
\$3,264,000 (1)	acknowledge (1)	2010:19;2012:15	1892:2;1919:7;	1930:16;1941:19
2004:1	1901:8	add (1)	1979:5	aid (1)
<b>\$3.5</b> (1)	acknowledged (1)	1971:6	affects (3)	1965:22
2002:24	1934:22	added (6)	1893:24;1920:15;	air (2)
\$35,000 (1)	acre (3)	1898:14;1963:2;	1945:18	1924:18;1995:11
1965:17	1927:2;1991:21;	1982:10,12,13,13	affirmed (5)	alarmed (1)
	1996:8	adding (4)	1865:17;1895:2;	1909:1
<b>\$6</b> ( <b>7</b> )	acreage (5)	1974:3,3,4,4	1907:13;1914:2,3	alarming (1)
2003:1,12,13,14,20,	1932:10;1935:1,13;	additional (3)	afield (1)	2006:16
22;2004:3			1877:2	allow (5)
<b>\$720,000</b> (1)	1938:17;1954:14	1880:21;1934:13;		
2003:15	acreages (1)	1953:10	Again (32)	1870:17;1875:6,8;
	1934:7	address (7)	1864:15;1870:9;	1936:13;1946:21
${f A}$	Acres (13)	1865:24;1866:3;	1877:6;1887:18;	allowance (1)
	1915:8;1916:3;	1895:4,6;1907:15;	1896:21;1899:10;	1966:17
abandoned (2)	1930:14;1932:7;	1914:5;1957:8	1905:17;1929:15;	allowed (2)
1901:18;1909:3	1934:1;1935:5,9,11,24;	addressed (1)	1935:10;1946:1;	1882:14;1910:1
abandonment (2)	1936:8;1938:12;	1903:18	1954:4;1971:2;1980:5,	Allowing (1)
1904:2;1905:9	1996:24;1997:1	adept (1)	8,15;1981:2,8,18,20;	1910:8
ability (3)	Acres's (1)	1872:12	1983:16;1984:7;	almanac (1)
1916:19;1919:21;	1920:11	adequately (1)	1986:2,21;1987:17;	1998:20
	across (9)	1910:2	1988:5,9,13;1990:16;	almost (10)
1925:18	1867:1;1897:3;	adhere (1)	1993:12;2001:14;	1900:18;1925:16;
able (5)	1906:21;1935:15;	1966:24	2004:8;2013:4	1927:12;1930:14;
1891:14;1917:11;	1975:7;1982:24;	adhering (1)	against (4)	1937:17;1947:5;
1926:18;1943:16;				
1944:10	1993:2,8;2009:20	2005:1	1910:11;1952:24;	1960:11;1973:19;
above (2)	Act (4)	adjacent (5)	1974:7;2008:14	2001:16;2005:12
1902:20;1958:8	1966:11;2000:4,16;	1919:18;1929:23;	age (5)	alone (1)
Absolutely (3)	2005:2	1994:21,22;1995:6	1895:16;1916:8,12;	1951:23
1883:7;1885:16;	acted (1)	Adjourned (1)	1948:6,9	along (3)
2004:23	1897:11	2015:12	agency (1)	1864:13;1865:12;
abstract (1)	acting (1)	adjusting (1)	1973:4	1896:24
1973:16	1923:4	1934:19	ago (11)	alter (2)
accept (2)	action (1)	adjustments (3)	1866:18,24;1867:17;	1944:7,8
1995:16;2014:24	1867:6	1934:12,13;1938:1	1874:1;1903:8;1908:1;	although (4)
	actionable (1)	admit (2)	1914:13;1923:16;	1897:13;1901:22;
acceptable (2)	2001:1	1899:22:1999:15	1926:10;1928:8;	1930:8;1974:11
1866:14;1913:11	active (2)	adopted (2)	1945:10	altogether (1)
acceptance (3)	2014:3,4	1962:8;1967:3	agree (3)	1971:10
1930:2;1940:2,2				
access (6)	activities (4)	adult (8)	1883:9;2012:14,15	always (6)
1924:22;1927:21;	1899:4;1994:17,17;	1896:10;1897:1,4,	agreed (1)	1866:19;1919:14;
1929:11;1950:14;	1995:14	12,22;1900:7,14;	1897:6	1948:13;1972:19,20;
1963:6,10	activity (2)	1901:4	agreement (19)	2005:19
accommodate (1)	1882:18;1903:24	adult's (1)	1950:19;1954:22;	Amber (3)
1919:10	acts (1)	1898:23	1989:22,24;1990:3,11,	1957:3,6,10
accommodations (1)	1964:22	adverse (2)	12;1991:18,23;	amended (1)
1959:14	actual (5)	1905:7,22	1993:17,22,22;	1966:23
1/3/.17				

1 (4)	1010 7 1000 00	12 1020 0 1020 12	1007.10	1000 00 1000 00
amendment (1)	1912:5;1932:23;	13;1929:8;1930:13;	1995:13	1930:22;1933:22;
1962:6	1933:1,17;1954:11,11;	1960:9;1965:12;	attributed (1)	1941:20;1958:7;
Ameren (1)	1957:18;1959:7,23;	1977:2;1979:2;	1924:20	1965:24;1967:2,12;
1957:23	2007:16	1983:21;1993:5;	attributes (2)	2004:8;2006:8
amount (6)	applications (1)	2005:12;2007:3;	1968:21;1969:1	background (1)
1891:10;1944:8,9;	1959:6	2010:2,7,21	audience (21)	1991:9
2003:16,18;2007:15	apply (1)	arrow (1)	1888:24;1890:21;	bad (3)
amounts (1)	2013:1	1918:8	1892:17;1907:5,6;	1868:1;1899:3;
2006:18	appreciable (1)	artery (2)	1911:11,11;1912:10;	1922:10
analysis (3)	1902:4	1929:2;1944:23	1913:6,8;1927:5;	bad-burning (1)
1905:3;1969:6;	appreciate (6)	article (1)	1951:12;1952:18;	1998:24
1974:12	1883:14;1905:17;	1953:15	1953:24;1956:21;	Baker (2)
and/or (1)	1910:16;1913:10;	articulated (1)	2001:24;2007:19;	1961:10;1963:17
1933:14	1927:5;1947:20	1959:20	2013:10,11;2014:11,16	bank (1)
Andrews (1)	approach (2)	articulating (1)	audio (2)	1920:23
1949:11	1914:13;1927:9	1958:18	1924:17;1995:10	Barb (4)
angle (1)	approached (1)	aside (1)	August (7)	1878:10;1880:2;
1927:13	1938:13	1898:6	1932:4;1933:1; 1934:8,12;1954:10,13,	1881:12;1886:21
animal (3)	<b>appropriate (1)</b> 1902:9	aspects (1) 1886:17	1934:8,12,1934:10,13,	barely (1) 1892:7
1919:13;1920:19; 2014:7			aunt (1)	barn (3)
	<b>approved (2)</b> 1940:11;2013:19	ass (1) 2009:2	1890:9	1916:22;1917:1,11
<b>animals (4)</b> 1916:7;1917:18;	approving (1)	assess (1)	available (2)	barns (1)
1918:19;1948:15	1929:17	1903:20	1904:18;1932:24	1916:23
announcement (1)	approximately (2)	assign (1)	avenue (1)	base (3)
1863:23	1892:5;1971:6	1996:16	1937:20	1922:23;1923:15;
annoyance (1)	April (1)	assignees (1)	average (2)	1951:1
1893:17	1928:21	1996:18	1909:17;1935:10	based (7)
annoying (1)	apt (1)	assignment (1)	avoid (3)	1874:21;1875:6;
1868:9	1909:11	1997:16	1905:19;1940:17;	1919:13;1935:11,13;
answered (2)	area (31)	Assignments (1)	1947:10	1939:20;1954:15
1958:1,2	1866:23;1867:4,9;	1996:2	avoided (1)	baseline (1)
anticipate (1)	1869:14;1895:24;	assistance (1)	1897:24	2003:2
1915:16	1896:2;1903:14;	1961:10	aware (9)	basically (6)
anti-solicitation (1)	1905:10;1908:24;	associated (4)	1863:24;1873:12;	1932:7,12,14;
1999:24	1910:12,13;1917:17;	1904:2;1938:24;	1878:9;1884:18;	1935:1;1978:19;
anti-wind (1)	1919:1;1932:15,18;	1964:16;2006:19	1887:2;1930:23;	1996:22
1876:19	1933:22;1935:3,18,23;	assume (2)	1949:6,16;1953:4	basis (2)
anymore (1)	1936:6,22,24;1937:4,	1883:11;1886:21	away (17)	1874:12;1882:5
2008:13	15;1941:6;1970:2;	assumes (1)	1867:21;1868:8,16;	bastardized (1)
apart (1)	1971:15;1977:17;	1973:6	1896:3;1897:10,21;	1993:21
1931:3	1979:8;2008:21,21	assuming (3)	1902:5;1908:23,24;	bathroom (1)
apologies (1)	areas (11)	1948:23;1968:15;	1919:1;1923:19;	1868:16
1889:18	1904:20;1908:20;	1977:12	1925:15;1930:21;	became (1)
apparatus (1)	1916:6;1932:21;	assumption (1)	1974:6;1980:15,16;	1873:12
1973:9	1945:24;1959:24;	1968:19	2013:5	becoming (1)
apparent (2)	1969:12,12;1970:3;	assure (1)	AWEA (2)	1909:23
1905:15;1909:23	1974:23;1977:4	1903:3	1960:20,21	bedding (1)
Appeals (2)	argue (1)	attempt (2)	awful (1)	1920:19
1863:8;1904:3	1993:18	1881:23;1939:5	1890:18	bedroom (1)
appear (1)	arguing (1)	attend (4)	Aye (1)	1869:1
1904:8	2008:1	1882:12;1886:13;	2015:10	began (3)
appearing (1)	argument (1)	1888:12,15	В	1875:16,23;1876:18
1902:7 appears (5)	1933:24 arise (1)	attendance (2) 1882:14,16	D	begin (2) 1914:12;1935:9
1904:11,18;1905:4,	1939:1	attended (5)	hoby (1)	
5,13	arms (1)	1879:8;1883:13,21;	<b>baby (1)</b> 1916:7	beginning (3) 1881:4;1893:1;
applicant (2)	1898:12	1886:7;1888:10	back (20)	1990:2
1954:7;1955:3	around (24)	attending (1)	1881:17;1893:1;	behind (2)
application (18)	1868:11;1881:17;	1882:11	1897:3;1900:22;	1897:2;1906:21
1901:24;1902:23;	1896:10;1897:10,21;	attention (2)	1902:13;1906:22;	bell (1)
1903:19;1904:16,19;	1906:8;1909:13;	1950:2;1999:8	1912:24;1915:16;	1876:2
1905:2,22;1910:5;	1923:7;1927:7;1928:7,	attributable (1)	1917:11;1927:16,24;	belongs (1)
	,,,,,,,,,,,	(2)		(-)

				rebluary 9, 2013
1984:15	1936:10;1960:23;	1910:4,18;1913:12,14;	1935:2	1957:12
benefit (1)	1961:12,13;1962:13;	1914:16;1932:4;	brothers (1)	called (12)
2004:10	1963:8,13;1966:2;	1937:21;1952:5;	1915:15	1871:21;1874:4;
benefits (2)	1976:1;1979:7;	1959:19;1962:7,8;	brought (2)	1875:12;1876:18;
1901:3;1927:17	1989:24;1991:24;	1963:3;1964:5;	1967:2;1991:6	1899:19;1916:3;
Benton (1)	1992:5;1996:9;	1966:14;1967:2;	brutal (1)	1960:22;1975:2,8,9;
1867:3	1998:13	2003:10;2011:19	1948:10	1999:7;2005:11
best (6)	Blackstone (2)	bodies (1)	buddy (1)	calling (2)
1913:8;1927:9;	1892:21;2007:24	1939:13	2010:18	1932:2;1957:14
1931:4;1941:6,14;	blade (3)	body (2)	build (7)	calves (8)
1991:15	1903:2;1953:16;	1869:9;1898:23	1903:12,14,15;	1916:11;1917:6,19,
better (11)	1976:8	bono (1)	1930:16;1993:24;	24;1918:11,12;1919:7;
1884:12;1913:23;	Blagojevich (1)	1961:10	2003:12;2010:3	1948:5
1933:9;1939:8,11;	1965:2 <b>blah (6</b> )	<b>borderline (1)</b> 1875:9	<b>building (8)</b> 1876:9;1896:20;	came (11) 1877:14;1882:2;
1944:23;1951:24; 1953:11,19;1976:12;	1999:1,1,1;2004:2,2,	both (9)	1912:4;1919:24;	1894:4;1918:5;
1985:19	2	1875:7;1883:9;	1940:12;1979:18,20;	1935:22;1955:10,22;
beyond (1)	Blake (1)	1885:1;1896:24;	2006:9	1960:4;1965:3;
1874:11	1915:15	1897:6,8,12,22;	buildings (3)	1966:22;1975:7
bias (2)	Blakeman (2)	1932:23	1925:11,15;1930:19	can (110)
1882:13;1899:21	1865:7;1889:17	bother (3)	built (19)	1863:2;1865:11;
Bieck (4)	blame (1)	1891:13;1893:20,23	1866:17,20;1867:1,	1868:23;1870:16,17;
1892:20,20,23;	1900:17	bottom (4)	4,5,12,13;1903:7,10;	1872:10,13,13;1876:7,
1894:5	blatantly (1)	1916:24;1917:9;	1906:21;1908:4;	23;1878:23;1879:13;
big (23)	1885:2	1937:14;1950:3	1911:18,20,23;	1880:17;1881:17;
1916:10;1917:11;	Blazer (59)	bought (2)	1978:21;2006:20;	1882:17;1884:9;
1918:20;1926:5;	1865:4;1871:13,15,	1891:11,12	2008:12,17;2009:11	1891:9,16;1893:12;
1928:17;1938:16;	17;1874:17;1875:1,4,	bound (1)	bullet (1)	1894:20;1895:3;
1945:5;1965:11;	10,11;1876:6;1877:6,	1980:3	1938:19	1899:13;1902:12,15;
1973:13;1976:18;	18,21;1879:12,15,19;	boundaries (1)	bumpy (1)	1904:16;1913:8;
1977:7;1980:7,8;	1880:23;1881:1;	1933:22	1972:5	1914:4;1915:1;
1981:18;1982:6;	1882:4,9,17,20;1883:1,	boundary (8)	bunch (3)	1916:16;1917:23;
1983:18;2007:1,1; 2009:1,13;2010:10,12,	4,20;1884:3,11;1885:3, 11,19;1886:2,12;	1932:18;1933:9,14, 18,23;1934:4,11;	1941:3,8;1976:7 <b>burns (1)</b>	1918:7;1919:14; 1924:10;1926:7,15,24;
15	1887:12,15,16;1888:3,	1985:13	1999:2	1924.10,1920.7,13,24,
bigger (5)	4,5,22;1889:7,14,18;	box (2)	bushel (2)	1930:22;1937:21;
1928:5;1958:24;	1894:17;1902:6;	1868:24;1869:2	1925:13;1928:2	1941:12;1943:13,14;
1975:21;1977:7;	1907:2,3;1911:6,8;	boy (1)	business (10)	1947:12,12;1948:6;
1988:20	1943:6,11;1946:1,4,10,	1922:16	1903:24;1919:5;	1949:24;1957:9;
biggest (2)	19;1951:8,10;2011:24;	branch (1)	1924:7;1925:20;	1958:9,15,17;1959:11;
1911:2;1947:4	2012:2;2013:8	1923:1	1939:18;1942:23;	1961:1;1966:7,9;
bill (1)	blinds (2)	breach (2)	1943:4;1944:7,19,20	1970:6,7;1971:7;
1999:9	1891:11,12	1905:4,15	buy (1)	1974:6,20;1975:18,21;
bin (2)	block (1)	breaches (1)	1920:17	1976:11,15;1977:3;
1917:10;1925:13	1891:17	1905:24	buyers (1)	1979:20;1980:9,11;
binding (1)	Bloomington (3)	break (4)	1968:17	1981:16,17;1982:4,12;
1924:10	1866:20;1895:23;	1912:14;1936:12;	buying (1)	1983:11,16;1986:10,
bio (1)	1937:9	1941:17;1969:24	1920:21	22;1987:15;1988:4,9;
1948:13	blow (1)	breaks (1)	C	1993:14,15,17,18;
biologist (1)	1868:7	1969:19 <b>bred (1)</b>	C	1995:4;1996:11,13;
2004:20 <b>bird (1)</b>	<b>blue (11)</b> 1933:23;1960:13;	2005:8	Cal (3)	1997:3,8,14;1998:3,5, 12;1999:17;2001:22;
2006:10	1975:18,19;1980:6,6,	briefly (2)	1895:24;1896:2;	2002:16,20;2003:10;
birds (6)	24;1981:20;1983:17;	1895:23;1930:1	1941:2	2002:10,20,2003:10, 2004:24;2005:16;
2004:11;2005:15;	1986:13;1988:21	bring (2)	calf (3)	2004:24,2003:10,
2006:2,5,6,22	Board (37)	1910:15;1999:21	1916:8,10;1919:9	2011:1,6,12,16;
bit (29)	1863:8;1865:2;	bringing (1)	California (3)	2013:12;2015:5,6
1865:12;1867:14;	1870:1,21;1871:1,5;	1948:14	1901:18;1908:15;	canyons (2)
		brings (1)	1973:5	1978:18,19
1874:5;1898:24;	1872:20;1873:3;			*
1874:5;1898:24; 1915:7;1916:9,20;	1874:23,24;1877:22;	1911:1	Call (9)	capacity (3)
			Call (9) 1863:4,5,11;	1929:7;1975:17;
1915:7;1916:9,20;	1874:23,24;1877:22;	1911:1		

1005.1	100-1-100-1			~
1993:1	1885:17;1886:1;	1863:5	closest (5)	Commission (3)
care (4)	1887:9,13;1888:3,23;	chunks (1)	1906:12;1977:2;	1888:11;1910:4;
1865:19;1890:10;	1889:9;1890:20,24;	1931:3	1981:9,9;1982:22	1921:18
1893:20;2006:23	1892:16;1894:6,19,24;	circle (3)	close-up (1)	commissioner (2)
carefully (1)	1895:3,10;1902:6,15;	1927:7;1976:19;	1976:11	1949:1,4
1867:12	1906:1,24;1907:4,11,	2009:16	cluster (1)	commissioners (2)
cares (1)	14,18;1911:3,9;1912:9,	circles (2)	1987:15	1949:2,10
2006:22	20;1913:2,5,15,21;	1977:6;2010:6	clusters (1)	committed (1)
Carol (3)	1914:4,9;1941:16,18,	circulate (1)	1987:21	1924:5
1881:11,11,11	23;1942:3,7,12;1943:9,	1952:23	coal (6)	committee (2)
Carolyn (6)	13;1946:16,20;	circulated (1)	1998:22,23,24,24;	1870:2;1952:14
1886:23;1887:1;	1947:21;1948:1;	1952:6	1999:2,3	common (2)
1953:24;1954:3;	1951:6,11,17,19,22;	circumstances (1)	coalbed (1)	1922:11;1974:22
2013:11,14	1952:1;1953:1,17,20,	1923:17	1999:19	Commonwealth (3)
Case (1)	23;1956:20;1957:4,7;	citizens (4)	Coast (1)	1957:23;1963:24;
1863:9	1958:5,11;2001:6,9,14,	1869:22;1870:4;	1965:18	1964:8
cases (1)	18,20;2002:1,3,6;	1872:23;1910:6	code (2)	communities (4)
1901:9	2011:7,8,12,16,19;	City (1)	1959:8,10	1910:21;1911:1;
catch-22 (2)	2013:10,13;2014:10,	2008:18	codified (2)	1941:4,13
2010:13,14	15,18,21;2015:8,11	civic (1)	1990:24;1991:3	community (15)
categories (2)	change (3)	1888:14	co-easements (1)	1910:9;1939:9,11;
1923:24;1936:18	1897:7;1899:11;	civility (1)	1996:13	1940:2,5,7,7,13,21;
cause (3)	2004:5	1885:21	cold (1)	1940.2,3,7,7,13,21,
1900:16;1905:7,22	changed (7)	clarification (1)	1948:10	1959:19;1961:8;
caused (3)	1869:21;1870:14,24;	1954:4	collaborated (1)	1963:19
1909:1,9;1923:11	1893:6;1908:17;	clarify (2)	1972:18	companies (2)
causes (2)	1923:17;1934:23	1880:17;1950:1	collateral (4)	2000:19;2001:3
1869:9;1893:15	changes (6)	clause (5)	1926:18,19,20,20	company (6)
caution (2)	1913:19;1960:12;	1924:16;1990:4,5,7,	collected (1)	1871:21;1949:11;
1904:22;1970:20	1962:11,20,22,24	13	1973:19	1958:2;1964:12;
Cayuga (5)	changing (1)	Clean (5)	collecting (1)	1998:8;2002:11
1896:6;1899:9;	1896:17	1961:8;1963:19,20;	1965:17	comparable (2)
1941:2;1976:24;	channeled (1)	1964:3,9	collection (2)	1984:17;2002:18
1977:14	1914:19	clear (5)	1950:11;1972:4	compare (3)
Center (1)	channels (1)	1886:13;1905:3;	college (2)	1954:24;1962:13;
1964:14	1931:17	1910:20;1944:2;	1915:16;1963:16	2002:16
centers (1)	Chapter (2)	1990:14	column (1)	compared (1)
1981:10	1902:1;1903:18	cleared (1)	1935:4	1962:1
Centre (3)	chart (3)	1898:23	combination (2)	comparison (3)
1864:2,6;2014:23	1954:5;1998:12;	clearly (5)	1934:10;1993:21	1933:16;1937:17;
CEO (1)	2003:7	1872:13,16;1884:22,	Combine (1)	2003:11
1965:8	chase (1)	23;1988:9	1981:5	competition (1)
certain (9)	1917:14	clients (5)	combined (2)	1968:16
1904:8,11;1905:4,6,	Chatsworth (1)	1889:8,11;1916:14,	1978:19;1983:15	complain (3)
13;1923:10;1929:9;	1935:8	19;1919:10	comfortable (4)	1981:4;1995:18,21
1955:13;1993:3	check (2)	Clinton (2)	1913:13;1914:17,22;	complaining (1)
certainly (4)	1922:17;2006:13	1969:14;1970:4	1940:14	2009:1
1868:10;1920:3;	checking (1)	close (11)	coming (13)	complaints (4)
1930:18;1952:19	1873:1	1896:7;1897:20;	1877:10,12;1878:22;	1872:18;1904:15;
certified (1)	Chicago (3)	1919:15;1928:15;	1881:7;1894:9;	1931:13,15
1919:10	1961:4;1963:16;	1930:10;1935:21;	1911:23;1915:16;	complete (1)
cetera (1)	2011:3	1950:10,1933:21,	1917:17;1921:7;	1963:7
1898:12	child (3)	1986:18;1987:14;	1928:5;1935:17;	completed (2)
chain (2)	1898:7,9,9	2010:10	1962:9;2011:3	2007:7,11
1966:3,6	children (7)	closely (3)	Commencing (1)	completely (3)
CHAIRMAN (106)	1895:16;1896:10,11;	1964:16;1986:22;	1863:1	1877:4;1910:11;
1863:2,12;1864:8;	1898:2;1905:23;	1904.10,1980.22,	comment (8)	1960:13
1865:16,20,23;1866:5,	1907:24;1909:15	closer (11)	1902:12,13;1914:15,	
9;1870:21;1871:9;	chose (1)	1867:22;1870:17;	1902:12,13;1914:13, 19;1932:5,20;1939:24;	completeness (1) 1973:8
	1908:7			
1875:5;1877:11,16,19;		1895:8;1897:19;	2014:17	complex (1)
1879:3,10,12,17;	chosen (1)	1899:16;1905:12;	comments (3)	1973:14
1880:19,24;1882:10,	1910:10	1976:12,13;1978:17;	1886:2;1898:4;	compliance (5)
21;1884:14,17,20;	Chuck (1)	1984:22;2011:3	1930:16	1902:1,21;1903:4,

11;1904:19	constant (4)	1866:5,9;1870:21;	1878:11;1879:22;	cranes (4)
Comprehensive (1)	1867:22;1890:15,17;	1871:9,15;1875:5;	1880:3;1881:5,8;	1927:11;2005:21;
1921:19	1899:4	1877:11,16,19;1879:3,	1884:24;1885:5;	2006:6;2013:15
concentrating (1)	constitute (1)	10,12,17;1880:19,24;	1888:8,12;1894:8,12,	cranes' (1)
1974:5	1997:17	1882:10,21;1884:14,	12;1904:12;1907:7;	2006:16
concern (11)	constructed (2)	17,20;1885:4,17;	1909:20;1910:2,18;	crap (1)
1899:14;1911:2;	1908:11;1916:23			2004:22
		1886:1;1887:9,13;	1912:10;1914:14,16;	
1918:11;1920:3;	constructing (1)	1888:3,23;1889:9;	1915:12,23;1916:1;	crazy (1)
1926:5;1928:5,17;	1927:11	1890:20,24;1892:16;	1920:15,16,17,23,24;	1999:2
1931:9,19;1947:4;	construction (2)	1894:6,18,19,24;	1921:1,2,4,5,11,12,15,	create (6)
1971:15	1904:18;1926:22	1895:3,10;1902:15;	17,22;1929:18,20;	1917:5;1945:24;
concerned (5)	contact (1)	1906:1,24;1907:4,11,	1931:9;1932:4;	1964:3;1977:7,7;
1916:17;1917:16,21;	1917:6	14,18;1911:3,9;1912:9,	1936:22,23;1937:3,8,	2009:19
1971:21,24	contacted (1)	20;1913:2,5,15,21;	11,21;1940:13;	created (1)
concerning (1)	1922:8	1914:4,9;1941:18,23;	1944:10;1949:9;	1976:18
1901:20	contain (1)	1942:3,7,12;1943:9,13;	1953:11;1956:22;	credits (1)
concerns (5)	1973:2	1946:1,16,20;1947:21;	1959:2;1960:7,12;	1993:6
1909:24;1910:17,24;	content (1)	1948:1;1951:6,11,17,	1962:7;1963:5,9;	creek (1)
1949:3;1967:2	1972:21	19,22;1952:1;1953:1,	1969:13,14,14;1970:4,	1903:8
conclusion (2)	continuation (1)	17,20,23;1956:20;	4,4;1976:3;1982:1,16;	criteria (2)
1929:16;1971:13	1863:7	1957:4,7;1958:5,11;	1984:21;1986:9;	1904:6;1966:23
conclusions (4)	continue (2)	2001:6,9,14,18,20;	1989:2;1997:6,10;	critical (3)
1899:21;1939:5;	1879:13;1941:21	2001:0,3,14,10,20,	2000:9,14;2001:5,5;	1915:18;1929:6,19
1970:23;1973:23	continued (3)	16,19;2013:10,13;	2003:19;2005:17,19;	crop (1)
condemning (1)	1896:18;1897:12,15	2014:10,15,18,21;	2007:3,4,10,21;2008:6,	1920:18
1909:21	contract (1)	2014:10,13,16,21,	7,10,10,14,15,16;	crops (1)
condition (1)	2000:10	corrections (3)	2009:3,8,9,15;2010:4;	1929:20
1927:24	contracts (2)	1934:14,16;1951:3	2012:12,13;2013:3;	crystal (1)
conditions (3)	2000:8;2001:4		2012.12,13,2013.3, 2014:11,12	1910:20
	*	corrective (1) 1918:18	County's (3)	
1868:8;1873:13; 1876:11	contrary (1) 1994:16			curious (2) 1889:22;1949:20
		correctly (2) 1952:5,5	1910:3;1921:19; 2005:18	*
confidential (1)	Control (5)			currently (3)
2002:12	1871:1;1904:13,17;	correlation (1)	couple (19)	1915:13,19;1928:22
confidentiality (3)	1926:2;1940:18	1884:24	1865:5;1867:8;	curtailment (1)
1990:5,7,13	controllables (1)	corridor (1)	1868:6;1869:19;	2013:20
connected (1)	1940:19	2006:17	1870:1;1873:24;	curtains (1)
1945:19	controls (1)	corridors (1)	1916:20;1928:7;	1891:12
connection (2)	1976:1	2014:7	1934:6;1939:4;	Custom (2)
1880:15;1961:6	conversation (2)	cost (1)	1941:15;1954:4;	1916:3,4
connections (1)	1926:9;1990:9	2002:24	1957:12,14;1965:17;	customers (1)
1961:6	conversion (1)	costs (3)	1968:2;1986:11;	1943:21
connectivity (1)	1994:20	1925:7;2002:10;	1994:14;2011:5	cut (3)
1950:11	convert (1)	2003:3	course (8)	1917:14;1953:19;
consent (1)	1992:24	counsel (3)	1883:9;1884:3;	1980:12
1996:3	convey (1)	1885:18;1894:8;	1938:5;1977:5;1981:3;	~
Conservation (1)	1996:16	2014:12	1984:9;1988:20,23	D
1949:16	conveying (1)	counties (5)	court (9)	
consider (5)	2000:6	1909:23;1915:22;	1865:24;1892:18;	da (3)
1895:20;1925:17;	conveys (1)	1960:9,19;2013:6	1895:4;1907:15;	1996:10,10,10
1931:10;1950:20;	1992:23	country (9)	1914:5;1951:14;	dad (1)
1981:13	Cook (1)	1871:6;1895:15;	1957:8;1992:10;	1922:17
consideration (3)	1960:12	1908:6,8;1972:4;	1993:18	dairies (1)
1919:19;1967:8;	Cool (3)	1973:14;1974:22;	covers (1)	1919:8
1970:22	1976:5;2005:20;	1975:12;1998:14	1959:22	dairy (1)
Considerations (3)	2006:24	countryside (1)	cow (1)	1942:23
1915:3;1932:16;	copy (4)	1983:1	1965:10	damage (1)
2015:1	1901:13;1954:12;	<b>County (121)</b>	cows (1)	1927:20
considered (5)	1981:16,19	1863:7,8;1866:16;	1948:5	damned (1)
1902:23;1923:24;	corn (2)	1867:3;1869:21,23;	crammed (1)	1890:18
1936:1,7;1951:4	1915:21;1928:2	1870:1,4,23,24;	2008:19	Dan (1)
considering (4)	CORNALE (108)	1872:20,23;1873:3;	crane (4)	1892:20
1905:18;1914:23;	1863:2,11,12;	1874:23,24;1876:20,	2004:12;2005:24;	Danish (2)
1950:16;1973:12	1864:8;1865:16,20,23;	22;1877:3,10,20,22;	2006:20;2010:20	1904:8;1971:19
	,,,,,,,,,,,,,,,,,,,,,,	.=,=	,	,,,

-				1 001 001 7 2010
data (11)	1997:17,20	1931:13	directly (4)	1956:23;1972:1;
1933:8;1938:1;	defeated (1)	develop (3)	1900:19;1919:4,7;	2001:23
1968:3,4,5,5,24;	1887:19	1933:6;1935:19;	1947:5	door (2)
1972:4;1973:19;	deficiencies (1)	1999:17	disclaimer (3)	1891:11;1986:9
1980:1,16	1905:2	developer (3)	1972:16;1973:12,15	doors (1)
date (5)	defined (1)	1925:3;1932:23;	disclosed (1)	1868:17
1885:8,9;1894:16,	1903:21	1938:13	1973:9	dot (1)
17;1950:24	defines (1)	developing (4)	disclosing (1)	1927:6
dated (1)	2000:2	1917:7,7;1918:13;	1904:12	dots (2)
1879:23	Defining (2)	1921:14	discombobulated (1)	1966:21;1975:11
daunting (1)	1990:21,21	Development (6)	2012:9	down (31)
1935:16	definite (1)	1921:19;1930:3;	discount (1)	1896:14;1913:9;
day (2)	1893:15	1939:17;1941:12;	2003:6	1924:3;1932:19;
1872:8;1916:8	definitely (3)	1994:17;1995:14	discuss (1)	1935:2,9,20;1936:10,
days (2)	1886:16;1893:11;	devil's (1)	1888:11	12,17;1937:13;
1865:5;1908:20	1919:19	1958:22	discussing (1)	1938:23;1955:17;
deal (1)	degree (2)	diagram (2)	1964:21	1956:2;1961:2,11;
1963:24	1905:14;1923:10	1930:6;1947:2	discussion (2)	1964:18;1974:11;
dealing (3)	Deke's (1) 2005:11	diameters (3) 1870:12,15;1903:2	1966:13,14	1976:5,15;1977:23;
1957:21,22,23 <b>dear (2)</b>	delivered (1)	Diana (1)	dismiss (1) 1974:12	1978:6;1983:14; 1985:24;1993:4;
2004:12;2014:6	1961:1	1863:17	displacement (1)	1983.24,1993.4, 1994:14;1999:7,10,20;
death (1)	denials (1)	diary (1)	1910:23	2009:5;2011:2
1916:15	1909:22	2006:13	distance (6)	downs (1)
debris (1)	<b>Denmark</b> (3)	dictates (1)	1867:20;1897:17;	1890:16
1930:24	1970:12;1971:18,18	1919:12	1902:5;1904:14;	downwind (3)
deceiving (1)	denominated (1)	difference (7)	1905:20;2010:17	1896:23;1903:1;
1988:15	1996:15	1891:6;1950:2;	distances (1)	1918:3
December (3)	denying (1)	1962:4;1969:23;	1892:10	Dr (5)
1878:1,1;2013:23	1967:9	1970:1;1980:3;	distinct (1)	1892:20;1971:12;
decibel (2)	depending (2)	1991:10	1900:22	1978:5;2007:5,17
1903:1,3	1929:13;2013:23	differences (2)	distribution (1)	draft (2)
decibels (1)	depreciation (1)	1962:2,3	2005:23	1865:5;1961:11
1901:19	2004:1	different (40)	District (5)	drain (3)
decide (1)	deprivation (6)	1899:8;1900:16;	1928:6;1944:14;	1944:13;1945:15;
1887:17	1869:10,12;1889:23;	1915:22;1916:6;	1948:23,24;1949:8	1947:17
decided (3)	1891:19,19;1893:15	1917:22;1919:6;	districts (5)	drainage (16)
1896:6;1908:1;	depth (1)	1922:6;1923:18,23,24;	1871:11;1907:1;	1926:24;1927:4,18;
1928:8	1929:6	1924:6;1925:22;	1911:6;1951:8;	1928:6;1929:2,16,19;
deciding (1)	depths (1)	1931:14;1932:21;	2011:22	1944:14,24;1945:20,
1922:9 <b>decision (5)</b>	1876:7 <b>derive (1)</b>	1935:2;1936:18; 1948:5,16;1958:6;	<b>disturbance (3)</b> 1892:24;1904:5;	21;1946:7,8;1948:23, 24;1949:7
1895:21;1905:18;	1994:12	1960:14;1962:13,15,	1909:9	drains (2)
1923:3,18;1941:10	derived (1)	17,17,19;1972:10;	disturbing (1)	1928:6;1944:24
decisions (4)	1993:6	1973:22,24;1974:23,	1890:17	draw (1)
1919:2,4;1922:3;	Des (2)	24;1975:1,16;1976:15;	diversified (1)	1930:13
1939:14	1890:9,11	1977:19;1978:7;	1915:20	drawn (1)
decline (3)	described (5)	1983:13;1986:11;	document (6)	1973:24
1970:24;1971:4,5	1872:2,14;1873:5;	1988:15;1992:8;	1881:20,22;1885:13;	drive (4)
declines (3)	1897:4;1898:18	1998:23	1894:15;1972:14;	1866:21;1898:2;
1969:10,13,15	design (1)	differently (2)	1973:2	1940:5;1984:24
decommissioning (2)	1902:3	1890:6;1975:7	documentation (1)	driven (1)
1962:23;1963:7	desires (1)	dimensions (1)	2007:7	1909:10
decrease (1)	1938:14	1930:8	documented (1)	driving (6)
1971:16	details (3)	diminished (2)	1904:1	1896:14,17,19;
decreased (2)	1918:10;1958:22,23	1893:10,11	dollars (4)	1898:22;1906:20;
1899:1;2006:17	determine (1)	dinner (1)	1903:13;1908:5;	1985:7
deep (1)	1939:9	1965:17	1940:18;1953:5	drove (2)
1891:20	determined (2)	direction (5)	Donald (1)	1896:3,9
deeper (2)	1869:11;1963:3	1896:8;1906:5,8;	1951:15	drowns (1)
1961:13;1963:13	determining (2)	1963:18;1994:24	done (7)	1869:5
<b>default (4)</b> 1904:11;1905:13;	1955:9;1994:19 <b>devaluation (1)</b>	directions (1) 1918:4	1893:5;1903:13; 1927:20;1947:8;	dry (1) 2006:18
1704.11,1703.13,	ucvaiuativii (1)	1710.4	1741.40,1741.0,	2000.10

due (6)	2005:7	elevation (1)	1908:7	evaluating (2)
1881:7;1899:19;	easy (1)	1896:17	enjoyed (1)	1923:14;1934:5
	1900:17	else (13)	1893:7	
1903:16;1905:23;				even (22)
1909:5;1929:4	economic (6)	1874:14;1886:22;	enjoyment (3)	1880:10;1897:21;
duly (5)	1920:11,11;1921:4,	1890:4,21;1892:17;	1903:21,23;1905:8	1918:22;1927:9;
1865:22;1895:2;	12;1943:17,17	1894:6;1898:14;	enough (8)	1928:4;1929:12;
1907:13;1914:3;	economical (1)	1912:9;1956:20;	1868:3;1869:4;	1934:8,10;1939:7;
1957:6	1966:18	1967:11;1998:19,21;	1899:3;1910:6;1925:4;	1960:12,16,22;
during (9)	economy (1)	1999:4	1938:23;1950:2;	1967:10;1971:12;
1899:5,17;1904:14,	1920:15	eminent (1)	2005:17	1981:8;1984:17;
15;1932:5;1944:21;	edges (1)	1915:18	enter (1)	1990:19;1994:2,3;
1965:4;1999:9;	1977:10	emission (1)	1910:9	1997:19;1998:3;
2013:20	Edison (3)	1903:22	enthused (1)	2007:22
duty (1)	1957:23;1963:24;	emissions (1)	1894:4	evening (8)
1888:14	1964:8	1902:22	entirely (1)	1863:4;1864:10,10,
Dwight (2)	editor (1)	employees (1)	1900:16	17;1894:9;1899:2,5;
1976:3,4	1942:19	1973:5	entities (2)	1957:2
	editorial (1)	employment (1)	1950:21;1955:17	everybody (11)
${f E}$	1926:5	2010:22	entity (2)	1864:9,15;1874:14;
	educate (3)	encompasses (1)	1936:8;1957:22	1912:19;1913:6,7;
ear (1)	1883:5,10;1886:17	1988:6	entries (1)	1936:1,3;1941:21;
1909:9	effect (11)	encompassing (1)	2006:14	1942:8;2014:22
earlier (7)	1891:7;1899:19;	1905:10	environment (1)	everyone (1)
1900:3;1915:24;	1908:12;1943:7;	encouragement (2)	2005:22	1992:15
1947:2;1953:9;	1945:14,16;1946:18;	1896:5;1921:22	environmental (2)	everyone's (1)
1972:11;1990:17;	1963:7;1980:3;1984:8;	encroached (3)	1905:14;1964:14	1863:23
2004:9	2005:5	2008:8,13;2010:2	EON (1)	everywhere (1)
early (4)	effective (1)	encumber (2)	1871:22	2010:3
1873:10;1876:1,17;	1871:8	1925:24;1996:16	equal (1)	evidence (9)
1881:4	effectively (1)	end (6)	1986:14	1873:14;1882:2;
	1947:17			1883:18,24;1885:22;
ears (7)		1875:24;1876:12;	equates (2) 1982:16;1988:3	
1896:3,16;1897:3;	effects (21)	1881:10;1902:17;		1886:5;1893:14;
1898:13;1900:22;	1897:18;1899:18,24;	2000:17;2004:16	equilibrium (1)	1902:24;1943:7
1906:19,21	1900:16;1905:22;	endangered (3)	1968:19	exact (6)
earshot (1)	1908:21,23;1909:16;	2004:23;2005:2;	equipment (3)	1875:19;1881:24;
1898:6	1924:17,20;1929:22;	2014:8	1920:20,22;1926:20	1892:10;1903:14;
Earth (3)	1937:16;1939:17,19,	ending (1)	error (1)	1960:8,9
1892:11;1941:7;	19,19;1943:5;1946:8;	2011:1	1902:3	exactly (6)
1976:14	1959:14;1995:13,22	Energize (1)	especially (2)	1902:2;1928:15;
easement (44)	effort (3)	1881:6	1901:20;1955:16	1960:19;1966:22;
1923:5,17;1924:3,6,	1876:19;1885:7;	Energy (31)	establish (4)	1972:19,20
11,13,16,21;1925:9,24;	1908:6	1863:9,10;1866:19;	1932:17;1939:11;	examine (1)
1936:4;1938:8;	eight (10)	1867:10;1878:12;	1940:6;2012:19	1972:7
1989:24;1990:8,12;	1916:8,12;1917:12;	1880:4,11;1884:9,21;	established (5)	examining (1)
1991:11;1992:7,7,8,11,	1918:13;1973:24;	1893:2;1901:14;	1870:6,12;1888:17;	1989:21
12,22,24;1993:12,17,	1974:2;1978:10;	1921:16;1959:3;	1922:23;1940:16	example (2)
18;1994:6,6,8;1995:8,	1983:12;2002:15;	1961:8;1963:19,20;	estate (15)	1874:3;1925:9
9,18;1996:9,18,19,23,	2011:6	1964:3,9,24;1965:1;	1926:19;1971:23;	exceed (5)
24;1997:2,12,13;	either (5)	1966:3,4;1993:7,7;	1975:2;1991:9,10,11,	1904:4,6,8;1905:6;
1999:11,16;2000:21,23	1900:13;1943:14;	1994:9,11,19;1995:7;	11,12,14,15,16;1992:7,	1925:11
easements (8)	1974:15;1982:17;	1998:7;1999:17;	8;1993:2;1996:6	exceeding (1)
1922:5;1925:5;	2010:13	2006:5	estates (1)	1901:17
1933:14;1936:13,20;	elderly (1)	enfolded[sic] (1)	1992:7	Except (1)
1992:9;1996:14;	1909:15	1876:14	et (1)	1884:3
1997:23	elect (1)	engineered (3)	1898:12	exceptionally (1)
easement-to-easement (1)	1887:17	1928:13;1929:9;	eustachian (1)	1868:1
1925:2	elected (1)	1949:12	1897:5	excerpt (1)
easier (1)	1964:5	engineering (4)	evacuation (1)	1879:22
1922:24	electrical (4)	1947:7;1949:11,11;	1930:24	excited (3)
East (4)	1924:18;1940:23;	1966:19	evaluate (1)	1866:19;1867:11;
1866:3;1895:6;	1954:23;1995:12	engulfed (1)	1925:8	1896:13
1907:17;1914:8	electromagnetic (2)	2010:12	evaluated (1)	exciting (2)
eastern (1)	1924:16;1995:10	enjoy (1)	1988:19	1867:5;1942:4
custerii (1)	1,24.10,1,7,3.10	cijoj (i)	1700.17	1007.5,1772.7

<b>excluded (3)</b> 1933:19;1962:24;	1875:7;1901:21; 1922:1	1901:5 <b>factors (1)</b>	1899:9;1901:21; 1903:9;1908:16;	1921:17 federal (1)
1963:1	experiencing (2)	1948:8	1905.9,1908.10,	2002:21
exclusive (2)	1873:15;1927:17	facts (1)	1925:18;1927:2;	fee (4)
1992:24;1994:11	experimental (4)	1910:15	1940:17;1945:16;	1926:1,4;1991:10,11
exclusively (1)	2004:20,22,24;	fail (1)	1947:13;1952:17;	feed (2)
1994:8	2005:4	1945:15	1953:6;1957:19;	1920:18;1945:2
excuse (13)	experts (2)	failed (1)	1959:2;1960:17;	feeding (2)
1875:24;1942:18;	1899:18;1905:20	1893:6	1967:1;1975:9,12;	1916:24;1958:7
1944:13;1951:18;	explain (1)	Failure (1)	1976:4,6,6;1983:13,14;	feel (29)
1961:13;1968:1;	1899:13	1997:15	1984:6;1985:4,4,6;	1868:10;1891:14;
1978:22,23;1987:6;	explained (2)	<b>fair</b> (5)	2007:11,21;2008:9,17;	1893:14;1895:12;
1988:6;2002:8;2005:6;	1944:21;1971:7	1872:19;1891:10;	2009:2,16;2010:3,8,21;	1897:8,8,13,15;
2009:2	exposed (1)	1999:18;2003:13,15	2012:22;2015:1	1898:24;1899:5;
executed (3)	1897:16	Fairbury (15)	Farm[sic] (1)	1907:21;1910:19;
1934:19,22;1950:24	exposure (4)	1864:2,6;1889:5;	1878:22	1913:12;1914:17,21;
Exhibit (9)	1899:13;1918:23;	1895:6;1907:17;	farmers (1)	1923:14;1934:2;
1879:21;1880:22;	1948:13;1971:8	1908:2;1914:8;	1927:4	1939:6,7,15;1940:3,14;
1894:11,14;1942:18;	express (2)	1915:10;1937:4;	farming (6)	1953:11;1957:21;
1969:6;1972:7; 1989:21,23	1904:22;1918:11	1951:15;1953:15;	1915:5,5,6,11;	1965:23;1988:2;
exhibits (2)	<b>expressed (4)</b> 1872:21,22;1938:6;	1957:11;1982:1,16; 2014:23	1941:10;1957:20 farmland (6)	1999:18,23;2000:20 <b>feelings (4)</b>
1969:5;2005:4	1973:6	fairly (3)	1928:6;1929:2;	1872:21;1874:24;
exist (1)	expressing (1)	1939:8;1958:19;	1935:23;1945:18;	1938:22;1952:22
1974:15	1952:12	2014:2	1980:11,12	fees (1)
existed (1)	extend (1)	fall (4)	farms (21)	1962:4
1981:2	1994:3	1896:9;1928:16;	1867:4;1873:11;	feet (10)
existing (6)	extended (1)	1949:13;1977:4	1878:14;1880:6;	1890:12;1896:22;
1903:9;1919:10;	2008:18	falling (1)	1881:7;1903:8;	1897:10,21;1898:12;
1925:11,16;1928:20;	extensive (1)	2006:15	1947:10;1966:24;	1925:10,11,14;
1973:21	1916:2	falls (1)	1970:6;1975:14;	1933:20;1979:21
exists (1)	extract (1)	1977:3	1979:13;1986:12;	Fellow (4)
1984:15	1995:4	familiar (2)	1987:8,20;2007:8,8,9;	1906:2;1911:3;
expand (4)	extracting (1)	1874:9;1984:23	2009:12,12,23;2014:2	1947:21;2011:19
1919:8,9,13,21	1994:24	familiarize (1)	farmstead (2)	felt (12)
expanding (1)	extremely (1)	1975:24	1945:21,21	1896:20;1897:2;
1919:24	1929:5	families (2)	farmsteads (1)	1898:10,10,12,14,15;
expansion (2)	eye (1)	1905:23;1915:19	1929:3	1900:21;1906:18,19,
1925:17;1940:13 <b>expect (6)</b>	1988:15	family (19) 1896:5;1899:15;	<b>farther (3)</b> 1867:15;1892:13;	22;1908:21 fertilizer (1)
1992:19,22;1994:7,	eyes (1) 1891:21	1901:20;1908:2;	2010:16	1920:18
13,18,24	1891.21	1901.20,1908.2,	fascinating (1)	few (16)
expectation (3)	$\mathbf{F}$	1911:2;1915:5,6,11;	1961:15	1876:15;1896:19;
1916:15;1919:23;	-	1920:2;1921:1;1922:1,	fashion (2)	1898:6;1903:7;
1959:17	face (1)	14;1923:22;1926:3;	1947:13;1959:20	1907:24;1912:13;
expected (3)	1941:6	1941:9;1942:20;	<b>fast</b> (1)	1917:15;1918:10;
1897:9;1905:11;	facilities (9)	1973:19	2004:13	1932:14;1942:14;
2006:18	1924:20;1969:7,21;	fan (3)	father (1)	1951:12;1956:12;
expecting (2)	1970:14;1973:21;	1869:1,3,8	1915:14	1967:23;1997:23;
1896:4,21	1975:12;1977:21;	far (20)	father's (1)	2001:10;2009:11
expenses (1)	1995:13;1996:12	1892:9;1893:20;	1903:8	field (2)
1921:1	facility (8)	1916:18;1918:11;	favor (1)	1927:2;1964:9
experience (20)	1904:10,24;1905:3;	1919:6,15;1922:2;	2015:9	fields (2)
1868:21;1870:2;	1918:3;1925:16;	1927:17;1929:18;	favoring (1)	1999:6,6
1873:5,18;1874:15,18,	1960:17;1974:7;	1930:21;1931:10;	1938:3	fighting (1)
19,20;1877:7;1889:6,	1977:19	1936:17;1937:24;	<b>feasibility (1)</b> 1994:19	1997:11
21;1892:4;1893:9; 1895:19;1899:7,21;	facility-designed (1) 1903:3	1938:13;1940:1; 1948:16;1949:21;	February (15)	<b>figment (1)</b> 1909:24
1900:4,8;1906:16,16	facing (2)	1948:10,1949:21,	1863:6;1864:1;	1909:24 figure (9)
experienced (5)	1890:13;1942:5	farm (49)	1877:23;1878:10,20;	1926:13,14;1927:8;
1899:10,24;1900:6,	fact (2)	1866:17,20;1867:1,	1879:5,14,23;1880:7;	1945:13;1955:1,2;
19;1908:18	1974:5;2006:21	8;1869:14;1871:18;	1881:15,21;1884:4;	1960:4;2003:8;2004:6
experiences (3)	factor (1)	1872:19;1898:20;	1886:14;1894:13;	figured (1)
=	` '	,,	, ,	
Min-U-Script®	Area Wid	e Reporting and Video Co	nferencing	(8) excluded - figured

-	T	I	I	1 001 001 7 , 2010
1959:8	1984:20;1988:1;	1920:23	freeze (1)	1999:5,6
figures (1)	1990:18,18;2002:4,8;	forces (1)	1897:11	gather (2)
1939:2	2010:7	1881:6	freight (1)	1873:14;1886:8
filing (1)	fixed (1)	Ford (2)	1867:21	gathered (2)
1959:13	1927:16	1915:23;2009:8	frequency (17)	1873:9;1882:18
final (3)	flat (2)	form (1)	1867:19,22;1868:18,	gathering (3)
1865:5;1897:20;	1929:4,5	1869:12	21;1869:3;1872:3,7,10,	1873:11,22;1882:13
1925:1	flew (1)	forth (1)	11,12,14;1890:18;	gave (2)
Finally (4)	2010:21	1964:7	1891:22;1904:7;	1955:3;2002:19
1868:23;1880:2;	flicker (3)	forthcoming (1)	1909:5,16:1931:20	gears (1)
1945:10;1969:19	1918:24;1924:17;	1940:9	frequently (1)	1921:24
	1918:24;1924:17;		1923:21	general (5)
finance (2)		forward (7)		
1920:22;1996:12	flip (3)	1864:20;1866:14;	Friday (2)	1918:12;1930:2;
financial (3)	1881:13,17;1951:23	1886:4;1889:2;	1865:4,7	1933:10;1975:13; 2005:15
1901:3;1926:12;	flock (1) 2005:7	1923:12;1938:6;	front (2)	
1940:14		1967:7	1910:15;1916:22	generally (1)
find (16)	flocks (1)	found (20)	FSA (1)	1920:2
1873:21;1874:20;	2005:10	1901:15;1902:19;	1949:15	generate (1)
1877:8;1882:5;	flooding (2)	1903:3;1905:2;1909:3;	fuel (1)	1998:3
1958:22;1959:18;	1945:24;1947:10	1959:20;1960:6,24;	1999:19	generated (1)
1970:1,13,19;1971:3;	floor (1)	1963:14,14;1966:20;	Fuels (1)	1932:24
1982:6;1994:7;	1869:1	1967:21;1970:8,23,24;	1920:22	Generating (1)
1997:21;1998:2;	flow (5)	1997:24;2007:5,6;	fully (1)	1940:15
2012:18;2013:2	1919:9;1925:12;	2012:10,11	1919:22	generation (5)
finding (4)	1929:7;1949:8;1993:1	foundation (2)	fun (1)	1915:11;1957:17;
1963:22,23,23;	fly (2)	1870:13;1961:9	1896:13	1994:20,22;1995:5
1969:20	1931:3;2006:6	four (27)	function (1)	generations (1)
findings (1)	flying (2)	1864:5;1878:6;	1927:21	1915:13
1969:10	2006:1,2	1888:1;1890:10;	functionality (1)	gentleman (1)
finds (1)	focal (1)	1894:15;1895:16;	1919:5	1965:6
1974:14	1921:20	1896:10;1900:24;	Fund (3)	genuinely (1)
<b>fine</b> (4)	focus (3)	1904:7;1906:13;	1963:19,21;1964:3	1877:16
1879:1;1882:22;	1882:17;1920:14;	1907:24;1909:18;	funding (1)	geographical (4)
1898:10;2011:15	1921:6	1915:9,19;1916:6;	1940:17	1968:8,9;1974:23;
finished (1)	focused (3)	1918:2;1920:5;	fundraiser (3)	1985:12
2001:16	1941:13;1976:1,2	1926:24;1929:22;	1965:6,16,19	geography (1)
firm (1)	focuses (1)	1935:15;1936:18;	fundraising (1)	1987:11
1961:10	1925:3	1956:12;1976:19;	1965:4	Gerwin (9)
firmly (1)	focussing (1)	1978:11;1988:13;	funny (3)	1881:12;1886:23;
1898:15	1974:8	2002:8;2011:8	1898:12,14;1972:1	1887:5;1954:2,3;
<b>first</b> (26)	folks (3)	fracking (1)	further (5)	1956:19;2013:12,14,14
1867:3;1875:4;	2008:23;2009:17,24	1999:8	1870:19;1905:2;	giant (2)
1880:1;1884:15;	follow (3)	fracturing (1)	1912:7;1947:20;	1980:8;2010:13
1896:22;1897:16;	1894:17;1929:9;	1999:20	1960:24	Gibs (1)
1899:23;1917:12;	1966:21	fragile (1)	furtherance (1)	1863:22
1933:3;1934:24;	following (5)	2000:24	1915:17	Gibson (1)
1935:4;1936:18,21;	1864:4;1904:3;	frame (2)	furthering (2)	2008:18
1948:18;1959:1,3,5,5,	1927:19;1928:18;	2004:16;2013:16	1921:21;1952:12	girl (2)
6;1970:15;1972:11;	1996:4	frames (1)	future (1)	1961:11;1963:15
1975:24;1985:6;	follow-up (4)	1922:6	1870:4	given (5)
1994:3,3;2000:2	1869:20;1941:15;	Francisco (1)		1909:5;1976:6;
fit (1)	1942:13;1946:14	1964:10	G	1983:3;1992:10;
1977:6	foot (3)	Franklin (2)		1997:12
five (29)	1925:15;1930:13,24	1969:14;1970:4	gag (1)	gives (5)
1866:24;1890:10;	foot/500 (1)	frankly (3)	1990:4	1975:13;1976:6,7,8,
1892:5;1896:24;	1931:6	1879:16;1880:13;	gain (1)	9
1901:6;1923:23,23;	footprint (13)	1893:22	1916:15	giving (3)
1929:22;1956:12;	1890:7,7;1896:15;	free (4)	Gamesa (1)	1865:3;1924:11,21
1961:16;1976:19;	1898:22;1910:6;	1867:10,11;1895:12;	1966:7	glad (2)
1977:1;1978:12;	1936:2;1977:11,14;	1907:22	gamut (1)	1869:24;1890:8
1979:2,6;1980:13;	1986:17,19;1987:3;	Freedom (3)	1939:20	goes (16)
1981:9,11,21,23;	2012:21;2013:7	1962:5;1966:11;	gas (4)	1881:8,20;1890:16;
1982:22;1983:21;	force (1)	2000:16	1982:9;1998:9;	1910:11;1920:9,21;

1929:13;1953:8;	1941:5,5;1999:3	1866:18;1867:2,17;	health (17)	help (10)
	greater (1)	1906:10;1915:9;	1891:19;1893:16;	1865:11;1870:2;
2001:13,16;2004:8;	1905:21	1988:23	1899:18,23;1900:10,	1873:6;1874:19;
	Green (13)	half-hour (1)	15,18;1901:9;1904:4,	1883:8;1929:17;
2013:22	1951:19,23;1978:22,	1913:18	23;1905:19,22;	1940:20;1944:20;
Gold (1)	23;1981:6,6;1987:9;	hand (4)	1909:22;1910:3,24;	1961:9,9
1965:18	1988:21;1992:23;	1865:1,21;1895:1;	1916:15;1920:19	helped (1)
good (23)	2005:22;2006:4,10;	1907:12	healthcare (1)	1963:17
1869:6;1871:10;	2010:6	handed (2)	1920:24	herd (1)
	Griffin (1)	1879:20;1881:2	hear (9)	2005:1
1893:13,14;1894:15;	1865:6	handle (2)	1867:19;1872:13,13;	hereby (1)
	ground (2)	1919:9,12	1901:7;1910:17;	1992:23
1923:7;1950:14,18;	1979:15;1995:4	handpicked (1)	1922:12;1923:20;	here's (32)
1954:22;1955:21;	group (13)	1964:5	1931:14;1957:9	1923:22;1973:20;
1980:18;1981:13;	1882:22,23,23;	hands (1)	heard (15)	1974:19;1976:4,4,19;
1985:11;1988:10;	1892:3;1938:1,4,4,10;	1865:9	1872:3;1888:19;	1977:1;1980:20;
				1
1990:10;2014:1,19	1952:15;1957:24;	happen (4)	1891:4,6;1899:17,23;	1981:8,18;1982:18,19;
good-burning (1)	1985:15,15;2004:21	1868:7;1872:22;	1901:7;1908:10,17,19;	1983:10,15;1984:21,
1999:2	grouped (3)	1926:7;1999:13	1910:23;1912:3;	21;1987:7,9;1988:3,
goods (3)	1986:21;1988:21;	happened (1)	1917:22;1969:8;	18;1989:1;1998:11,17,
1944:9;2000:6,7	2010:9	1965:14	1973:18	20;2005:23;2007:1,10,
		happening (7)	hearing (2)	23;2008:4,16;2009:10,
	groups (2)			
1892:11;1976:14	1980:23,24	1899:14;1974:8;	1863:7;1991:19	13
Googled (1)	Grove (3)	1975:3,5;1987:19,19;	hearings (5)	heritage (1)
1963:14	1928:5;1935:10;	2007:3	1893:2;1899:17;	1940:23
Googling (1)	1944:14	happens (6)	1910:16;1914:20;	heterogenous (2)
	grow (2)	1890:12;1900:20;	1920:12	1968:4;1974:21
Gordon (2)	1908:9;1943:3			
	,	1909:2;1926:13;	heart (3)	heterogony (2)
	grower (2)	1965:7;2014:4	1910:22;2004:13;	1971:23;1974:5
gosh (1)	1916:23;1917:11	happy (1)	2014:6	hey (2)
1946:3	growth (1)	2007:22	heat (1)	1867:9;1992:3
governing (1)	1943:3	hard (11)	1948:9	Hi (1)
	guaranteed (2)	1868:20;1910:15;	heavier (2)	1991:19
government (9)	1956:17;1989:16	1960:3,15;1976:17;	1891:12;1998:15	high (9)
	guarantees (2)	1982:3,6;1987:11;	heavy (1)	1872:10;1958:21;
1910:15;1911:5;	1953:13;1966:17	1992:11;2005:3;	1899:14	1979:21,23;1983:9;
1951:7;1972:15,24;	guard (1)	2006:15	heck (1)	1987:14;2010:19;
1973:3;2002:22	1912:5	<b>HARMS (19)</b>	1967:13	2013:3;2014:2
	gubernatorial (1)	1911:14,14,17;	hedonic (11)	higher (1)
2011:22	1965:5	1912:7;1951:15,15,17,	1967:13,19,23;	1901:19
	guess (24)	18,21,24;1952:3;	1968:12,14,18;1969:6;	
1963:24;1964:6;	1864:19;1879:4;	1953:1,1,2,3,17,17,19,	1970:8,11;1973:24;	1935:7
1965:2	1912:4;1914:18,20;	21	1974:2	Highland (1)
GPS (1)	1917:15,19;1920:13;	Hartke (1)	heifer (1)	1979:8
1927:1	1921:3,13;1923:2;	1901:17	1916:22	highlighted (1)
grade (1)	1925:17,19;1931:19;	hate (2)	Heifers (6)	1959:21
1929:4	1933:8;1938:7;	1902:6;1913:21	1916:3,5,7,24;	highway (3)
		f control of the cont		
gradually (1)	1940:24;1941:9;	hates (1)	1942:24;1943:4	1890:13;1985:13;
1899:1	1944:23;1948:18;	1893:19	height (2)	1986:3
grain (5)	1954:18;1978:22;	hazard (2)	1925:12;1976:9	Hills (4)
1915:20;1917:10;	1999:2;2002:14	1891:19;1909:22	heights (1)	1981:5;1987:14,14;
	guy (1)	hazardous (1)	1930:12	2013:5
grant (4)	1964:7	1959:15	Heintzelmann (7)	hinder (1)
0 ,		head (6)	1969:7;1970:13,16,	1929:17
	guys (5)			
1996:13	1864:14;1882:11;	1868:19;1898:1;	19;1971:11;2012:7;	hire (1)
grantee (5)	1884:17;1964:4;	1916:11,13;1918:23;	2013:2	1920:23
1992:23;1994:10;	1981:16	1919:13	held (3)	hired (2)
1996:2,20;1997:16		headaches (1)	1878:16;1880:6;	1899:18;1949:10
grants (1)	H	1900:18	1965:19	hit (2)
1992:23		heading (1)	hell (1)	1975:9;1987:9
	habitat (1)		, ,	·
	habitat (1)	1885:12	1875:20	hits (1)
1866:22,22;1867:6,	2006:15	heads (2)	Hello (2)	1979:6
10;1900:18;1922:16;	half (6)	1897:2;1908:22	1890:23;1895:14	hmm (1)

1000		1001 00		
1983:6	houses (6)	1931:20	1966:10,11;1967:4,9,	1923:15;1926:10;
Hold (4)	1918:8;1968:6,7;	ill (1)	23;1968:11,22;1971:9;	1936:7,12;1950:7;
1884:20,20;1928:22;	1978:14,14;1979:10	1995:22	1973:20;1979:16;	1955:17;1974:13
1978:2	hover (1)	Illinois (51)	1991:2,5,8;2004:21;	individually (2)
Holly (2)	1976:5	1866:4;1871:1,5;	2005:24;2012:20	1898:5;1987:9
1961:11;1963:14	Howard (3)	1874:7,9;1876:18;	impressive (2)	individuals (3)
Holly's (1)	1863:19;1963:19;	1877:3,9,17;1878:10,	1979:3,3	1864:11,13;1965:21
1964:10	1964:13	22;1880:10;1881:3,6,	improper (2)	indoor (2)
holy (1)	hub (3)	7;1882:7;1883:2,17,19,	1885:16;1905:21	1904:8;1944:12
1965:9	1915:9,24;1928:7	22,23;1884:1,5,7,23;	improvement (1)	industrial (9)
home (28)	huge (4)	1892:21;1894:14;	1925:6	1881:7;1904:9;
1890:9;1898:22;	1945:8;1973:11,15;	1902:1,20;1903:17;	improvements (1)	1909:12,21;1982:7,10,
1899:16;1901:16,17,	1996:6	1905:4,6,24;1907:17;	1925:19	11,14,15
18,19,21;1902:23;	huh (1)	1914:8;1916:6;1937:8;	improving (1)	industry (5)
1903:7,7;1904:2;	1953:19	1954:3;1957:11;	1908:5	1901:8;1921:15,22;
1905:9;1906:6,9,12;	Huisman (7)	1961:8;1963:18,20;	inability (1)	1940:11;1964:13
1908:4,11;1909:10,17;	1863:20,21;1906:4,	1964:3,15,21;1965:4;	1909:4	influence (1)
1910:14;1911:19,24;	23;1947:24;1948:3;	1975:4;1984:22;	include (3)	1923:11
1935:23;1965:19;	1951:5	1998:17;1999:10;	1921:5;1979:10;	information (26)
1984:23;1991:13;	human (1)	2003:8	2002:24	1873:11,22;1875:8;
2003:12	1909:21	imagination (1)	included (2)	1877:8;1882:13,17;
homeowner (1)	hundred (4)	1897:6	1933:11;2007:6	1886:8;1903:19;
1931:21	1925:10,15;1945:10;	imaginations (1)	includes (8)	1914:15,19,21,23;
homes (14)	1923.10,13,1943.10,	1910:1		1914.13,19,21,23,
			1932:14;1935:23;	
1901:16;1902:4;	hundreds (4)	imagine (2)	1993:22,23,24;1994:1,	1954:7;1955:6;
1905:10;1909:4,6,13,	1905:10;2009:4,4,4	1868:20;1960:22	2;2000:7	1959:24;1962:5;
17;1973:20;1974:13,	hundred-year-old (2)	immediately (1)	including (5)	1965:20;1966:11;
13;1978:15,15;	1928:20;1946:23	1960:7	1885:23;1905:8;	1971:3;1973:3,8;
1991:12;2004:3	hurt (1)	immune (1)	1923:15;1994:18,23	1976:7;2000:16;
homogenous (3)	1938:22	1918:14	inclusion (1)	2002:11
1968:3,24;1970:9	husband (3)	immunity (1)	1933:10	informational (8)
homogeny (4)	1882:1;1895:16;	1917:7	inclusions (1)	1878:13;1880:5,11,
1968:1;1971:21;	1903:7	impact (27)	1933:18	14;1884:9,22;1886:14,
1972:3;1974:4	hutch (1)	1916:16;1917:24;	inclusive (1)	20
honestly (1)	1917:3	1920:11,12;1921:4,12;	1924:19	information's (1)
1985:10	hutches (4)	1943:17;1945:9;	increase (3)	1965:20
hope (4)	1916:13,13;1917:13;	1974:17;1981:3;	1870:11;2005:1,3	infrasound (2)
1895:19;1910:21;	1918:8	1983:1,9;1984:3;	increased (3)	1918:23;1931:20
1920:8;1941:10	huts (1)	1985:16,21;1986:5,19,	1870:6,10;1897:23	infrastructure (1)
hoped (1)	1917:11	20;1987:22,23;	indeed (1)	1939:19
1910:13	hypothecate (1)	1988:24;1989:3,6,14;	1992:14	infrequent (1)
hopefully (1)	1996:17	2012:11;2013:3,6	independent (1)	1974:16
1913:1		impacted (5)	1905:3	infringe (1)
hoping (2)	I	1899:15;1974:14;	independently (2)	1973:10
1865:11;1937:21		1979:11;1987:1,2	1923:4,9	inner (1)
horizon (1)	idea (5)	impacts (11)	Indian (5)	1909:9
1893:22	1922:10;1966:18;	1900:10;1901:9;	1928:5;1935:9;	input (1)
hosting (1)	1967:18;1975:13,22	1905:8,11,19;1917:23;	1944:13,14;2002:23	1949:9
1901:4	Identical (2)	1969:21;1972:8;	Indiana (4)	insane (1)
hosts (2)	1960:10,11	1974:15;2012:22,23	1867:1,2;2011:2,4	2008:16
1956:1,6	identified (1)	implicit (1)	Indians (1)	inside (5)
hour (1)	1954:5	1968:20	2002:14	1890:7;1896:15;
		implied (1)	indicate (2)	1977:3,4;1986:24
1896-11	identifies (1)			
1896:11	identifies (1)		, ,	
hours (2)	1933:18	1973:6	1894:10,13	insinuates (1)
hours (2) 1897:16;1908:4	1933:18 identify (1)	1973:6 implies (1)	1894:10,13 indicated (4)	insinuates (1) 1991:4
hours (2) 1897:16;1908:4 house (10)	1933:18 identify (1) 1889:3	1973:6 implies (1) 1970:18	1894:10,13 indicated (4) 1884:4;1955:23;	insinuates (1) 1991:4 installation (3)
hours (2) 1897:16;1908:4 house (10) 1868:17;1870:13;	1933:18 identify (1) 1889:3 ifs (1)	1973:6 implies (1) 1970:18 implore (1)	1894:10,13 <b>indicated (4)</b> 1884:4;1955:23; 1991:17;2012:10	insinuates (1) 1991:4 installation (3) 1926:23;1929:10,11
hours (2) 1897:16;1908:4 house (10) 1868:17;1870:13; 1891:10;1936:1;	1933:18 identify (1) 1889:3 ifs (1) 1946:19	1973:6 implies (1) 1970:18 implore (1) 1886:6	1894:10,13 indicated (4) 1884:4;1955:23; 1991:17;2012:10 indicates (2)	insinuates (1) 1991:4 installation (3) 1926:23;1929:10,11 installed (2)
hours (2) 1897:16;1908:4 house (10) 1868:17;1870:13; 1891:10;1936:1; 1964:6,7;2000:4,5;	1933:18 identify (1) 1889:3 ifs (1) 1946:19 ignored (1)	1973:6 implies (1) 1970:18 implore (1) 1886:6 imply (1)	1894:10,13 indicated (4) 1884:4;1955:23; 1991:17;2012:10 indicates (2) 1885:5;1991:3	insinuates (1) 1991:4 installation (3) 1926:23;1929:10,11 installed (2) 1927:3,22
hours (2) 1897:16;1908:4 house (10) 1868:17;1870:13; 1891:10;1936:1; 1964:6,7;2000:4,5; 2003:21,22	1933:18 identify (1) 1889:3 ifs (1) 1946:19 ignored (1) 1931:15	1973:6 implies (1) 1970:18 implore (1) 1886:6 imply (1) 1885:22	1894:10,13 indicated (4) 1884:4;1955:23; 1991:17;2012:10 indicates (2) 1885:5;1991:3 indirect (1)	insinuates (1) 1991:4 installation (3) 1926:23;1929:10,11 installed (2) 1927:3,22 instance (4)
hours (2) 1897:16;1908:4 house (10) 1868:17;1870:13; 1891:10;1936:1; 1964:6,7;2000:4,5; 2003:21,22 housekeeping (6)	1933:18 identify (1) 1889:3 ifs (1) 1946:19 ignored (1) 1931:15 IIT (2)	1973:6 implies (1) 1970:18 implore (1) 1886:6 imply (1) 1885:22 important (20)	1894:10,13 indicated (4) 1884:4;1955:23; 1991:17;2012:10 indicates (2) 1885:5;1991:3 indirect (1) 1901:2	insinuates (1) 1991:4 installation (3) 1926:23;1929:10,11 installed (2) 1927:3,22 instance (4) 1962:13;1963:1;
hours (2) 1897:16;1908:4 house (10) 1868:17;1870:13; 1891:10;1936:1; 1964:6,7;2000:4,5; 2003:21,22 housekeeping (6) 1957:13,15;1972:12,	1933:18 identify (1) 1889:3 ifs (1) 1946:19 ignored (1) 1931:15 IIT (2) 1961:4;1963:16	1973:6 implies (1) 1970:18 implore (1) 1886:6 imply (1) 1885:22 important (20) 1874:20;1921:14;	1894:10,13 indicated (4) 1884:4;1955:23; 1991:17;2012:10 indicates (2) 1885:5;1991:3 indirect (1) 1901:2 individual (10)	insinuates (1) 1991:4 installation (3) 1926:23;1929:10,11 installed (2) 1927:3,22 instance (4) 1962:13;1963:1; 1977:1;1992:21
hours (2) 1897:16;1908:4 house (10) 1868:17;1870:13; 1891:10;1936:1; 1964:6,7;2000:4,5; 2003:21,22 housekeeping (6)	1933:18 identify (1) 1889:3 ifs (1) 1946:19 ignored (1) 1931:15 IIT (2)	1973:6 implies (1) 1970:18 implore (1) 1886:6 imply (1) 1885:22 important (20)	1894:10,13 indicated (4) 1884:4;1955:23; 1991:17;2012:10 indicates (2) 1885:5;1991:3 indirect (1) 1901:2	insinuates (1) 1991:4 installation (3) 1926:23;1929:10,11 installed (2) 1927:3,22 instance (4) 1962:13;1963:1;

1885:22;1968:3	1922:4;1928:9;1931:7;	issued (1)	1898:5;1908:9	1923:2
instruction (1)	1938:15;1945:2,20;	1904:21	Kiefer (4)	landowner (1)
1975:15	1955:21;1966:13;	issues (6)	1863:15,16;2015:7,8	1927:2
instrument (2)	1967:7;1970:22;	1899:23;1920:8;	kind (53)	landowners (7)
1992:14,15	1988:12;1993:18;	1939:1;1940:13,17;	1864:11;1875:9;	1923:3,13;1924:2;
instrumental (1)	2011:4;2013:23	1948:14	1900:21;1901:12;	1936:8,19;1966:16;
1963:20	introduce (1)	ISU (1)	1908:16;1916:10;	1991:4
intend (1)	1915:6	2007:5	1917:2,5,9;1919:5,13,	lands (3)
2007:18	introduced (1)	Iverson (2)	20;1920:10;1922:23;	1994:21,22;1995:6
intent (1)	1885:4	1863:17,18	1923:9,12,20;1928:10,	landscape (1)
1904:22	introducing (1)	1003.17,10	22;1932:8,9,12;	1908:17
intention (1)	1948:17	J	1935:16;1937:13,23;	landscapes (1)
2007:17	invalidate (1)	3	1938:20;1943:17;	1974:24
interaction (2)	1997:18	Jane (1)	1938.20,1945.17,	language (2)
1873:19;1922:8	Invenergy (21)	1864:16	1944.21,1943.8,	1888:7;1992:17
interactive (1)	1865:10;1910:5;	January (1)	1955:15,15;1959:4;	large (4)
1918:5	1933:6;1940:1;1965:8,	1888:13	1968:5;1975:13,21;	1925:17;1960:16;
interest (4)	13,24;1966:8;1967:14;	jet (1)	1976:18,21;1977:11;	1989:18;2013:7
1924:9;1925:3;	1969:9,22;1972:2;	1867:20	1981:24;1982:23;	larger (3)
1924.9,1923.3,	1909.9,22,1972.2, 1978:4,6;1990:22;	Joan (1)	1981.24,1982.23, 1983:6;1985:21;	1971:5;1984:2;
				1986:3
interested (7) 1878:12;1880:4;	1991:20;1992:14; 1998:7;2000:1,18;	1863:19 <b>John (2)</b>	1990:4;1991:14; 1993:21;1994:13,15;	1986:3 LaSalle (2)
	2007:12	1863:13;1891:1	1993:21;1994:13,13;	` /
1888:24;1907:5;				2005:18;2008:10
1911:10;1951:11;	Invenergy's (3)	joined (1)	2010:13;2011:13	last (23)
2015:3 interesting (24)	1910:20;1971:12; 1978:3	1881:5	knew (2)	1866:6;1870:1;
		jumped (1)	1908:5;1923:16	1879:24,24;1881:12;
1891:5;1960:18;	inventory (2)	1954:19	knowing (2)	1885:10;1888:10,12;
1961:22;1963:12;	1916:11;1918:21	June (4)	1971:22;2003:2	1891:5;1896:9;
1964:17;1965:13,15;	invested (1)	1885:11;1932:24;	knowledge (7)	1901:13;1920:1;
1966:20;1976:10;	1910:12	1933:21;1934:10	1877:12,15,17;	1922:2;1925:13;
1979:18;1982:20;	investment (1)	justification (1)	1878:22,24;1879:9;	1932:1,14;1937:23;
				1020.5.1042.17
1984:12;1990:23;	1947:13	1905:16	1950:22	1938:5;1942:17;
1992:13,16,17;	invited (2)	justify (1)	known (1)	1964:7;1965:3,4;
1992:13,16,17; 1994:23;1997:21,24;	invited (2) 1878:12;1880:3		<b>known (1)</b> 1903:11	1964:7;1965:3,4; 1991:6
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16;	invited (2) 1878:12;1880:3 involve (1)	justify (1) 1939:16	known (1) 1903:11 knows (1)	1964:7;1965:3,4; 1991:6 <b>late (3)</b>
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19	invited (2) 1878:12;1880:3 involve (1) 1924:8	justify (1)	<b>known (1)</b> 1903:11	1964:7;1965:3,4; 1991:6 <b>late (3)</b> 1918:17;1930:5;
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3)	justify (1) 1939:16	known (1) 1903:11 knows (1) 1885:10	1964:7;1965:3,4; 1991:6 <b>late (3)</b> 1918:17;1930:5; 2011:21
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14;	justify (1) 1939:16 K K4 (2)	known (1) 1903:11 knows (1)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1	justify (1) 1939:16 K K4 (2) 2007:21;2009:10	known (1) 1903:11 knows (1) 1885:10	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18;
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19;	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8)	justify (1) 1939:16 K K4 (2) 2007:21;2009:10 keep (10)	known (1) 1903:11 knows (1) 1885:10 L	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24;
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10,	justify (1) 1939:16 K K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16;	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10  keep (10) 1878:23;1884:16; 1895:8;1913:9;	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19)	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10  keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8;	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20;	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10  keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12;	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23;	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17;
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22;	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10  keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1)	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6,
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21;	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11;	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17;
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3;	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33)	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24;	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33) 1889:4,4,7,11,20;	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7;	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33) 1889:4,4,7,11,20; 1890:19;1894:22,24;	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33) 1889:4,4,7,11,20; 1890:19;1894:22,24; 1895:2,5,5,9,14,15;	known (1) 1903:11 knows (1) 1885:10 L labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1)	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33) 1889:4,4,7,11,20; 1890:19;1894:22,24; 1895:2,5,5,9,14,15; 1902:15,18;1906:1,5;	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33) 1889:4,4,7,11,20; 1890:19;1894:22,24; 1895:2,5,5,9,14,15; 1902:15,18;1906:1,5; 1907:6,7,8,10,11,13,16,	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2)	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33) 1889:4,4,7,11,20; 1890:19;1894:22,24; 1895:2,5,5,9,14,15; 1902:15,18;1906:1,5; 1907:6,7,8,10,11,13,16, 16,18,20,23;1911:5,9,	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22	justify (1) 1939:16  K  K4 (2) 2007:21;2009:10 keep (10) 1878:23;1884:16; 1895:8;1913:9; 1921:14;1927:8; 1941:12;1945:12; 1958:7;1985:21 keeps (1) 1883:23 KELSON (33) 1889:4,4,7,11,20; 1890:19;1894:22,24; 1895:2,5,5,9,14,15; 1902:15,18;1906:1,5; 1907:6,7,8,10,11,13,16, 16,18,20,23;1911:5,9, 12;1912:11	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17)	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2)	Justify (1)   1939:16	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1 Interstate (1)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2) 1868:22;1869:4	Justify (1)   1939:16	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8; 1925:5;1928:9;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10 lead (3)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1 Interstate (1) 1890:13	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2) 1868:22;1869:4 isolation (1)	Justify (1)   1939:16   K	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8; 1925:5;1928:9; 1930:18;1931:4;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10 lead (3) 1873:3,7;2013:15
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1 Interstate (1) 1890:13 into (23)	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2) 1868:22;1869:4 isolation (1) 1917:5	Mathematical States   Mathematical States	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8; 1925:5;1928:9; 1930:18;1931:4; 1939:18;1947:13,17;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10 lead (3) 1873:3,7;2013:15 Leader (1)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1 Interstate (1) 1890:13 into (23) 1867:6;1868:2,16;	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2) 1868:22;1869:4 isolation (1) 1917:5 issue (5)	Materials   Mate	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8; 1925:5;1928:9; 1930:18;1931:4; 1939:18;1947:13,17; 1961:19;1979:21;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10 lead (3) 1873:3,7;2013:15 Leader (1) 1953:16
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1 Interstate (1) 1890:13 into (23) 1867:6;1868:2,16; 1877:10;1878:22;	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2) 1868:22;1869:4 isolation (1) 1917:5 issue (5) 1873:4;1901:6;	Materials   Mate	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8; 1925:5;1928:9; 1930:18;1931:4; 1939:18;1947:13,17; 1961:19;1979:21; 1983:24;1989:4;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10 lead (3) 1873:3,7;2013:15 Leader (1) 1953:16 leading (2)
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1 Interstate (1) 1890:13 into (23) 1867:6;1868:2,16; 1877:10;1878:22; 1881:15;1904:16;	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2) 1868:22;1869:4 isolation (1) 1917:5 issue (5) 1873:4;1901:6; 1919:8;1926:11;	Materials   Mate	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8; 1925:5;1928:9; 1930:18;1931:4; 1939:18;1947:13,17; 1961:19;1979:21; 1983:24;1989:4; 1991:1;1992:1,2,4	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10 lead (3) 1873:3,7;2013:15 Leader (1) 1953:16 leading (2) 1873:8;1970:7
1992:13,16,17; 1994:23;1997:21,24; 1998:2,16,21;2005:16; 2012:19 interfere (1) 1925:12 interference (3) 1905:9;1924:19; 1995:12 interferes (1) 1903:23 interject (1) 1939:22 Internet (5) 1873:16,17,21; 1960:5;1990:6 interpreted (1) 1970:20 interrelationships (1) 1968:20 interrupt (2) 1902:7;2001:7 interrupting (1) 1890:1 Interstate (1) 1890:13 into (23) 1867:6;1868:2,16; 1877:10;1878:22;	invited (2) 1878:12;1880:3 involve (1) 1924:8 involved (3) 1886:22;1915:14; 1934:1 Iowa (8) 1983:10;1984:7,10, 11,13;1989:11,11,12 Iroquois (19) 1866:16;1869:20; 1870:4,24;1872:23; 1873:2;1876:19,22; 1877:3,22;1878:11; 1879:22;1880:3; 1881:5,8;1884:24; 1885:5;1888:7; 1894:12 irregardless (1) 1936:8 irrelevant (2) 1877:4;2002:22 irritating (2) 1868:22;1869:4 isolation (1) 1917:5 issue (5) 1873:4;1901:6;	Materials   Mate	known (1) 1903:11 knows (1) 1885:10  L  labor (1) 1920:23 lack (3) 1899:20;1933:8; 1944:22 lacking (1) 1960:2 lady (1) 1893:2 laid (1) 1949:13 Lake (2) 1983:16;1984:6 lame-duck (1) 1999:9 land (17) 1901:4;1919:8; 1925:5;1928:9; 1930:18;1931:4; 1939:18;1947:13,17; 1961:19;1979:21; 1983:24;1989:4;	1964:7;1965:3,4; 1991:6 late (3) 1918:17;1930:5; 2011:21 later (7) 1867:8,11;1894:18; 1897:15;1914:24; 1970:5;1982:11 laterals (1) 1927:15 law (13) 1902:1,20;1903:17; 1904:20,22;1905:4,6, 15,24;1961:9;1963:17; 1964:14;2004:5 lawful (1) 1903:24 laws (2) 1964:20,23 lay (1) 1868:12 layout (2) 1917:3,10 lead (3) 1873:3,7;2013:15 Leader (1) 1953:16 leading (2)

				1
1965:12,12	level (2)	link (2)	1915:12,23;1916:1;	20;1985:8;1986:12;
leaning (1)	1893:17;1904:7	1967:21;2006:12	1920:15,17,23,24;	1987:11,18;1988:14,
1940:16	levels (14)	LinkedIn (1)	1921:1,2,4,15,17;	22;2003:10;2006:1;
learn (1)	1871:2;1872:12;	1963:15	1929:18,20;1936:22,	2007:2,14;2009:22;
1903:15	1901:17,17;1902:2,19,	list (11)	23;1937:3,7,11;	2012:17,18
learned (3)	24;1904:1,4,6,8;	1864:12,13;1889:15,	1944:10;1959:2;	looked (10)
1867:11;1908:13;	1905:12;1935:14;	17;1901:16;1952:9;	1976:2;1982:1,16;	1871:5;1873:2,21,
1930:5	1958:21	1954:24;1955:11,12,	2000:9,14;2001:5;	23;1874:5;1960:23;
Learner (2)	Lewis (3)	19;1977:23	2005:17;2007:4,21;	1967:20;1969:12;
1963:19;1964:13	1969:13;1970:4;	listed (3)	2009:15;2010:4	1977:14;1979:23
lease (8)	2012:11	1954:21;1955:24;	LLC (1)	looking (27)
1991:18;1992:24;	license (1)	1956:9	1863:9	1870:8;1893:18,19,
1993:13,14,14;	2000:13	listen (2)	local (7)	20;1912:14;1919:17;
1996:16;1999:11;	licensed (1)	1884:8,15	1871:10;1905:23;	1927:8;1930:14;
2000:23	2001:3	listing (1)	1906:24;1911:5;	1931:10;1955:11;
leased (3)	licenses (2)	1955:3	1942:20;1951:7;	1959:3,5,7,17;1961:5;
1961:19;1991:1,1	1996:14;2000:17	listings (1)	2011:22	1965:14;1967:18;
leasehold (3)	licensing (2)	1955:19	locate (1)	1975:6,10,11,22;
1991:10,15,16	2000:18;2001:2	literature (1)	1979:12	1978:20,23;1979:1,1;
leases (2)	lien (1)	1969:20	located (3)	1981:20;2002:13
1924:7;1991:5	1926:6	little (57)	1927:6;1928:13;	looks (7)
least (11)	liens (1)	1865:12;1867:14;	1930:11	1864:10;1912:12;
1865:1,4,8;1872:19;	1926:16	1874:5;1891:8;	locating (2)	1985:22;1989:3,3;
1918:3;1920:3;	life (10)	1892:13;1895:8;	1961:19;1991:1	2009:13;2010:16
1933:11;1956:9,14;	1893:3,9,13;1894:1;	1896:4;1906:12;	location (11)	Loomis (2)
2003:1;2007:17	1900:21;1903:21,23;	1912:13;1915:7;	1866:16;1897:18;	1964:22;2007:17
leave (7)	1905:8;1924:23;	1916:9,20;1917:14;	1929:6;1959:15;	Loomis's (1)
1889:22;1909:11;	1937:17	1919:6;1921:24;	1968:8,9;1975:3,3,3;	2007:5
1940:22;1941:4,13;	light (5)	1922:4,6;1927:6;	1982:15;1983:10	losing (3)
1951:23;2015:3	1891:17,18;1924:17;	1928:4;1930:6,11;	locations (8)	1943:20;1974:4;
leaving (1)	1951:20;1995:11	1932:19;1934:9;	1895:18;1902:21;	2006:15
1896:1	lights (2)	1936:10;1960:23;	1903:6;1974:20;	loss (1)
led (1)	1891:7,9	1961:12,13;1962:12;	1977:18,18;1983:13;	1916:16
2005:8	light's (1)	1963:8,9,13;1966:2;	1985:5	lot (35)
Lee (1)	1951:21	1972:5,12;1975:15;	locked (1)	1865:3;1893:6;
1984:21	liked (1)	1976:1,12;1978:17;	1999:12	1917:15;1922:12;
left (5)	1893:8	1979:7;1980:7;1982:4,	Lodge (2)	1923:7,15;1924:21;
1888:6;1898:19;	limit (1)	9;1984:22;1988:20;	1878:16;1880:7	1925:21;1926:6;
1941:7;1942:8;2014:3	1948:13	1989:3;1991:24;	long (8)	1928:6;1930:4;1939:7;
leg (1)	limitation (1)	1992:2,4;1996:9;	1920:6;1926:10;	1942:22;1957:23;
1928:13	1994:18	1998:13,17;2003:7;	1928:3;1959:7;	1958:19,21;1964:19;
legacy (2)	limited (2)	2008:20;2009:8;	1968:23;2001:13;	1967:6,14;1975:20;
1940:23;1941:9	1904:13;1970:9	2010:11,16;2012:8	2013:17,23	1977:22;1981:23;
legal (4)	limits (9)	live (9)	longer (3)	1983:5,22,23,24;
1902:20;1931:8,17;	1870:7;1902:3,20,	1866:15;1867:2;	1878:3;1896:20;	1984:1;1985:1;
1973:7	21;1903:5,10,14;	1869:14;1872:8;	1912:18	1987:24,24;1992:17;
legally (1)	1904:8;1905:6	1875:19;1894:4;	long-term (3)	1994:5;1998:14;
1924:10	line (19)	1895:15,17;1957:10	1893:15;1925:5;	2002:20;2010:24
legislation (2)	1867:1,3;1892:6,7;	lived (1)	1929:12	loud (1)
1964:20;1965:2	1926:23;1928:20;	2005:20	look (57)	1869:4
legislative (1)	1929:6;1933:23;	lives (2)	1865:2;1896:12;	louder (2)
1964:11	1934:4;1936:21;	1893:5;1917:12	1898:3;1901:1,10;	1884:11;1905:13
legislators (1)	1937:2;1945:5;	livestock (6)	1918:4;1922:12,15;	loudly (1)
1966:19	1946:23;1947:6,9;	1915:21;1916:2;	1930:10;1935:15;	2013:13
length (1)	1950:11;2008:10;	1921:8;1930:19;	1942:8;1944:15,16;	love (1)
1976:9	2009:19;2010:1	1940:11;1941:5	1955:2;1959:10;	2011:6
less (5)	lined (1)	living (16)	1960:3;1965:9;1966:5,	low (16)
1916:11;1918:12,12;	1892:6	1873:13;1908:5,7;	9;1967:17;1974:19;	1867:19,19,22;
1985:16,18	lines (9)	1915:19;1921:1;	1975:7,23;1976:3,13,	1868:18,21;1869:3;
letter (2)	1870:15;1927:22;	1936:17,21,23;1937:2,	17,24;1977:10,19,24;	1872:3,7,11,14;
1901:23;1926:4	1929:12;1930:12;	3,7,8,9,11,15;1995:24	1978:1,8,13;1979:4;	1890:17;1891:22;
letters (1)	1936:4;1950:13;	Livingston (36)	1980:5;1981:8,17;	1904:6;1909:5,16;
1942:19	1954:23,23;2006:20	1863:7,8;1910:2,3;	1982:3,4,6;1983:2,5,7,	1931:20
	1	1	1	1

lower (2)	1927:24;1939:14;	1878:16;1880:7	1903:6;1980:15;	Michael (4)
1917:1;1989:4	2000:23;2004:7	massive (2)	1986:1	1863:11;1965:7,18,
Luetkehans (64)	man (1)	1910:8,20	measurements (1)	23
1864:12,20,23;	1922:17	materials (1)	1902:4	Microphone (1)
1866:10,11;1869:18;	management (1)	1955:7	measures (1)	1951:17
1870:18;1874:10,22;	1919:11	math (2)	1918:18	middle (4)
1876:4;1877:1,9;	mandate (1)	2003:7;2008:4	measuring (2)	1868:3,17;1913:22;
1878:15,18,21;1880:9;	1964:23	matter (5)	1979:8;1980:23	1923:6
1881:14,19;1882:7;	manufacturers (1)	1921:8;1985:17;	meet (1)	might (15)
1883:2,16,21;1884:6,	1931:1	1987:17;1995:22;	1921:19	1912:19;1921:9;
13,15,21;1885:8,15,18;	manure (1)	2005:21	meeting (46)	1922:13,22;1926:20;
1886:3;1887:7,23;	1919:15	may (10)	1863:4,24;1878:13,	1930:20;1931:9;
1888:2;1894:20,22;	many (24)	1864:23;1866:10;	16;1879:5,6,7,9,23;	1948:14,17;1950:1;
1895:7,11;1902:11;	1873:23;1874:6,22;	1870:20;1886:10;	1880:5,6,8,12,14,20;	1980:13;1984:18;
1907:9,19,20;1912:12,	1884:10;1905:23;	1889:2;1907:19;	1881:15,21;1882:11,	2000:21;2001:1;
16,23;1913:4,11,17;	1908:4,10;1910:13,14,	1933:20;1934:23;	12,15,16,18;1883:3,11,	2006:22
1914:10;1941:15;	24;1923:2,2,13;	1941:16;2011:13	13,19,22;1884:1,4,5,8,	migrate (2)
1942:13,14,16;	1953:4;1959:12;	maybe (38)	9,22;1886:7,9,14,20;	2013:21,21
1943:19;1946:3,6,13,	1962:3;1975:1,13;	1868:13;1891:16;	1887:10,11;1888:11,	Migration (11)
17,21;1947:19;	1985:17;1986:19,20;	1912:18;1914:24;	13,19;1932:6;1966:12;	2005:11,24;2006:10,
1956:24;1957:3;	1987:3;1988:24;	1915:1,6;1916:9;	2014:22;2015:4	12,17;2009:15,21;
1958:15;2011:17,18	1992:9	1917:14;1918:10,11,	meetings (4)	2010:17,24;2013:15;
Luetkehans's (2)	map (32)	22;1919:6,7;1920:1,	1864:6;1888:15;	2014:5
1889:8,15	1918:5;1927:1,1;	13;1921:24;1922:20;	1914:16;1932:5	Mike (1)
3.4	1933:21;1934:4,8,12;	1924:1,3;1925:1;	megawatt (3)	1864:24
M	1945:4;1954:9,11,24;	1926:7;1928:4,18;	1975:18;2002:15;	mile (54)
	1970:5;1971:17;	1929:15;1930:22;	2003:5	1867:13;1868:8;
ma'am (1)	1974:20;1976:22;	1932:18,20;1934:6;	member (2)	1892:10;1895:17;
2012:3	1978:3,17;1980:5;	1938:10,15,16;	1896:5;1948:23	1899:16;1906:10,10,
<b>Madison (2)</b>	1982:19;1983:11;	1940:24;1945:11;	members (9)	11,13;1909:13;1918:2;
1988:18;1989:1	1984:11,13;1985:2;	1948:15;1995:23,24;	1870:21;1874:23;	1920:5,6;1931:22;
magazines (1)	1987:6,6;1988:13,16;	2013:19,20	1906:2;1910:18;	1933:12;1976:19,20,
2000:7	1989:2;1998:11;	McCann (1)	1911:4;1947:22;	20;1977:2,4,5,11,13;
maiden (1)	2005:23;2006:8;	1864:24	1966:14;2011:20;	1978:9,10,10,11,11,12;
1890:9	2012:17 <b>Maple (1)</b>	McKenzie (2) 1961:10;1963:17	2015:10	1979:2,5,6,9;1980:13;
main (16) 1920:13;1928:7,9,	1957:10	McLean (4)	mentally (1) 1901:10	1981:9,11,12,21; 1982:22;1983:3,12,21,
16,20,23;1929:1,6;	mapped (3)	1915:23;2008:15,16;	mention (2)	21,22;1984:19,20;
1931:19;1932:16;	1949:6;1977:24;	2009:3	1893:6;1909:14	1985:2,17;1986:23;
1931.19,1932.10,	2007:4	mean (26)	mentioned (12)	1987:7;1988:13,23;
1946:23;1948:11;	maps (13)	1882:23;1885:10;	1873:4;1880:10;	2010:7;2012:20
1949:14	1932:23;1955:10;	1888:9;1921:11;	1881:16,22;1884:7;	miles (28)
mainline (1)	1975:7,24;1976:18;	1924:4;1931:2;1945:8,	1889:23;1890:1;	1867:2,21;1892:11;
1944:15	1977:16,24;1978:6,8,9;	18,21;1947:11;	1953:9;1961:16,23;	1896:11,19;1905:11,
mains (3)	1982:3;1988:14;	1950:20;1952:20;	1990:19,20	21;1915:10;1969:16;
1927:14;1928:24;	2012:17	1955:9;1967:1;1968:4;	merchandise (1)	1971:1,14;1973:21;
1945:1	mar (1)	1979:19;1980:18;	2000:7	1974:6,9;1976:21;
maintain (1)	1899:21	1981:24;1983:2;	merchant (2)	1977:5;1979:7,9,14,15;
1992:24	March (1)	1984:16,20,23;	2000:11,15	1980:8,16;1981:23;
maintaining (1)	2002:17	1991:19;2003:23;	mere (1)	1983:5,9;1986:24;
1926:2	margin (3)	2008:5,9	1898:20	1988:6,7
maintenance (1)	1902:3;1903:1,3	means (9)	mess (1)	Milford (1)
1908:6	marked (3)	1956:2,6;1962:21;	1977:8	1866:4
major (1)	1879:21;1934:16;	1977:11;1990:22;	met (1)	million (14)
1921:12	1954:8	1991:18;1994:4;	1999:24	1928:20;1962:16;
majority (2)	market (6)	2003:24;2004:23	meter (2)	1964:2;2002:21,24;
1915:22;1956:10	1925:21;1968:15,19;	meant (1)	1931:6;1979:18	2003:1,12,13,14,16,20,
makes (4)	1971:23;2003:13,15	1920:3	meters (1)	22;2004:3,3
1880:20;1905:3;	marketing (1)	meantime (1)	1979:23	millions (1)
1973:6;1993:3	1957:20	1868:5	methane (1)	1953:4
making (8)	Marvin (3)	measure (2)	1999:19	mind (8)
1892:3;1895:20;	1865:14,22;1866:2	1903:13;1940:18	method (2)	1870:8;1893:18;
1900:5;1922:3;	Masonic (2)	measured (3)	1905:19;1967:13	1900:3;1913:19;

1948:18;1995:23;	1923:14,15;1924:1,10;	1955:14,18,19;1956:5	1926:14,14;1930:1;	2014:22
1996:1;2005:14	1926:8;1928:4;1930:7;	municipal (2)	1940:14,16,19;	nights (3)
mine (2)	1933:23;1934:1,4;	1959:8,9	1944:15,16;1953:9;	1890:5,5;1908:20
1978:17;1993:16	1940:14,19;1941:7;	municipalities (1)	1967:24;1968:1,3,7;	night's (1)
minimal (1)	1956:16;1980:14;	1963:5	1975:16;1991:24;	1869:7
1929:4	1982:24;1983:1,3;	musician (1)	1992:2;1996:9;2012:5	nighttime (1)
minor (1)	1982:24,1983:1,3,	1872:11	needed (3)	1871:2
1960:11	1988:8;1989:3,5,5;	must (3)	1886:16;1939:16;	Nina (1)
minus (1)	1992:2;1994:14;	1899:22;1925:10;	1988:16	1882:1
1950:6	1996:15,17;1998:17;	1981:7	needs (2)	nine (15)
minute (1)	2009:7;2010:3;	mutual (1)	1968:8,24	1895:17;1899:15;
1995:2	2012:16,21,22,23	1898:4	negative (7)	1906:11;1920:6;
minutes (16)	morning (5)	myself (4)	1900:10,15;1901:9;	1931:22;1935:2;
1879:23;1896:1,14,	1868:14;1891:23;	1883:5;1886:17;	1900:10,13,1901:9,	1931:22;1933:2;
24;1897:5,14;1898:20,	1893:12;1899:2,6	1900:1,6	1903:19;1908:21;	1941:11,1973:22,
		1900:1,6		
21;1912:17;1941:19;	mortality (1)	N	negatively (2)	18;1978:18,19;
1966:12;2001:23;	1916:15	17	1909:18;1974:14	2007:12
2002:1,3;2011:6,8	mortgage (2)	(10)	negotiate (1)	Nobody (8)
mirror (1)	1926:3;1996:16	name (19)	2011:16	1907:6;1979:13;
1870:24	most (4)	1865:24;1866:2,6;	neighbor (10)	1980:9;1981:4,12;
mirrored (1)	1899:3;1909:15;	1881:18;1887:20;	1933:14;1934:19;	1985:20;1988:5,5
1871:7	1948:11;1991:12	1890:24;1892:18,20;	1939:1;1950:14,18,19;	nocebo (1)
mislead (1)	motel (2)	1895:4,5,14;1907:15;	1954:22;1989:22;	1899:19
1904:16	1890:11,12	1911:12;1914:5;	1990:3,10	noise (38)
misspecification (1)	motion (2)	1915:8;1951:14;	neighborhood (2)	1867:19,23;1870:7;
1969:3	2015:5,6	1957:8,10;1972:21	1968:10;1969:1	1872:3,7,14;1890:15;
mitigated (1)	motivator (1)	names (3)	neighborhoods (1)	1892:3;1893:24,24;
2013:19	1922:22	1864:17;1886:18;	1968:10	1902:2,21,22,23;
model (19)	Mountain (1)	1977:19	neighbors (6)	1903:5,10,13,16,21;
1960:24;1961:3,21;	1987:9	Nate (4)	1922:7,21;1923:10;	1904:1,3,4,7,13,17;
1962:10,14,16,19,21;	mountains (6)	1889:4;1907:9,13,16	1924:24;1930:2;	1905:6,12,14;1908:16;
1963:3,16;1967:19,24;	1896:17;1906:20;	Nation (3)	1931:16	1918:23;1924:17;
1968:12,18;1970:11;	1980:10;1985:19;	2002:14,23,23	neighbors' (1)	1931:12,20;1970:17,
1974:2;1989:9;1991:2;	1987:13;2013:4	National (1)	1919:3	22;1971:6,8;1995:11
2013:1	move (17)	1874:4	neither (2)	none (5)
modelling (1)	1865:12;1883:17;	natural (3)	1900:14;1973:3	1934:22;1950:23;
1968:14	1886:1,4,10,10;	1998:9;1999:5,6	Nelson (5)	1980:24;2001:2;
models (1)	1887:12,15;1913:1;	near (11)	1913:4;1914:3,7;	2002:9
1973:24	1918:24;1920:7;	1866:15;1895:23;	1951:16;1952:4	non-for-profit (1)
Moines (2)	1929:8;1958:9,11,17,	1903:9;1908:2,11,23;	neutral (1)	1964:4
1890:9,11	19;1967:7	1910:5;1950:2;	1938:20	nonparticipants (2)
moments (1)	moved (1)	1983:18;2004:12;	new (7)	1870:16;1986:6
1972:13	1911:20	2014:6	1925:9;1928:16;	nonparticipating (10)
Monday (1)	movement (1)	nearby (1)	1947:6;1948:17;	1902:19;1905:7;
1864:4	1891:20	1970:13	1988:12,18;2002:22	1929:23;1930:2;
money (9)	moving (1)	nearest (3)	newspapers (1)	1931:8,21;1932:11;
1891:10;1901:1,5;	1897:24	1867:13;1892:12;	1942:20	1934:15;1935:6;
1940:19;1944:8;	Mrs (2)	1971:2	Next (21)	1936:5
1994:1;2002:8,19;	1880:15;1906:5	necessarily (4)	1864:2;1876:13;	nonparticipation (2)
2004:4	much (19)	1921:7;1955:10;	1887:18;1894:20;	1934:3;1938:3
money's (1)	1869:15;1872:10;	1968:17;1984:1	1897:10,20;1907:9;	nonsolicited (1)
1966:7	1891:13;1910:12;	necessary (1)	1912:14,17;1919:18;	1938:4
months (4)	1912:18;1919:15;	1903:19	1922:20;1935:5,12;	Nope (1)
1869:2;1916:8;	1920:7;1944:24;	necessity (1)	1937:2;1955:21;	2001:12
1938:5;2014:4	1952:16;1980:2;	1925:16	1985:24;1989:1,20;	nor (5)
more (57)	1983:2;1991:22;	neck (7)	1991:15;1999:21;	1898:16;1899:13;
1867:14;1871:2,4;	1905.2,1991.22,	1897:3,24;1898:15,	2006:20	1973:4,4,5
1876:15;1881:22;	2002:10;2003:3;	18;1900:23;1906:22;	Nielsen (1)	normal (1)
1897:23;1898:18,24;	2002:10,2003:3, 2004:19,19;2008:15	1908:22	1863:22	1897:12
1901:7;1908:6;1909:1;	mud (1)	need (24)	night (11)	normally (1)
1901:7;1908:6;1909:1;	1945:11	1885:20;1886:4;	1864:1,24;1867:18,	1941:3
1912:15;1915:12;	multiple (6)		24;1868:3,7,8,12;	North (9)
14,23;1919:7;1921:14;	1904:20;1927:14;	1889:2;1895:8; 1919:14;1925:22;	24;1808:3,7,8,12; 1869:3;1890:5;	1866:3;1895:6;
14,23,1313.7,1321:14;	1704.20,1727.14;	1717.14,1723.22;	1007.3,1070.3;	1000.3,1093.0;
		1	1	

1986-1901-21:   1997-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-116   1978-117   1878-121875-1218581:198-11   1987-14:1919-6:   1978-16   1974-17   1978-17   1978-16   1978-17				I	1
1907:17;19124;   1907	1806.0.1001.21.	1964:16	O-F-F-I-I (1)	1068-24-1060-5 12-	operated (2)
1914/1983:16;   1874:10;   1877:1;   1988:18   1976:20;   1977:2,56;   1989:13;   1988:15;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:10;   1980:23;   1981:10;   1981:19;   1980:23;   1981:10;   1981:19;   1980:23;   1981:19;   1980:23;   1981:10;   1981:19;   1980:23;   1981:19;   1980:23;   1981:10;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1981:19;   1980:23;   1982:18;   1980:23;   1981:19;   1980:23;   1980					
2009:17					
nose-to-nose (I)         objection (IO)         often (4)         1917:6         1957:2;1876-4; 1868:19:1         1866:1938:21; 1948:10; 1878:15;18;188:119; 1958:21; 1943:61         1961:23;1972:17         1986:23;24;1987:10; 1968:23;24;1987:10; 1969:15; 23;1902:24         operating (3)           1973:17         1877:13;188:12; 1943:61         1943:61         1958:22; 1948:10; 1988:1,21,10;1990:15; 1988:1,21,10;1990:15; 1974:17         1958:23;1942:9         1958:32;1997:18         1958:32;1997:18         1958:3,28;149;10; 1988:1,2,10;1990:15; 1915:5;11,20;21; 1925:7; 1920:7;14;1925:7; 1920:7;14;1925:7; 1920:7;14;1925:7; 1920:14;10;10;10;10;10; 1916:17         1958:1,195;1897:18         1958:1,195;1897:18         1958:1,195;1899:18; 1939:19;18         1900:1;2997:18         1900:1;2					
1917:6   1875:2;1876:4;   1887:13;1818:19;   1961:2;1972:17   1986:23,1497:10;   1987:14;1919:6;   1974:7   1902:2;1982:9;   1988:13,814,19;   1988:13,814					
1961:23:1972:17   1986:23:24:1987:10   1988:13.1897:14 1919:6;   1988:13.1888:2;   1988:28:1988:12,   10;1996:15 1973:11   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:6;   1988:13.1891:24 1919:1919:1919:1919:1919:1919:1919:191					
1933:17   1887.73.1888.2;   1961.1976.1976.1976.1976.1976.1976.1976.	1917:6	1875:2;1876:4;	1866:7;1938:21;	1984:12,14,17,18,20;	1875:17,23;1902:24
1933:17   18877;13888:2;   1943:6.11   1943:6.11   1943:6.11   1943:8;   1943:6.11   1943:8;   1943:6.11   1943:8;   1943:1.1   1943:8;   1943:1.1   1943:8;   1943:1.1   1943:8;   1943:1.1   1943:8;   1943:1.1   1943:8;   1952:1.1952:1.1;   1953:1.1952:1.1;	notched (1)	1878:15,18;1881:19;	1961:23;1972:17	1986:23,24;1987:10;	operation (23)
1897;14:1919-6;   1974;17   1920;22;1982-9;   1996;32;2009;22;2002-9;15,24;   1996;31:1994;10   1996;3   1996;3   1996;3   1996;3   1996;3   1996;3   1996;3   1996;3   1996;3   1996;3   1982;18   1906;1997;16   1996;3					
1978:6   1974:17   1920:22;1982:9;   1996:15;1997:11;   1920:22;1982:9;   1926:19:1928:7;   1926:19:					
notes (1)   1994:22   Oklahoma (5)   1992:2000:22;20057,10; 2006:13; 2006:12;2009:15,24; 2006:13; 2006:13; 2006:12; 2006:12; 2006:13; 2006:12; 20					
1904:14					
notice (2)         obtaining (1)         1998:18.19;19834;         2006:13;2007;7,8.8.24;         1948:82005:11;         1996:3 (2006:12;2009):5.20;         2006:12;2009:15.20;         2006:12;2009:15.20;         2006:12;2009:15.20;         2006:12;2009:15.20;         2006:12;2009:15.20;         2016:17         2006:12;2009:15.20;         2016:17         2006:12;2009:15.20;         2016:17         2006:11         2006:19:10         2016:18;2009:14         2006:19:10         2016:18;2009:14         2016:18         2017:18         2018:18         1926:21;194:21         2018:33         1917:1912;194:18         1926:31;194:17;         1918:15;198:13;         1918:15;198:12;         1918:15;198:14         1955:14;724;         00ecrations (9)         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1916:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24;         1915:8,9,14;17,24; <th< td=""><td></td><td></td><td>,</td><td></td><td></td></th<>			,		
1963:6:1997:16   1996:3					
noticeable (1)         obviously (14)         Oklahoma's (1)         23:2009:7,24;2010:3, poperational (1)         2010:17           noticeably (1)         1897:7;1900:13; 1906:19;1916:17; 1916:21;35:7; noticed (3)         1917:7;1921:2;1935:7; 1916:8;1918:13; 1906:1916:17; 1905:23         one-half (1)         operational (1)         1995:14         operations (9)         1915:8,31,41,724; 1916:9;192:2;193.3; 193:12         one-half (1)         operations (9)         1915:8,31,41,724; 1916:9;192:2;193.3; 193:12         operations (9)         1915:8,31,41,724; 1916:9;1920:2;1921:8, 99         operations (9)         1915:8,31,41,724; 1916:9;1920:2;1921:8, 99         ones (15)         193:12,1724; 1916:9;1920:2;1921:8, 99         193:12,1724; 1916:9;1920:2;1921:8, 99         195:13,193:12         195:13,193:12         195:13,193:12         195:53,193:12         195:53,193:12         195:53,193:12         195:53,114,17,24; 1916:9;1920:2;193:12         195:53,114,17,24; 1916:9;1920:2;193:12         195:53,114,17,24; 1916:9;1920:2;193:12         195:53,114,17,24; 1916:193:12         195:53,114,17,24; 1916:9;1920:2;193:12         195:53,114,17,24; 1916:9;1920:12;193:12         195:53,114,17,24; 1916:9;1920:12;193:12         195:53,114,17,24; 1916:9;1920:12;193:12         195:53,114,17,24; 1916:9;1920:12;193:12         195:53,114,17,24; 1916:9;1920:12;193:12         195:53,114,17,24; 1916:9;1920:12;193:12         195:53,114,17,24; 1916:9;1920:12         195:53,114,17,24; 1916:9;1920:12         195:53,114,17,24; 1916:9;1920:12         195:53,11,17,21,17,21,17,21         195:53,11,17,21,17,21<					
1897:1					
noticeably (1)         1906:19;1916:17;         old (3)         2013:3         1995:14         1995:14         1995:12;193:15;         1917:7;1912;193:57;         1936:23;1944:7;         1963:23         1933:12         1915:8,9,14,17.24;         1918:17         1918:17         1955:13,196:13;         0ccurd (1)         1918:17         1918:17         1918:17         1900:11         1875:22,199:18 <td>noticeable (1)</td> <td>obviously (14)</td> <td>Oklahoma's (1)</td> <td>23;2009:7,24;2010:3,</td> <td>2010:17</td>	noticeable (1)	obviously (14)	Oklahoma's (1)	23;2009:7,24;2010:3,	2010:17
	1897:1	1897:7;1900:13;	1982:18	19,20;2012:3,13;	operational (1)
nb7:23 noticed (3) noticed (3) 1890:6;1896:2;16         1917:7;1921:2;1935;7; 1916:8;1918:13; 1963:23         one-half (1) 1933:12; ones (15) 1933:12; ones (15) 1918:15; 1911:12         operations (9) 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1916:9;1920:2;1921:8, 1918:10, 1916:9;1920:2;1921:8, 1918:10, 1918	noticeably (1)		old (3)		
noticed (3)         1936;23;1944:7;         1963;23;1944:7;         1963;23;1944:7;         1963;23;1944:7;         1963;23;1944:7;         1966;1896;2,16         1955;13;196;12;         1955;13;196;12;         1955;13;196;12;         1955;13;196;12;         1955;13;196;12;         196;1920;2;1921;8, 196;13;196;10;13;         196;1920;2;1921;8, 196;10;10;3;         196;1920;2;1921;8, 196;10;10;3;         196;1920;2;1921;8, 196;10;10;3;         196;1920;2;1921;8, 196;10;10;3;         196;1920;2;1921;8, 196;10;10;3;         196;1920;2;1921;8, 196;10;10;3;         196;1920;2;1921;8, 196;10;10;3;         196;1920;2;1921;8, 196;10;10;3;         197;12;         198;14;143;8;         190;17;1908;24;         198;11;195;2;19;195;2;         198;11;195;2;19;19;19;19;19;19;15;         196;11;196;19;19;19;19;19;19;19;19;19;19;19;19;19;					
1890.6;1896.2;16   1955:13;1964:12;   1918:15   1918:1					
November (1)   1977:6;1998:13;   2008:10   2					
NREL (1)					
NREL (1)					
1985:11			, ,		
nuisance (2)         occur (3)         1903:19         once (9)         once (9)         once (8)         once (8)         opponent (1)         187:21         opponent (1)         1887:21         opponent (1)         1887:24         opponent (2)         1887:22         18882:11:1922:13         1889:181         1982:1923:11					
1899:4:1904:7   1931:14:1943:8;   once (9)   1905:17;1908:24;   1904:5;1923:16;   1924:2:1926:24;   1943:23   1927:2:1;1929:15;   2003:17   2003	1998:11	1866:21	omitted (1)	1981:6,7,20;1982:12;	
1899:4:1904:7   1931:14:1943:8;   once (9)   1905:17;1908:24;   1904:5;1923:16;   1924:2:1926:24;   1943:23   1927:2:1;1929:15;   2003:17   2003	nuisance (2)	occur (3)	1903:19	1985:9,9	opponent (1)
number (20)         1944:5 occurred (1)         1905:17;1908:24; 1918:23; 1918:14; 1922:23; 1927:21;1929:15; 2002:21;1935:8,17; 1938:16;19507; 1885:20 occurring (1)         1918:17;1922:23; 1927:21;1929:15; 2003:17 opportunity (6)         one-third (1)         1887:24 opportunity (6)           1938:16;1950:7; 1956:1;1967:1,12; 1968:16;1977:21; 1968:16;1977:21; 1987:8;1995:9; 2000:22;2002:8,8; 2005:3 odd (1)         0ctober (1)         24;1869:19;1870:22; 2000:22;2002:8,8; 2013:22 1873:23;1874:3,6,7,8, 2013:22 1873:23;1874:3,6,7,8, 2013:22 1880:23;1883:13,23, 1870:16;1874:6; 1959:4, 1		1931:14:1943:8:	once (9)	one's (2)	
1921:15:1923:16;   1924:213   1927:21;1929:15;   2003:17   2007:	· · · · · · · · · · · · · · · · · · ·				
1942-2;1926-24;   1943:23   1927:21;1929:15;   2003:17   opcortunity (6)   1929:22;1935:8,17;   1935:16;1959:8;   1974:1   1918:21   1918:21   1864:9;1865:27,15;   1968:16;1977:21;   1868:14,14   1864:3;1867:3,13,   1987:8;1995:9;   2000:22;2002:8,8;   2013:22   1873:2,3;1874:3,6,7.8,   2005:3   2005:3   2005:3   1959:4   1880:23;1885:13;   2000:22;2002:8,8;   2013:22   1873:2,3;1875:15;   online (1)   1952:16;2015:11   opposing (2)   1952:16;2015:11   1900:20;1902:23;   1900:12;29;100:32;   1900:12;29;100:32;   1900:20;1902:23;   1900:				*	
1929:22:1935:8.17;					
1938:16;1950:7;   1885:20   1974:1   1918:21   1889:10;1925:7,15;   1956:1;1967:1,12;   1968:16;1977:21;   1868:14,14   1864:3;1867:3,13,   1910:16   online (1)   1952:16;2015:11   1900:02;2002:8,8;   2005:3   odd (1)   22,23;1875:15;   odd (1)   22,23;1875:15;   1900:7   online (1)   1952:16;2015:11   opposing (2)   1959:4   1880:23;1883:13,23,   1870:16;1874:6;   1982:9,10   1995:16;1931:16,19;1940:8;   1912:4;1976:4;   1888:16;1889:5,7,11,   1884:24;1889:19;   1950:15;1951:1;   1977:2,3;2010:8,11   12;1891:4;1892:2,12;   1900:20;1902:23;   1870:17;   1974:13;2002:19;   1864:13;1909:5;   1899:16;1900:4;   1912:5;1913:23;   1902:2;1903:8;1904:1;   1937:20;1956:1;   1938:7   1915:19;1918:5;   1906:11,12;1909:10;   1955:22;1960:7;   1916:10   1953:19;1954:15;   1914:13,16;1916:22;   1914:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1916:14;1					
1956:1;1967:1,12;   1968:16;1977:21;   1868:14,14   1864:3;1867:3,13,   1910:16   1910:16   1910:17   1952:15;2015:11   1900:7   1900:7   1900:7   1900:7   1900:7   1900:8   1910:2013:22   1873:2,3;1874:3,6,7,8,   1900:7   1900:7   1900:7   1900:8   1910:2013:26,13;   1910:201					
1968:16;1977:21;   1868:14,14   1864:3;1867:3,13,   1910:16   opposed (2)   1952:16;2015:11   1952:16;2002:28;   2013:22   1873:2,3;1874:3,6,78,   1910:07   opposing (2)   odd (1)   22,23;1875:15;   1900:7   only (33)   1952:9,10   oppositin (3)   1952:9,10   oppositin (3)   1952:9,10   oppositin (3)   1952:16;2015:11   oppositin (3)   1952:19;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:6;   1952:12;1940:8;   1910:24;1911:18;   1910:24;1911:18;   1961:16;1962:6;   1918:7   option (1)   1953:19;1954:15;   1912:3,17,19;1913:24;   1961:16;1962:6;   1918:24   option (1)   option (1)   1918:24   option (1)   option (1)   1918:24   option (1)   option (1)   option (1)   option (1)   option (1)   option (1					
1987:8;1995:9;   2000:22;2002:8,8;   2013:22   1873:2,3;1874:3,67,8,   2005:22;2002:8,8;   2005:22;2002:8,8;   2005:22;2002:8,8;   2005:22;2002:8,8;   2005:22;2002:8,8;   2005:22;2002:8,8;   2005:22;2002:8,8;   2005:22;2002:8,8;   2005:23;1857:15;   1975:24;1876:4;   1880:23;1883:13,23,   1870:16;1874:6;   1870:16;1874:6;   1975:23;2010:8,11   1977:2,3;2010:8,11   12;1891:4;1892:2,12;   1900:20;1902:23;   1972:3;2010:8,11   1977:2,3;2010:8,11   12;1891:4;1892:2,12;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1902:23;   1900:20;1903:8;1904:4;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1910:24;191:14;   1968:18;1979:20;   1910:31;195:21;   1910:31;195:31;   1		` ′			
2000:22;2002:8,8;         2013:22         1873:2,3;1874:3,6,7,8, 222,3;1875:15;         1900:7         opposing (2)           2005:3         odd (1)         22,23;1875:15;         only (33)         1870:16:1874:6;         1952:9,10           1918:20;1932:6,13;         1935:16,19;1940:8;         1912:4;1976:4;         1880:23;1883:13,23, 24;1884:2;1885:4;         1879:3,4;1883:23;         1879:34;1883:23;         1939:12;1940:6;           1955:15;1951:1;         1977:2,3;2010:8,11         12;1891:4;1892:2,12;         1900:20;1902:23;         0pt (1)           1953;8;1962:15,16;         off (14)         1895:17;1898:7;         1905:18,1909:7;         1870:17           2008:3         1912:5;1913:23;         1902:2;1903:8;1904:1;         1910:24;1919:14;         0ption (1)           1955:20         1932:12;1942:8;         1900:24;1911:18;         196:16;1962:6;         1938:7           nursery (1)         1951:1;1952:17;         1912:3,17,19;1913:24;         198:18,1939:20;         198:18,1999:20;         198:18           890:9         offensive (1)         1891:18         1922:1;1924:3;         1900:18,18;1991:21;         196:11         orange (1)           1877:24;1878:2;         1943:1,194;193:24;         195:193:13,14         1922:1;1924:3;         1909:18,18;1991:21;         1909:13         187:1947:7         orange (1)					
2005:3         odd (1)         22,23;1875:15;         only (33)         1952:9,10           numbers (14)         1959:4         1880:23;1883:13,23,         1870:16;18746;         opposition (3)           1918:20;1932:6,13;         Odell (6)         24;1884:2;1885:4;         1879:3,4;1883:23;         1939:12;1940:6;           1950:15;1951:1;         1972:2,3;2010:8,11         1881:6;1889:5,7,11,         1882:24;1898:19;         1952:12           1953:8;1962:15,16;         off (14)         1889:16;1900:4;         1900:20;1902:23;         opt (1)           2008:3         1912:5;1913:23;         1902:2;1903:8;1904:1;         1937:20;1956:1;         1870:17           2008:3         1915:19;1918:5;         1906:11,12;1909:10;         1959:22;1960:7;         1938:7           1955:20         193:12;1942:8;         1910:24;1911:18;         1906:11,12;1909:10;         1959:22;1960:7;         1918:24           nursery (1)         1953:19;1954:15;         1912:31,719;1913:24;         196:16;16;166:6;         1918:24           1890:9         offensive (1)         1920:5,6;1921:15,20;         1987:10;1988:1,11;         196:12,194:3;           1919:11         offeced (3)         1922:11;1924:3;         1931:22;1933:13,14         1931:22;1933:13,14         1931:22;1933:13,14         1933:13,34,5,16;         199:11	1987:8;1995:9;	October (1)	24;1869:19;1870:22;	online (1)	1952:16;2015:11
numbers (14)         1959:4         1880:23;1883:13,23, 24;1883:13,23, 24;1884:2;1885:4; 1879:3,4;1883:23; 1879:3,4;1883:23; 1939:12;1940:6; 1912:4;1976:4; 1888:16;1889:5,7,11, 1955:15;1951:1; 1977:2,3;2010:8,11         1888:16;1889:5,7,11, 1884:24;1898:19; 1950:20;190:20;3; opt (1)         1959:12;1940:6; 1879:3,4;1883:23; 1879:3,4;1883:23; 1979:2;1950:15;1951:1; 1977:2,3;2010:8,11         1979:13;2010:8,11         1888:16;1889:5,7,11, 1884:24;1898:19; 1900:20;190:20;3; opt (1)         1959:12;1940:6; 1959:12; opt (1)         1959:12;1940:6; 1900:20;190:20;3; opt (1)         1959:12;1940:6; 1959:12; opt (1)         1959:11;1952:17; 1900:20;190:20;3; opt (1)         1959:18;1909:7; 1950:18;1909:7; 1970:17; option (1)         1970:17;1919:14; 1973:20;1956:1; 1937:20;1956:1; 1937:20;1956:1; 1937:20;1956:1; 1937:20;1956:1; 1937:20; 1959:22;1960:7; optional (1)         1910:24;1919:14; 1959:22;1960:7; optional (1)         1918:24 option (3)         1919:14 option (1)         1993:15,16 option (3)         1919:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7         1900:13;17;194:7	2000:22;2002:8,8;	2013:22	1873:2,3;1874:3,6,7,8,	1900:7	opposing (2)
numbers (14)         1959:4         1880:23;1883:13,23, 24;1884:2;1885:4; 1918:20;1932:6,13; 1912:4;1976:4; 1888:16;1889:5,7,11, 1950:15;1951:1; 1977:2,3;2010:8,11         1880:23;1883:13,23, 24;1884:2;1885:4; 1879:3,4;1883:23; 1939:12;1940:6; 1895:15;1951:1; 1977:2,3;2010:8,11         1880:23;1883:13,23, 24;1884:2;1885:4; 1879:3,4;1883:23; 1939:12;1940:6; 1879:3,4;1883:23; 1950:15;1951:1; 1977:2,3;2010:8,11         1891:1884:24;1898:19; 1900:20;190:22:3; opt (1)         1952:12	2005:3	odd (1)	22,23;1875:15;	only (33)	1952:9,10
1918:20;1932:6,13;   1935:16,19;1940:8;   1912:4;1976:4;   1888:16;1889:5,7,11,   1884:24;1898:19;   1950:15;1951:1;   1977:2,3;2010:8,11   12;1891:4;1892:2,12;   1900:20;1902:23;   1905:18;19097;   1870:17   1974:13;2002:19;   1864:13;1909:5;   1899:16;1900:4;   1910:24;1919:14;   1905:18;19097;   1870:17   1974:13;2002:19;   1912:5;1913:23;   1902:2;1903:8;1904:1;   1937:20;1956:1;   1938:7   1915:19;1918:5;   1906:11,12;1909:10;   1957:20;1960:7;   1916:10   1953:19;1954:15;   1914:13,16;1916:22;   1987:13;198:7;   1990:18,18;1991:21;   1900:18,18;1991:21;   1900:19,193:13,14   1919:11   1919:1	numbers (14)				
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numerous (1)         1915:19;1918:5;         1906:11,12;1909:10;         1959:22;1960:7;         optional (1)           1955:20         1932:12;1942:8;         1910:24;1911:18;         1961:16;1962:6;         1918:24           nursery (1)         1951:1;1952:17;         1912:3,17,19;1913:24;         1968:18;1979:20;         options (3)           1916:10         1953:19;1954:15;         1914:13,16;1916:22;         1981:1;1986:7,21;         1904:13,17;1947:7           nursing (1)         1993:15,16         1917:3;1918:2,6;         1987:10;1988:1,11;         orange (1)           1890:9         offensive (1)         1920:5,6;1921:15,20;         1990:18,18;1991:21;         1960:11           nutrient (1)         1891:18         1922:11;1924:3;         2003:15,18;2013:8         order (3)           1919:11         offered (3)         1928:15;1930:1;         noto (1)         1863:4;1931:24;           nuts (3)         1925:2;1933:13,14         1931:22;1932:4,16,23;         0ops (1)         1863:4;1931:24;           1949:16         1933:13,34,5,16;         1936:18;1937:23;         1964:19         ordinance (55)           0         1894:11         1944:2;1947:4,24;         open (1)         1959:2,4,11,17,22;           oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)					
1955:20					
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nursing (1)         1993:15,16         1917:3;1918:2,6;         1987:10;1988:1,11;         orange (1)           1890:9         offensive (1)         1920:5,6;1921:15,20;         1990:18,18;1991:21;         1960:11           nutrient (1)         1891:18         1922:11;1924:3;         2003:15,18;2013:8         order (3)           1919:11         offered (3)         1928:15;1930:1;         1875:12         1992:13           nuts (3)         1925:2;1933:13,14         1931:22;1932:4,16,23;         Oops (1)         1870:8;1873:6;           2009:5,7,9         office (3)         1934:18;1935:5,13;         1964:19         1870:8;1873:6;           1949:16         1936:18;1937:23;         1964:19         1870:8;1873:6;           1865:18;1900:9         0fficial (1)         1939:22,23;1943:24;         1919:1         1959:2,4,11,17,22;           0bama (4)         1914:14         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           1869:11;1964:19,19;         196fill (5)         1957:16;1958:12;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;         1960:20;1961:14;         0perate (2)         1965:11;1966:12,15,	nursery (1)	1951:1;1952:17;	1912:3,17,19;1913:24;	1968:18;1979:20;	options (3)
nursing (1)         1993:15,16         1917:3;1918:2,6;         1987:10;1988:1,11;         orange (1)           1890:9         offensive (1)         1920:5,6;1921:15,20;         1990:18,18;1991:21;         1960:11           nutrient (1)         1891:18         1922:11;1924:3;         2003:15,18;2013:8         order (3)           1919:11         offered (3)         1928:15;1930:1;         noto (1)         1863:4;1931:24;           nuts (3)         1925:2;1933:13,14         1931:22;1932:4,16,23;         Onto (1)         1865:12           2009:5,7,9         office (3)         1933:1,3,4,5,16;         Oops (1)         ordinance (55)           1877:24;1878:2;         1934:18;1935:5,13;         1964:19         1870:8;1873:6;           1949:16         1936:18;1937:23;         open (1)         1874:19;1888:8;           Official (1)         1939:22,23;1943:24;         1919:1         1959:2,4,11,17,22;           oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)         1960:6,8,10,13,19,21,           1865:18;1900:9         officials (1)         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           Obama (4)         1914:14         1956:10,10,14,16,17;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;	1916:10	1953:19;1954:15;	1914:13,16;1916:22;	1981:1;1986:7,21;	1904:13,17;1947:7
1890:9         offensive (1)         1920:5,6;1921:15,20;         1990:18,18;1991:21;         1960:11           nutrient (1)         1891:18         1922:11;1924:3;         2003:15,18;2013:8         order (3)           1919:11         offered (3)         1925:2;1933:13,14         1928:15;1930:1;         onto (1)         1863:4;1931:24;           nuts (3)         1925:2;1933:13,14         1931:22;1932:4,16,23;         Open (1)         ordinance (55)           0         1877:24;1878:2;         1934:18;1935:5,13;         1964:19         open (1)         1870:8;1873:6;           0         1949:16         1939:22,23;1943:24;         1919:1         1959:2,4,11,17,22;           oath (2)         1894:11         1944:2;1947:4,24;         1919:1         1959:2,4,11,17,22;           obama (4)         1914:14         1956:10,10,14,16,17;         1916:22         24;1961:1,2,17,20,21,           Obsma (4)         1914:14         1956:10,10,14,16,17;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;         1960:20;1961:14;         1939:24         1960:20;1961:14;	nursing (1)				
nutrient (1)         1891:18         1922:11;1924:3;         2003:15,18;2013:8         order (3)           1919:11         offered (3)         1928:15;1930:1;         noto (1)         1863:4;1931:24;           nuts (3)         1925:2;1933:13,14         1931:22;1932:4,16,23;         1875:12         1992:13           2009:5,7,9         1877:24;1878:2;         1934:18;1935:5,13;         1964:19         ordinance (55)           1877:24;1878:2;         1934:18;1937:23;         open (1)         1874:19;1888:8;           0         0fficial (1)         1939:22,23;1943:24;         1919:1         1959:2,4,11,17,22;           oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)         1960:6,8,10,13,19,21,           1865:18;1900:9         officials (1)         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           Obama (4)         1914:14         1956:10,10,14,16,17;         opening (1)         24;1962:7,8,12,14,16,           1869:11;1964:19,19;         1878:10;1880:2,15;         1960:20;1961:14;         operate (2)         1965:11;1966:12,15,					0 , ,
1919:11         offered (3)         1928:15;1930:1;         onto (1)         1863:4;1931:24;           nuts (3)         1925:2;1933:13,14         1931:22;1932:4,16,23;         1875:12         1992:13           2009:5,7,9         office (3)         1933:1,3,4,5,16;         Oops (1)         ordinance (55)           B         1877:24;1878:2;         1934:18;1935:5,13;         1964:19         1870:8;1873:6;           O         Official (1)         1939:22,23;1943:24;         199:1         1874:19;1888:8;           oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)         1960:6,8,10,13,19,21,           1865:18;1900:9         officials (1)         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           Obama (4)         1914:14         1956:10,10,14,16,17;         opening (1)         24;1962:7,8,12,14,16,           1869:11;1964:19,19;         Offill (5)         1957:16;1958:12;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;         1960:20;1961:14;         operate (2)         1965:11;1966:12,15,					
nuts (3)         1925:2;1933:13,14         1931:22;1932:4,16,23;         1875:12         1992:13           Office (3)         1877:24;1878:2;         1934:18;1935:5,13;         1964:19         1870:8;1873:6;           Official (1)         1939:22,23;1943:24;         1919:1         1874:19;1888:8;           oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)         1960:6,8,10,13,19,21,           Obama (4)         1914:14         1956:10,10,14,16,17;         196:22         24;1962:7,8,12,14,16,           1869:11;1964:19,19;         Offill (5)         1957:16;1958:12;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;         1960:20;1961:14;         operate (2)         1965:11;1966:12,15,					
2009:5,7,9         office (3)         1933:1,3,4,5,16;         Oops (1)         ordinance (55)           0         1877:24;1878:2;         1934:18;1935:5,13;         1964:19         1870:8;1873:6;           1949:16         1936:18;1937:23;         open (1)         1874:19;1888:8;           0         1894:11         1939:22,23;1943:24;         1919:1         1959:2,4,11,17,22;           1865:18;1900:9         officials (1)         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           0bama (4)         1914:14         1956:10,10,14,16,17;         opening (1)         24;1962:7,8,12,14,16,           1869:11;1964:19,19;         1878:10;1880:2,15;         1960:20;1961:14;         operate (2)         1965:11;1966:12,15,					
1877:24;1878:2;       1934:18;1935:5,13;       1964:19       1870:8;1873:6;         O       1870:8;1878:2;       1934:18;1935:5,13;       1964:19       1870:8;1873:6;         Official (1)       1939:22,23;1943:24;       1919:1       1959:2,4,11,17,22;         oath (2)       1894:11       1944:2;1947:4,24;       open (1)       1960:6,8,10,13,19,21,         Obama (4)       1914:14       1956:10,10,14,16,17;       opening (1)       24;1962:7,8,12,14,16,         1869:11;1964:19,19;       0ffill (5)       1957:16;1958:12;       1939:24       18,19;1963:4,10,17;         1965:3       1878:10;1880:2,15;       1960:20;1961:14;       operate (2)       1965:11;1966:12,15,					
O         1949:16         1936:18;1937:23;         open (1)         1874:19;1888:8;           oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)         1960:6,8,10,13,19,21,           1865:18;1900:9         officials (1)         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           Obama (4)         1914:14         1956:10,10,14,16,17;         opening (1)         24;1962:7,8,12,14,16,           1869:11;1964:19,19;         Offill (5)         1957:16;1958:12;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;         1960:20;1961:14;         operate (2)         1965:11;1966:12,15,	2009:5,7,9				
oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)         1960:6,8,10,13,19,21,           1865:18;1900:9         officials (1)         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           Obama (4)         1914:14         1956:10,10,14,16,17;         opening (1)         24;1962:7,8,12,14,16,           1869:11;1964:19,19;         0ffill (5)         1957:16;1958:12;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;         1960:20;1961:14;         operate (2)         1965:11;1966:12,15,					
oath (2)         1894:11         1944:2;1947:4,24;         open-fronted (1)         1960:6,8,10,13,19,21,           1865:18;1900:9         officials (1)         1948:7;1949:23;         1916:22         24;1961:1,2,17,20,21,           Obama (4)         1914:14         1956:10,10,14,16,17;         opening (1)         24;1962:7,8,12,14,16,           1869:11;1964:19,19;         Offill (5)         1957:16;1958:12;         1939:24         18,19;1963:4,10,17;           1965:3         1878:10;1880:2,15;         1960:20;1961:14;         operate (2)         1965:11;1966:12,15,	O				
1865:18;1900:9       officials (1)       1948:7;1949:23;       1916:22       24;1961:1,2,17,20,21,         Obama (4)       1914:14       1956:10,10,14,16,17;       opening (1)       24;1962:7,8,12,14,16,         1869:11;1964:19,19;       Offill (5)       1957:16;1958:12;       1939:24       18,19;1963:4,10,17;         1965:3       1878:10;1880:2,15;       1960:20;1961:14;       operate (2)       1965:11;1966:12,15,	-	, ,			
1865:18;1900:9       officials (1)       1948:7;1949:23;       1916:22       24;1961:1,2,17,20,21,         Obama (4)       1914:14       1956:10,10,14,16,17;       opening (1)       24;1962:7,8,12,14,16,         1869:11;1964:19,19;       Offill (5)       1957:16;1958:12;       1939:24       18,19;1963:4,10,17;         1965:3       1878:10;1880:2,15;       1960:20;1961:14;       operate (2)       1965:11;1966:12,15,	oath (2)	1894:11	1944:2;1947:4,24;	open-fronted (1)	1960:6,8,10,13,19,21,
Obama (4)       1914:14       1956:10,10,14,16,17;       opening (1)       24;1962:7,8,12,14,16,         1869:11;1964:19,19;       Offill (5)       1957:16;1958:12;       1939:24       18,19;1963:4,10,17;         1965:3       1878:10;1880:2,15;       1960:20;1961:14;       operate (2)       1965:11;1966:12,15,	1865:18;1900:9	officials (1)	1948:7;1949:23;	1916:22	24;1961:1,2,17,20,21,
1869:11;1964:19,19; Offill (5) 1957:16;1958:12; 1939:24 18,19;1963:4,10,17; 1965:3 1878:10;1880:2,15; 1960:20;1961:14; operate (2) 1965:11;1966:12,15,		, ,	1956:10,10,14,16,17:	opening (1)	
1965:3 1878:10;1880:2,15; 1960:20;1961:14; <b>operate (2)</b> 1965:11;1966:12,15,					
Obamas (1) 1001.12,1000.21 1702.3,0,13,1701.24, 1723.0,1 10,22,1907.3,3,11,					
		1001.12,1000.21	1704.5,0,15,1707.44,	1723.0,1	10,22,1707.3,3,11,

	1703.21	1000.3,10,1001.3,20,	7,11,27,1702.12,	personal (1)
1992:18;1995:20; 2003:9;2004:7;	package (1) 1965:21	1878:11;1879:16,17; 1880:3,16;1881:5,20;	1893:4,5,7,21;1900:4, 9,11,24;1902:12;	1958:20 personal (7)
1990:16;1991:13;	naakaga (1)	Party (8)	1885:22;1886:19;	1902:9;1909:10;
1987:22;1989:5,9,12;	P	1920:20,22;1997:10	1873:14,19;1881:9,23;	person (3)
8;1985:19;1986:4,7;	D	parts (3)	1868:10;1870:20;	1993:19
24;1983:19;1984:3,7,	1926:2,4	1911:10;1951:12	people (55)	perpetuity (1)
21;1980:15;1982:1,13,	ownership (2)	1888:24;1907:5;	1987:5;1988:8	1904:15
1977:21,22;1979:8,9,	1991:17;2000:23	parties (4)	Pennsylvania (2)	permitting (1)
1973:18;1975:14;	1989:6;1990:22,24;	1892:2	1869:9	2009:3,10,24
1967:17,20,22;1972:6;	1986:5;1988:24;	1876:12;1880:21;	penetrates (1)	23,23;2008:5,21,22;
1961:20,21;1963:4,11;	1956:5,8;1961:16,23;	particular (3)	1868:18;1909:6	1924:15;2007:9,20,
1959:8;1960:4,6,22;	1954:6,21;1955:14,23;	1955:5;2014:24	penetrate (2)	permitted (11)
1957:12;1958:23;	1939:21;1950:4,4;	1939:5;1949:24;	1937:9	1995:10
1954:19;1955:1,2;	14;1938:2,11,16,20;	1937:24;1938:1;	Pekin (1)	1903:20;1967:9;
1951:8;1952:15;	16,19,24;1937:10,12,	1934:3,7,11;1935:1,14;	2000:3,4;2001:4	permit (3)
1945:10,14;1949:7,13;	22,23,24;1936:11,13,	1932:2,6;1933:7,21;	peddling (3)	1924:11
1938:2,8;1941:12;	1934:8;1935:15,17,	1924:2;1929:23;	1908:8	permission (1)
1927:8;1937:3,7,11,11;	owners (36)	1915:3;1922:3,24;	peacefulness (1)	1896:18
1923:1;1926:7,13,14;	1992:23;1996:4	Participation (20)	1910:10	periodically (1)
1920:23;1921:5;	1990:19,21,22;	2008:12	peaceful (1)	1871:24
1918:21;1919:14;	1956:3;1961:18;	1950:3,4,17,21;1954:6;	1918:5	period (1)
1911:19;1913:24;	1949:24;1955:16;	1937:19;1938:2,19;	PC (1)	1987:1,2;1989:6
1908:16;1909:3;	1936:2;1939:6;	1935:5,7;1936:2,7,11;	1938:23	1899:20;1940:16;
1904:19;1907:1;	1934:19;1935:14,20;	1933:12,19;1934:16;	Payments (1)	perhaps (5)
1901:23;1903:5;	owner (14)	1931:5;1932:10;	1999:8;2005:13	1916:14,18
1896:23;1898:6;	1991:12,13	1923:13;1925:10;	1947:14;1950:1;	performance (2)
1891:14,17;1894:9;	1971:12;1972:9;	1876:19;1919:18,20;	paying (4)	1891:24
1882:5;1890:11,14;	1916:7;1919:23;	participating (24)	1947:16;2003:19,21	perform (1)
1877:8;1881:9,20;	1898:18;1901:4;	1951:4	1903:12;1921:2;	2002:16
1874:20;1875:3;	own (8)	1934:13;1950:8;	pay (5)	1968:16;1999:20;
1870:17;1871:12;	1969:3	participants (3)	15	perfect (3)
11;1868:2,2;1869:5;	overspecification (1)	1949:4;1995:15,23	1894:22;1895:2,5,7,	1938:15
1864:16,22;1865:1,	1869:8	participant (3)	Paula (5)	percentages (1)
out (102)	overpowers (1)	2008:6,6	2012:19	1935:6;1938:18
1924:23	2008:5	1990:9;2001:13;	1982:21;1987:18,19;	1924:9;1932:6,10;
1919:20;1922:7;	overlapping (1)	1980:4;1986:10;	pattern (4)	percentage (5)
ourselves (3)	9,10;2010:21,23	1972:16;1973:20;	1911:14	2003:18
1967:5	14;2008:11,11;2009:2,	1963:11;1966:13;	Patrick (1)	1965:1;1971:1,7;
ours (1)	10;1997:8,23;1998:12,	1934:24;1935:12;	1891:11	1938:15,17;1964:24;
,			patio (1)	22;1936:5,15;1937:18;
1879:6;1886:9	2;1987:23;1993:2,8,	1876:1;1928:10,13; 1929:16,19;1932:1,15;		
1899:23 Otherwise (2)	1981:10;1983:8; 1984:3;1985:4;1986:2,	1876:1;1928:10,13;	2005:9	1909:7,17;1918:19,
1899:23	1975:5,11,16,1976:2,6;	1873:17,18;1875:23;	pathway (1)	percent (14)
other's (1)	1972:3,1974:21,	part (22)	1948:15	1963:10
1910:13;1948:12	1972:3;1974:21;	1872:6	pathogen (1)	1896:11;1956:3;
1898:7;1909:2;	1938:5;1964:10;	Pardon (1)	1949:13,21	per (3)
others (4)	1925:14,23;1932:8;	1880:1	1929:9;1947:5;	1910:1,3;1972:21
1933:5	1893:15;1906:13;	paragraph (1)	path (4)	people's (3)
1927:24;1932:22;	1868:19;1873:14;	1972:17,19	1866:18	1936:6
original (3)	1866:20;1867:7;	papers (2)	past (1)	people/landowners (1)
1876:18;1904:4	over (39)	23;1972:19,22	1875:20	2013:5
organization (2)	1981:11;2008:6	1967:22;1969:19,22,	passes (1)	2006:22;2008:1;
1981:5	1977:10;1979:10;	paper (6)	1966:19;1999:9	1997:10;1999:12;
1977:20;1980:22;	1898:22;1948:15;	1898:16	passed (2)	24;1990:5;1991:12;
Oregon (3)	1890:7;1896:12;	pain (1)	1966:23	1986:19,20;1987:20,
1960:14,15;1962:2	outside (8)	1922:13,19	pass (1)	1984:1;1985:18,18,21;
1931:11;1959:10;	1922:5	paid (2)	1934:21	1981:23;1983:1,22;
1871:6;1883:8;1910:2;	outlined (1)	1942:17	Parzyck's (1)	1972:18;1975:1;
1869:21;1870:3;	1920:10	pages (1)	1990:1	1965:17;1967:6;
ordinances (10)	outline (1)	2007:5	1939:23;1950:23;	1952:15,16,20,23;
12,20,22;2007:2	1896:13	1944:14;1950:3;	Parzyck (3)	1937:9,18;1940:21;
1999:22,23,24;2000:2,	outing (1)	17;1894:15;1901:15;	1885:6	1922:9;1935:24;
20;1991:2,3,17;	2012:21	1879:24,24;1881:12,	Party/Illinois (1)	1910:10,11;1917:16;
1979:19,19;1990:17,	2007:22,23;2010:1,11;	page (9)	1885:1	1908:21;1909:3,18,19;

Part	1072.10.1074.12 15	1982:8	nm (4)	1009.10.1011.22.	2 12 15 17 22 1900 22
1998-0   1998;81 9944   1987;23:2000.5.21   1999;15   1999;15   1999;15   1999;15   1996;16   1996;16	1873:18;1874:12,15,		pm (4)	1908:10;1911:22;	2,13,15,17,22;1898:23;
1939.6   1938;38;19844;   1907.8   1918;13   1918;13   1918;12   1918;12   1918;12   1918;12   1918;13   1919;15   1918;1929   1918;1929;19					
1987:32,000.5,5.21   1987:32,000.5,5.21   1987:32,000.5,5.21   1987:32,000.5,5.21   1987:32,1985:32   1988:4,123,1995:32   1988:4,123,1995:4,					
1878:12:1880-4;   placement (2)   point (36)   1996:15   1996:15   1996:15   1996:17   1996:17   1996:1998:11;   person's (2)   places (3)   places (4)   places (4)   places (5)   places (6)   places (6)   places (7)   places (8)   places (8)   places (1)   places (1)   places (1)   places (1)   places (2)   places (3)   places (2)   places (2)   places (3)   places (2)   places (3)   places (2)   places (3)   places (2)   places (3)   places (3)   places (3)   places (3)   places (3)   places (3)   places (4)   places (6)   places (6)   places (6)   places (7)   places (8)   places (8)   places (8)   places (1)   places (1)   places (2)   places (3)   places (2)   places (3)   places (2)   places (3)   places (4)   place					
1906-15   1949-7.17   1864-7.1875-3;   1897-7.1908-15;   1992-3.1909-9   1941-2.1983-5   1941-2.1983-5   1962-8.1903-5.1912-3,   1902-8.1903-5.1912-					7 7
perspective (12) plane (5) places (2) places (2) perspective (12) plane (5) perspective (12) plane (5) perspective (12) plane (5) plane (5) perspective (12) plane (12) plane (2) plane (12) plane (12) plane (12) plane (13) plane (14) plane (15) plane (16) plane (16) plane (17) plane (18) plane					
1874:23:1909:9   perspective (12)   1916:5					
perspective (12)					
1954:41929:195   1960:11968:15   1980:17:1985:11;   1910:02:23   1992:11:193:11;   1987:23:1985:14;   1987:29:1996:11;   1987:23:1985:11;   1987:29:1996:11;   1987:29:1998:11;   2001:12:2004:13;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:11:2004:23;   2006:19:2004:23;   2006					
1996:1;1985:1;   1921:20;21;1962:23   1939:21;1932:11;   1996:7;1998:11;   1996:7;1998:11;   1996:7;1998:11;   1996:7;1998:11;   1996:7;1998:11;   1996:7;1998:11;   1996:7;1998:11;   1996:21;1996:20;   1938:11;19140:9.10;   1986:22;1999:130;   1996:14;   1996:3;1999:130;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1996:3;1999:7;   1996:14;   1					
1980:17;1985:11;   1967:29;1906:20   1934:23;1937:19.20;   2012:22   2022:20   2022:	1960:1;1968:15;				1998:20;2010:10
2006:11:2004:23   2006:11:2014:1   Petition (6)					
2006:11:2014:1   Planning (3)	1996:7;1998:11;	1867:20;1906:20	1938:11,19;1940:9,10;	2012:22	1899:3
Planning (3)   1971:14:1973:1,17;   power (19)   previously (1)   1887:1932:6,811, 23,24   phases (1)   1887:1932:18   1887:1932:23   1992:18   1992:18   1992:18   1992:18   1992:19   1992:11   1992:19   1992:19   1992:19   1992:19   1992:11   1992:19   1992:11   1992:19   1992:11   1992:19   1992:19   1992:11   1992:19   1992:11   1992:19	2001:2;2004:23;				
1940.5:1952:6,8,11,   1988:10:1910-4;   1989:9:1990.1,16;   1989:9:1990.1,16;   1992:18   1971.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972.72.0;   1972					1897:18;1933:4
19218   plant (4)   plant (2)   plant (3)   plant (4)   plant (4					
plant (4)					
Table					
Phil (2)					
1885:13:1889:16   planted (2)   1908:3;1920:7   plants (1)   1908:3;1920:7   plants (1)   1908:19   1908					
Description					
PowerPoint (4)   1968:21   1968:21   1969:15   1900:12   1900:12   1900:12   1900:12   1900:12   1900:13					
phobias (1)   play (10)   1964:14   play (10)   1964:14   political (2)   1973:24   primary (1)   1973:13   primary (1)   1973:14   primary (1)   1973:14   primary (1)   1973:14   primary (1)   1973:14   primary (1)   19					
17					
phrase (1)			• • •		
1963:9					
Description (1)   12;2014:9,13   played (2)   1837:1;1898:7   1945:14;16   1897:11;1898:7   1945:14;16   1897:11;1898:7   1945:14;2011:14;   1909:8;1963:7   1945:11;2011:14;   1909:8;1963:7   1945:11;2011:14;   195:15;1970:18,22   1973:13   1973:13   1976:19   1969:19   196					
1945:14,16					
1945:14,16					
physically (2)   1945:11;2011:14;   1905:15;1970:18,22   1973:13   1975:19]   1969:19   1969:1					
Piatt (1)         2014:20         Polsky (2)         preference (1)         1969:19           picked (1)         1863:9,10;189:21;         1965:7,23         prepared (3)         1863:9,10;189:21;           1964:8         1894:10,14;190:14,         24;1904:19;1905:5;         1965:18         1873:24;1874:1;         private (2)           1916:21,24;1917:2, 4,91930:23;1945:2;         1909:12;1910:9;         1909:12;1910:9;         1920:21;1937:4;         1972:14         private (2)           1958:24;1981:19;         1969:5;1972:7;         1958:24;1989:19;         1990:3;2015:1         please (2)         1890:3;2015:1         present (7)         1877:19         1973:11         provately-owned (1)         1973:11         privately-owned (1)         1973:11         provent (7)         1876:1914:15,21,21         provent (7)         1876:1914:15,21,21         provent (7)         1896:10         1896:18,20         1896:18,20         1896:18,20<				preface (1)	
Pleasant (21)			1905:15;1970:18,22	1973:13	prior (1)
picked (1)         1863:9,10;1879:21;         Polsky's (1)         prepared (3)         1869:13           picture (14)         24;1904:19;1905:5;         Pontiac (3)         1972:14         1972:14         private (2)           1916:21,24;1917:2,         1999:12;1910:9;         1920:21;1937:4;         1957:22;2002:11         1957:22;2002:11           4,9;1930;23;1945:2;         1915:3;1957:17;         1958:24;1981:19;         1959:5;1972:7;         1954:3         1877:19         1973:11           2006:16;2007:1,2;         1979:24;1989:21,22,         23;1990;3;2015:1         pop (2)         present (7)         1973:11         probably (13)           1945:1         1865:5;1864:16,17;         popped (1)         1877:19         196:10         probably (13)           1945:1         1865:17,20,24;1866:6;         1906:10         presentation (8)         1889:19;1914:22;         196:10           1916:20         1890:24;1892:18;         1906:19         1914:13,24;1915:2;         1920:20;1924:10;         1932:1;1944:22;         1927:4;1948:11;         1986:16         1932:1;1944:22;         1927:4;1948:11;         1987:2;1988:10;         1990:2;1991:7;         1987:2;1988:10;         1990:2;1991:7;         1987:2;1988:10;         1990:2;1991:7;         1987:2;1988:10;         1990:2;1991:7;         1987:2;1989:15;23;         1996:5,11;2004:8 </td <td>Piatt (1)</td> <td>2014:20</td> <td>Polsky (2)</td> <td>preference (1)</td> <td>1969:19</td>	Piatt (1)	2014:20	Polsky (2)	preference (1)	1969:19
1964:8			1965:7,23		
picture (14)         24;1904:19;1905:5;         Pontiac (3)         1972:14         1957:22;2002:11           1916:21,24;1917:2,         1909:12;1910:9;         1920:21;1937:4;         presence (1)         privately-owned (1)           1958:24;1981:19;         1969:5;1972:7;         1958:24;1981:19;         1979:24;1989:21,22,         pop (2)         present (7)         pro (1)           2006:16;2007:1,2;         1979:24;1989:21,22,         23;1990:3;2015:1         pop (2)         1879:6;1914:15,21,         1961:10           2009:13;2010:15         please (26)         1863:5;1864:16,17;         popped (1)         24;1932:9;1942:10;         1866:24;1867:16;           1916:20         1865:17,20,24;1866:6;         popping (1)         presentation (8)         1898:19;1914:22;           1916:20         1895:1,3,13;1907:12,         1909:7;1981:10;         1990:2;1991:7;         1987:2;4982:10;           1983:24;1992:4         14,2;1911:12;1914:5,         popping (1)         1990:7;1981:10;         1990:7;1981:10;         1990:7;1981:10;         1990:7;4198:10;         2001:16         2003:5;2010:12;         1987:2;1988:10;         2001:16         2003:5;2010:12;         1990:196:04         1990:2;1991:7;         1987:2;1988:10;         1990:2;1991:7;         1988:13;1969:4;         1939:24         problem (3)         1958:13;1969:4;         1958:13;1969:4;<				` '	
1916:21,24;1917:2,   1909:12;1910:9;   1920:21;1937:4;   1958:24;1981:19;   1969:5;1972:7;   1958:24;1981:19;   2006:16;2007:1.2;   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   23;1990:3;2015:1   200est (26)   1865:17,20,24;1866:6;   1916:20   1899:24;1892:18;   1916:20   1899:24;1892:18;   1916:20   1899:24;1892:18;   1916:20   1899:13,13;1907:12,   1899:14;1912:1914:5,   1909:7;1981:10;   1909:2;1991:7;   1909:2;1991:7;   1987:21;1988:10;   1931:4   1957:7;2011:10,11;   1996:5,11;2004:8   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:24   1939:65,11;2004:8   1939:24   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:66   1939:60   1939:60   1939:60   1930:19;1958:7   1					
4,9;1930:23;1945:2; 1915:3;1957:17; 1958:24;1981:19; 1969:5;1972:7; 1969:5;1972:7; 1979:24;1989:12,2 23;1990:3;2015:1 please (26) 1863:5;1864:16,17; 1916:20 1865:17,20,24;1889:18; 1916:20 1890:24;1892:18; 1883:24;1992:4 14,21;1911:12;1914:5, piece (2) 1883:24;1992:4 14,21;1911:12;1914:5, piece (3) 1931:4 1931:4 1931:4 1882:1 pleased (1) 1882:1 pleased (1) 1882:1 pleased (1) 1888:19 pleased (1) 1921:16 position (2) 1868:19 pledge (1) 1906:17 pilots (1) 2010:19 pilots (1) 2010:19 pilots (1) 2010:19 pilots (1) 1979:9 plumb (1) 1982:5 plus (1) 1982:5 plus (1) 1982:5 plus (1) 1982:5 plus (1) 1982:9 pressure (16) 1973:11 pro (1) 1973:11 pro (1) 1877:19 present (7) 18877:19 present (7) 18877:19 present (7) 18877:19 present (7) 18896:14,318,20 present (7) 18896:18,20 24;1932:9;1942:10; 1961:10, 18896:16 1973:18 propped (1) 1896:16 1973:18 presentation (8) 18896:16; 1973:18 presentation (8) 1896:19 presentation (3) 1900:19 polition (3) 1900:19 presentation (3) 1900:19 presentations (1) 1921:16 position (2) 1930:19;1958:7 presenting (1) 1972:2 problems (2) 1930:19;1958:7 presenting (1) 194:14 precedures (1) 1966:24 proced (4) 1997:9 plumb (1) 1898:4 preserving (1) 1921:21 proced (4) procedures (1) 1997:9 plumb (1) 1898:4 preserving (1) 1866:10;1902:16; 1900:19;1914:11 1982:5 plus (1) 1992:9 preserving (1) Proceedings (1) 1992:9					
1958:24;1981:19;   2006:16:2007:1,2;   2009:13;2010:15   pictured (1)   please (26)   1865:17,20,24;1866:6;   1945:1   1865:17,20,24;1866:6;   1990:24;1992:4   1890:24;1992:18;   pictures (1)   1890:24;1992:18;   pictures (2)   1890:24;1992:18;   pictures (1)   1931:4   1957:7;2011:10,11;   2014:9,13   pillow (1)   1882:1   pillow (1)   1882:1   pillow (1)   1906:19   pillots (1)   1990:17   pillots (1)   1997:9   pillots (1)   1997:9   pillots (1)   1997:9   piltot (1)   1982:5   pollot (1)   1982:5   pollot (1)   1992:9   popt (1)   1896:18,20   popt (1)   1896:18,20   popt (1)   1889:18,20   popt (1)   24;1932:9;1942:10;   1941:15,21,   popt (1)   24;1932:9;1942:10;   1973:18   presentation (8)   1866:24;1867:16;   1906:19   1906:19   poptlation (3)   1914:13,24;1915:2;   1920:20;1924:10;   1900:19   1909:7;1981:10;   1900:191:7;   1900:191:7;   1900:191:7;   1900:191:7;   1900:191:7;   1900:191:7;   1900:191:7;   1900:191:10;					
2006:16;2007:1,2; 2009:13;2010:15 pictured (1) please (26) 1945:1 196:20 1865:17,20,24;1866:6; 1916:20 1890:24;1892:18; piece (2) 1883:24;1992:4 1890:18,20 1990:7;1981:10; 1990:2;1991:7; 1920:20;1924:10; probably (13) 1890:16 190:19 190:7;1981:10; 190:21;1944:22; 1920:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:21;1944:22; 1920:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1924:10; 190:20;1921:7; 190:20;1924:10; 190:20;1921:7; 190:20;1924:10; 190:20;1921:7; 190:20;1924:10; 190:20;1921:7; 190:20;1924:10; 190:20;1921:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;192:10; 190:20;10					
2009:13;2010:15         23;1990;3;2015:1         popped (1)         24;1932:9;1942:10;         probably (13)           pictured (1)         please (26)         1896:16         popping (1)         1973:18         1866:24;1867:16;           1945:1         1863:5;1864:16,17;         popping (1)         presentation (8)         1898:19;1914:22;           pictures (1)         1890:24;1892:18;         popping (1)         194:13,24;1915:2;         1920:20;1924:10;           piece (2)         1895:13,313;1907:12,         1909:7;1981:10;         1990:2;1991:7;         1987:21;1988:10;           1883:24;1992:4         14,21;1911:12;1914:5,         2005:15         2001:16         2003:5;2010:12;           pieces (1)         10;1943:9,15;1951:13;         1996:5,11;2004:8         presentations (1)         2013:24         problem (3)           1882:1         pleased (1)         1889:3         1932:24         problem (3)         1958:13;1969:4;           pillow (1)         1921:16         position (2)         1972:2         presenting (1)         1893:16;1974:10         1896:62           pilots (1)         1996:17         positioning (1)         1914:14         procedures (1)         1966:24           pipelines (1)         1997:9         plumb (1)         1898:4         President (3)         1866:1					
pictured (1)         please (26)         1896:16         1973:18         1866:24;1867:16;           1945:1         1863:5;1864:16,17;         1865:17,20,24;1866:6;         1906:19         1914:13,24;1915:2;         1898:19;1914:22;           1916:20         1890:24;18892:18;         1895:1,3,13;1907:12,         1895:1,3,13;1907:12,         1909:7;1981:10;         1932:1;1944:22;         1927:4;1948:11;           1883:24;1992:4         14,21;1911:12;1914:5,         2005:15         2001:16         2003:5;2010:12;           pieces (1)         10;1943:9,15;1951:13;         portion (3)         presentations (1)         2013:24           pieces (1)         10;1943:9,15;1951:13;         portion (3)         presentations (1)         2013:24           pierpont's (1)         2014:9,13         postion (2)         1939:24         problem (3)           1882:1         pleased (1)         1889:3         1932:5;1939:15,23;         1996:6           pillow (1)         1996:17         position (2)         1972:2         problems (2)           1868:19         plot (2)         1929:13         preserving (1)         1893:16;1974:10           2010:19         plot (2)         position (2)         1914:14         procedures (1)           1997:9         plumb (1)         1898:4         Presid					
1945:1					
pictures (1)         1865:17,20,24;1866:6;         1906:19         1914:13,24;1915:2;         1920:20;1924:10;           1916:20         1890:24;1892:18;         1900:19         1932:1;1944:22;         1927:4;1948:11;           piece (2)         1895:1,3,13;1907:12,         1895:1,3,13;1907:12,         1909:7;1981:10;         1990:2;1991:7;         1987:21;1988:10;           1883:24;1992:4         10;1943:9,15;1951:13;         2005:15         2001:16         2003:5;2010:12;           pieces (1)         10;1943:9,15;1951:13;         portion (3)         presentations (1)         2013:24           Pierpont's (1)         2014:9,13         Pose (1)         presented (4)         1958:13;1969:4;           1882:1         pleased (1)         1889:3         1932:5;1939:15,23;         1996:6           pillow (1)         1996:17         position (2)         presenting (1)         1893:16;1974:10           pilots (1)         1996:17         positioning (1)         1914:14         procedures (1)           1997:9         plub (1)         1898:4         President (3)         1866:10;1902:16;           pitted (1)         1876:7         possession (1)         1869:11;1965:3,18         1907:19;1914:11           1982:5         plus (1)         1992:9         pressure (16)         Proceedings (1)					
1916:20					
piece (2)         1895:1,3,13;1907:12, 14,21;1911:12;1914:5, 14,21;1911:12;1914:5, 1912:14         1909:7;1981:10; 2005:15 2001:16         1990:2;1991:7; 2001:16         1987:21;1988:10; 2003:5;2010:12; 2003:15           pieces (1)         10;1943:9,15;1951:13; 1957:7;2011:10,11; 1957:7;2011:10,11; 2014:9,13         portion (3) 1996:5,11;2004:8         presentations (1) 1958:13;1969:4; 1939:24         problem (3) 1958:13;1969:4; 1939:25;1939:15,23; 1996:6           pillow (1)         1921:16 1921:16 1930:19;1958:7 1930:					
1883:24;1992:4       14,21;1911:12;1914:5, 10;1943:9,15;1951:13; 10;1943:9,15;1951:13; 1931:4       2005:15 portion (3) presentations (1) 1939:24 problem (3)         1931:4       1957:7;2011:10,11; 1996:5,11;2004:8       1939:24 problem (3) 1958:13;1969:4; 1939:24 problem (3)         Pierpont's (1) 1882:1 pleased (1) pleased (1) 1889:3 pleased (1) 1921:16 position (2) 1930:19;1958:7 position (2) 1930:19;1958:7 presenting (1) 1893:16;1974:10 procedures (1) 1996:17 positioning (1) 1914:14 procedures (1) 1929:13 preserving (1) 1966:24 proceed (4) 1997:9 plumb (1) 1898:4 president (3) 1866:10;1902:16; proceed (4) 1982:5 plus (1) 1992:9 pressure (16) Proceedings (1)					
pieces (1)         10;1943:9,15;1951:13;         portion (3)         presentations (1)         2013:24           1931:4         1957:7;2011:10,11;         1996:5,11;2004:8         1939:24         problem (3)           Pierpont's (1)         2014:9,13         Pose (1)         1939:25;1939:15,23;         1958:13;1969:4;           1882:1         pleased (1)         1889:3         1932:5;1939:15,23;         1996:6           pillow (1)         1921:16         position (2)         1972:2         problems (2)           1868:19         pledge (1)         1930:19;1958:7         presenting (1)         1893:16;1974:10           pilots (1)         1996:17         positioning (1)         1914:14         procedures (1)           2010:19         plot (2)         1929:13         preserving (1)         1966:24           pipelines (1)         1976:22;1982:20         positive (1)         1921:21         proceed (4)           1997:9         plumb (1)         1898:4         President (3)         1866:10;1902:16;           pitted (1)         1876:7         possession (1)         1869:11;1965:3,18         1907:19;1914:11           1982:5         plus (1)         1992:9         pressure (16)         Proceedings (1)					
1931:4       1957:7;2011:10,11;       1996:5,11;2004:8       1939:24       problem (3)         Pierpont's (1)       2014:9,13       Pose (1)       1889:3       1932:5;1939:15,23;       1996:6         pillow (1)       1921:16       position (2)       1972:2       problems (2)         1868:19       pledge (1)       1930:19;1958:7       presenting (1)       1893:16;1974:10         pilots (1)       1996:17       positioning (1)       1914:14       procedures (1)         2010:19       plot (2)       1929:13       preserving (1)       1966:24         pipelines (1)       1976:22;1982:20       positive (1)       1921:21       proceed (4)         1997:9       plumb (1)       1898:4       President (3)       1866:10;1902:16;         pitted (1)       1876:7       possession (1)       1869:11;1965:3,18       1907:19;1914:11         1982:5       plus (1)       1992:9       pressure (16)       Proceedings (1)					
Pierpont's (1)         2014:9,13         Pose (1)         presented (4)         1958:13;1969:4;           1882:1         pleased (1)         1889:3         1932:5;1939:15,23;         1996:6           pillow (1)         1921:16         position (2)         1972:2         problems (2)           1868:19         pledge (1)         1930:19;1958:7         presenting (1)         1893:16;1974:10           pillots (1)         1996:17         positioning (1)         1914:14         procedures (1)           2010:19         plot (2)         1929:13         preserving (1)         1966:24           pipelines (1)         1976:22;1982:20         positive (1)         1921:21         proceed (4)           1997:9         plumb (1)         1898:4         President (3)         1866:10;1902:16;           pitted (1)         1876:7         possession (1)         1869:11;1965:3,18         1907:19;1914:11           1982:5         plus (1)         1992:9         pressure (16)         Proceedings (1)				` ′	
pillow (1)         1921:16         position (2)         1972:2         problems (2)           1868:19         pledge (1)         1930:19;1958:7         presenting (1)         1893:16;1974:10           pilots (1)         1996:17         positioning (1)         1914:14         procedures (1)           2010:19         plot (2)         1929:13         preserving (1)         1966:24           pipelines (1)         1976:22;1982:20         positive (1)         1921:21         proceed (4)           1997:9         plumb (1)         1898:4         President (3)         1866:10;1902:16;           pitted (1)         1876:7         possession (1)         1869:11;1965:3,18         1907:19;1914:11           1982:5         plus (1)         1992:9         pressure (16)         Proceedings (1)	Pierpont's (1)		Pose (1)	presented (4)	
1868:19       pledge (1)       1930:19;1958:7       presenting (1)       1893:16;1974:10         pilots (1)       1996:17       positioning (1)       1914:14       procedures (1)         2010:19       plot (2)       1929:13       preserving (1)       1966:24         pipelines (1)       1976:22;1982:20       positive (1)       1921:21       proceed (4)         1997:9       plumb (1)       1898:4       President (3)       1866:10;1902:16;         pitted (1)       1876:7       possession (1)       1869:11;1965:3,18       1907:19;1914:11         1982:5       plus (1)       1992:9       pressure (16)       Proceedings (1)		pleased (1)	1889:3		
pilots (1)         1996:17         positioning (1)         1914:14         procedures (1)           2010:19         plot (2)         1929:13         preserving (1)         1966:24           pipelines (1)         1976:22;1982:20         positive (1)         1921:21         proceed (4)           1997:9         plumb (1)         1898:4         President (3)         1866:10;1902:16;           pitted (1)         1876:7         possession (1)         1869:11;1965:3,18         1907:19;1914:11           1982:5         plus (1)         1992:9         pressure (16)         Proceedings (1)					
2010:19       plot (2)       1929:13       preserving (1)       1966:24         pipelines (1)       1976:22;1982:20       positive (1)       1921:21       proceed (4)         1997:9       plumb (1)       1898:4       President (3)       1866:10;1902:16;         pitted (1)       1876:7       possession (1)       1869:11;1965:3,18       1907:19;1914:11         1982:5       plus (1)       1992:9       pressure (16)       Proceedings (1)		1			
pipelines (1)         1976:22;1982:20         positive (1)         1921:21         proceed (4)           1997:9         plumb (1)         1898:4         President (3)         1866:10;1902:16;           pitted (1)         1876:7         possession (1)         1869:11;1965:3,18         1907:19;1914:11           1982:5         plus (1)         1992:9         pressure (16)         Proceedings (1)			_		•
1997:9       plumb (1)       1898:4       President (3)       1866:10;1902:16;         pitted (1)       1876:7       possession (1)       1869:11;1965:3,18       1907:19;1914:11         1982:5       plus (1)       1992:9       pressure (16)       Proceedings (1)					
pitted (1)       1876:7       possession (1)       1869:11;1965:3,18       1907:19;1914:11         1982:5       plus (1)       1992:9       pressure (16)       Proceedings (1)	• •	*			
1982:5 <b>plus (1)</b> 1992:9 <b>pressure (16) Proceedings (1)</b>					
pitting (1) 2004:1 possibility (3) 1896:19,20;1897:1, 1894:11					<b>O</b> , ,
	pitting (1)	ZUU4.1	possibility (3)	1070.17,20,1897:1,	1074.11

process (3)	1950:3,4,10;1954:21;	2007:21,23	1915:14;1916:21	1959:10;1960:15;
1865:12;1973:9;	1955:16;1956:8;	pulsing (1)	quit (2)	1971:20;1976:11
1974:8	1959:15;1961:15,18,	1897:4	1945:11;2011:23	reader (1)
produce (1)	22;1966:17;1967:16;	purchase (1)	quite (9)	1904:16
1971:16	1969:10,21;1970:14,	1944:10	1869:10;1891:14;	reading (1)
producers (2)	19;1971:16;1972:9;	purchased (1)	1898:24;1917:15;	1955:18
1923:7;1925:18	1983:24;1986:5;	1908:3	1961:12;1986:15;	reads (1)
product (1)	1987:2,22,24;1988:24;	pure (1)	1987:15;1998:13;	1918:7
1973:9	1989:6,6,14;1990:19,	1946:11	2001:10	ready (1)
production (1)	24;1991:17,21;1993:3,	purple (2)	quits (1)	2015:8
1945:9	9,9,10,12,16;1994:11,	1978:14;1986:10	1945:6	real (18)
products (1)	21,22;1995:6,24;	purpose (4)	quorum (1)	1869:19;1881:24;
		1944:17;1947:9;		
1920:18	1996:5,11,21,23;		1863:23	1891:22;1897:7;
professional (2)	1997:13,20;1998:1,22;	1994:6,10	-	1900:5;1901:6;
1904:21;1905:1	1999:17;2000:22;	purposes (5)	R	1909:24;1924:8;
profitability (1)	2012:11,23	1882:12;1993:7,8;		1926:19;1938:16;
1925:21	propose (1)	1994:9,12	race (1)	1942:4;1971:22;
profits (2)	1928:8	pursuant (1)	1965:5	1975:2;1982:6;
1993:6;1994:12	proposed (14)	1963:6	radio (2)	1987:14;1991:9;
project (53)	1895:17;1904:24;	put (47)	1924:18:1995:12	1993:3;1996:6
		<b>-</b>	,	*
1863:10;1901:15;	1905:4,5;1906:6;	1868:6,19;1881:9;	radius (26)	really (37)
1905:5;1909:13;	1928:21;1946:22;	1908:16;1919:14;	1930:13;1971:1;	1865:19;1868:9;
1910:7,8,19,21;1911:1;	1947:6;2007:8,15;	1923:5;1925:14,15;	1976:19,20;1977:2,4,	1869:15;1874:1;
1919:3;1920:9;1922:4;	2008:22;2009:5,12,18	1930:6;1932:13;	11,13;1979:2,5,6,9;	1875:18;1894:1,3,15;
1923:12,19;1928:8,11,	protect (8)	1937:13;1945:2;	1980:13;1981:9,11,12,	1902:14;1915:4;
19,21;1929:14,17;	1869:22;1870:3;	1947:14;1960:16;	22;1982:22;1983:3,21,	1917:24;1937:16,19;
1932:15,18,21;1933:7,	1904:23;1910:3,6;	1965:2;1966:13;	23;1984:19;1985:17;	1940:18;1944:18;
17,22;1935:3,18;	1931:24;1937:21;	1967:14;1971:10,17;	1988:7;2010:7;	1945:13;1947:15;
1936:6,22,24;1937:3,	1966:16	1973:13;1977:9;	2012:21	1951:1;1959:22,23;
15,22;1938:22,24;	protected (1)	1978:12;1979:24;	radiuses (1)	1962:3,8;1968:11;
1940:3,6,11;1944:15,	1872:24	1983:18,20;1986:15;	1983:21	1974:7;1978:13;
18,19;1945:15;1946:7,	protecting (1)	1987:4,20;1988:16;	rail (2)	1979:11;1982:16;
9;1947:8;1949:2,13;	1925:3	1989:13;1991:20;	1997:7,8	1986:1,14;1988:14;
1952:10,13;1993:23,	protection (1)	1992:2,3;1996:8;	rainfall (1)	1992:6;1999:1;2004:7,
24;1994:2	1920:18	1997:9,20;2002:10,15,	2006:17	21;2005:2,14;2010:9
projecting (1)				
	proven (1)	19;2003:4,12;2006:8,	raise (7)	reason (5)
1953:14	1905:19	12;2007:16,18;2008:2;	1865:21;1895:1;	1881:11;1943:3;
projects (2)	provide (1)	2012:16	1907:12;1908:1;	1955:22;1960:20;
1909:23;1972:8	1929:1	putting (7)	1916:5,7,14	1984:12
prolonged (1)	provided (3)	1884:5;1886:19;	raised (1)	reasonable (1)
1899:13	1864:12;1954:7;	1980:18;2003:6;	1916:12	1963:6
proper (3)	1978:4	2005:13,14;2006:4	raising (2)	reasons (2)
1905:20;1929:7;	provision (1)		1916:5;1929:20	1938:8;2014:8
1931:23	1963:5	Q	ran (1)	recall (4)
		Q		
properties (17)	proximity (5)	•	1876:16	1875:14;1876:5,17,
1902:19;1905:7;	1899:12;1900:20;	quality (6)	Rand (2)	21
1929:24;1930:4;	1946:23;1970:16;	1893:3,9,13,24;	1902:7;1904:21	received (5)
1933:10,11,12,13,13,	1971:4	1924:23;1937:17	Rand's (2)	1865:4,5,7;1901:13;
19,19;1934:11,15;	proxy (1)	quantify (2)	1901:14;1902:10	1965:22
1937:22;1974:6;	1970:17	1939:2;1943:16	range (2)	receiving (2)
		1,0,12,12		
	nrudent (2)	quantity (1)	1906-14-1948-6	1902-22-1950-8
1986:11;1987:7	prudent (2)	quantity (1)	1906:14;1948:6	1902:22;1950:8
property (98)	1883:4,10	2003:5	rare (1)	recent (1)
<b>property (98)</b> 1870:15;1902:22;	1883:4,10 <b>PRWF (5)</b>	2003:5 quarter (2)	rare (1) 1866:21	recent (1) 1909:22
<b>property (98)</b> 1870:15;1902:22; 1903:6,10;1908:3,5;	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3;	2003:5 quarter (2) 1976:20;2001:20	rare (1) 1866:21 rather (7)	recent (1) 1909:22 recently (3)
<b>property (98)</b> 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22;	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3; 1929:17;1932:3;	2003:5 quarter (2) 1976:20;2001:20 quick (6)	rare (1) 1866:21 rather (7) 1924:21;1932:15;	recent (1) 1909:22 recently (3) 1869:22;1909:20;
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10;	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3; 1929:17;1932:3; 1935:18	2003:5 quarter (2) 1976:20;2001:20	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16;	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4
<b>property (98)</b> 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22;	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3; 1929:17;1932:3;	2003:5 quarter (2) 1976:20;2001:20 quick (6)	rare (1) 1866:21 rather (7) 1924:21;1932:15;	recent (1) 1909:22 recently (3) 1869:22;1909:20;
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10; 1926:1,2,3,17;1928:14;	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3; 1929:17;1932:3; 1935:18 <b>public (13)</b>	2003:5 <b>quarter (2)</b> 1976:20;2001:20 <b>quick (6)</b> 1863:23;1913:5; 1939:4;2001:13,16;	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16; 1941:17;1942:5;	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4 Recess (3)
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10; 1926:1,2,3,17;1928:14; 1930:12;1931:5,13;	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3; 1929:17;1932:3; 1935:18 <b>public (13)</b> 1895:19;1897:22;	2003:5 <b>quarter (2)</b> 1976:20;2001:20 <b>quick (6)</b> 1863:23;1913:5; 1939:4;2001:13,16; 2002:9	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16; 1941:17;1942:5; 1955:18	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4 Recess (3) 1941:22;2015:4,5
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10; 1926:1,2,3,17;1928:14; 1930:12;1931:5,13; 1934:8,18;1935:14,14,	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3; 1929:17;1932:3; 1935:18 <b>public (13)</b> 1895:19;1897:22; 1902:12,13;1914:15,	2003:5 quarter (2) 1976:20;2001:20 quick (6) 1863:23;1913:5; 1939:4;2001:13,16; 2002:9 quickly (2)	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16; 1941:17;1942:5; 1955:18 react (1)	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4 Recess (3) 1941:22;2015:4,5 Recessed (1)
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10; 1926:1,2,3,17;1928:14; 1930:12;1931:5,13; 1934:8,18;1935:14,14, 17,20,22;1936:2,11,13,	1883:4,10 PRWF (5) 1921:18;1922:3; 1929:17;1932:3; 1935:18 public (13) 1895:19;1897:22; 1902:12,13;1914:15, 18,22;1932:5;1939:9;	2003:5 quarter (2) 1976:20;2001:20 quick (6) 1863:23;1913:5; 1939:4;2001:13,16; 2002:9 quickly (2) 1898:1;1958:19	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16; 1941:17;1942:5; 1955:18 react (1) 1922:17	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4 Recess (3) 1941:22;2015:4,5 Recessed (1) 1894:12
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10; 1926:1,2,3,17;1928:14; 1930:12;1931:5,13; 1934:8,18;1935:14,14, 17,20,22;1936:2,11,13, 24;1937:10,12,14;	1883:4,10 PRWF (5) 1921:18;1922:3; 1929:17;1932:3; 1935:18 public (13) 1895:19;1897:22; 1902:12,13;1914:15, 18,22;1932:5;1939:9; 1940:2;1959:14;	2003:5 quarter (2) 1976:20;2001:20 quick (6) 1863:23;1913:5; 1939:4;2001:13,16; 2002:9 quickly (2) 1898:1;1958:19 quiet (1)	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16; 1941:17;1942:5; 1955:18 react (1) 1922:17 read (8)	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4 Recess (3) 1941:22;2015:4,5 Recessed (1) 1894:12 recollection (2)
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10; 1926:1,2,3,17;1928:14; 1930:12;1931:5,13; 1934:8,18;1935:14,14, 17,20,22;1936:2,11,13, 24;1937:10,12,14; 1938:2,11,16,20;	1883:4,10 <b>PRWF (5)</b> 1921:18;1922:3; 1929:17;1932:3; 1935:18 <b>public (13)</b> 1895:19;1897:22; 1902:12,13;1914:15, 18,22;1932:5;1939:9; 1940:2;1959:14; 1964:22;2002:12	2003:5 quarter (2) 1976:20;2001:20 quick (6) 1863:23;1913:5; 1939:4;2001:13,16; 2002:9 quickly (2) 1898:1;1958:19 quiet (1) 1899:3	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16; 1941:17;1942:5; 1955:18 react (1) 1922:17 read (8) 1866:13;1885:12;	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4 Recess (3) 1941:22;2015:4,5 Recessed (1) 1894:12 recollection (2) 1876:7,24
property (98) 1870:15;1902:22; 1903:6,10;1908:3,5; 1919:18,19,21,22; 1924:9,12,22;1925:10; 1926:1,2,3,17;1928:14; 1930:12;1931:5,13; 1934:8,18;1935:14,14, 17,20,22;1936:2,11,13, 24;1937:10,12,14;	1883:4,10 PRWF (5) 1921:18;1922:3; 1929:17;1932:3; 1935:18 public (13) 1895:19;1897:22; 1902:12,13;1914:15, 18,22;1932:5;1939:9; 1940:2;1959:14;	2003:5 quarter (2) 1976:20;2001:20 quick (6) 1863:23;1913:5; 1939:4;2001:13,16; 2002:9 quickly (2) 1898:1;1958:19 quiet (1)	rare (1) 1866:21 rather (7) 1924:21;1932:15; 1935:13;1940:16; 1941:17;1942:5; 1955:18 react (1) 1922:17 read (8)	recent (1) 1909:22 recently (3) 1869:22;1909:20; 1910:4 Recess (3) 1941:22;2015:4,5 Recessed (1) 1894:12 recollection (2)

			10-11	
1927:10	1904:11;1905:13	reporter (8)	1974:16	1963:9;1964:11;
recommendation (2)	related (2)	1866:1,6;1892:19;	results (2)	1965:12;1966:14;
1914:18;1939:13	1869:21;1994:17	1895:4;1907:15;	1970:18,23	1972:5,13,16;1974:9;
recommended (1)	relates (1)	1914:6;1951:14;	Revenue (4)	1978:20;1979:18;
1931:1	1942:23	1957:8	1940:15,15;1952:16;	1980:11;1985:6,18;
recommending (1)	relation (1)	reports (4)	1953:10	1987:10;1992:8;
1931:5	1929:14	1865:9;1904:2;	revenues (1)	1994:2,3,11;1996:3,5,
reconsidering (1)	relative (1)	1971:10,12	1953:13	10;1997:13,14;
1924:2 record (5)	1958:7	representatives (1) 1910:16	review (5)	1998:13,18;2002:2; 2004:5;2005:16,19;
1894:10,13;1911:13;	released (1) 1926:17	represented (2)	1863:8;1932:2,12, 21;1959:23	2004:5,2003:16,19,
1943:7;2014:24	releasing (1)	1935:3;1945:4	reviewed (2)	13,20,23;2009:16,16,
recorded (1)	1933:7	representing (7)	1874:13;1938:9	17,19,20;2010:6,21;
2007:17	relevance (5)	1878:11;1880:3;	revisit (2)	2011:20,21;2012:14;
recourse (2)	1877:2;1880:21;	1934:2;1937:1,5,10,14	1888:17;1915:1	2013:10;2014:19,19;
1995:19;1996:1	1887:8,23;1888:2	represents (5)	revisiting (1)	2015:10,2011:15,15,
red (11)	relevant (5)	1933:10;1938:10,11,	1888:7	rights (7)
1891:7,9;1927:6;	1881:21;1930:9;	12;1973:10	rewrite (3)	1926:3,6;1973:11;
1951:21;1959:21;	1965:23;1979:12;	reprint (1)	1870:3;1873:6;	1993:5;1996:15,18,20
1960:9;1975:11,20;	1989:17	1933:3	1874:19	ring (1)
1986:16;2009:24;	relieve (1)	required (1)	rewritten (1)	1876:1
2010:1	1896:18	2000:13	1870:5	ringing (1)
reduce (1)	<b>REM</b> (1)	requirements (3)	Richard (1)	1896:2
1970:14	1891:20	1871:1;1959:13,23	1863:15	risk (2)
reduced (1)	remained (1)	requires (1)	rid (1)	1921:16;1943:20
1970:19	1897:21	1902:20	1992:12	risks (1)
re-engineer (1)	remaining (1)	research (6)	Ridge (33)	1938:24
1947:7	1897:18	1877:7,10;1893:5;	1863:9,10;1879:21;	River (3)
refer (1)	remember (17)	1900:8;1909:1;	1894:10,14;1895:24;	1986:16;2009:18,19
1947:3	1874:8;1875:12,19,	1973:18	1896:2;1901:14,18,24;	Road (9)
reference (12)	22;1876:8,9;1879:8;	reserves (1)	1904:19;1905:5;	1866:3;1895:6;
1870:23;1875:7;	1886:18,23;1932:3;	1998:23	1908:15;1909:12;	1896:14,24;1897:22;
1877:12;1879:7;	1940:22;1946:24;	reside (1)	1910:9;1915:3;1941:2,	1907:17;1914:8;
1880:20;1882:11;	1961:17;1968:22;	1910:10	2;1957:17;1972:7;	1992:1;1996:9
1892:24;1930:7,22;	1979:15;2008:8;	residences (5)	1976:24;1977:15;	roads (2)
1959:12;1970:6;	2012:8	1902:24;1918:9;	1979:24;1980:20,22;	1927:21;1929:11
2003:10	remembering (1)	1920:4;1930:20;	1988:4,6,9;1989:21,22,	roadway (1)
referenced (2)	1941:7	1931:24 Residential (1)	23;1990:3;2015:1	1987:12
1885:1;1955:7	remind (1) 1864:15	Residential (1) 1972:9	<b>Ridge's (1)</b> 1969:5	roar (3) 1868:15;1890:15,18
referencing (1) 1931:21			right (121)	
referendum (2)	reminded (1) 1997:5	residents (1) 1904:24	1863:2;1864:8;	roaring (2) 1868:4;1872:14
1939:10;1940:15	reminder (2)	resources (1)	1865:21,23;1868:9;	Robert (1)
referred (1)	1913:6;2014:21	1993:1	1871:9,10,12;1872:9,	1901:13
1947:2	rents (1)	respect (4)	15;1873:11;1874:7;	roll (3)
referring (1)	1993:6	1899:20;1913:7;	1875:16,17;1878:4;	1863:5,11;1923:12
1879:24	repairing (1)	1946:22;1996:4	1879:3,12;1882:10;	room (2)
refresh (1)	1927:23	response (1)	1884:14,21;1885:16,	1902:3;1908:8
1876:23	repairs (1)	1928:1	17;1886:18;1887:20;	rotor (2)
regard (4)	1920:20	responsibility (2)	1888:4,8,23;1894:7,8,	1870:12,15
1882:21;1920:1;	repeatable (1)	1931:12;1973:7	19;1895:1;1897:2;	Route (4)
1948:22;2013:14	1899:8	responsible (1)	1907:2,4,12;1911:5,6;	1932:8;2008:18,24;
regarding (2)	replace (2)	1931:16	1912:10,11;1913:2;	2010:6
1872:18;1882:16	1928:9,19	rest (3)	1914:1,4;1927:17;	row (1)
regardless (1)	replacement (2)	1909:10;2001:12,15	1928:16;1932:8;	1929:20
1948:9	1916:5;1942:24	rested (3)	1940:6;1941:23;	royalties (1)
regards (1)	report (17)	1891:23,24;1893:12	1942:3,8,12;1943:13;	1993:6
1882:14	1865:1,5;1901:15;	restricting (1)	1944:1,4,14;1946:16,	rule (1)
Regent (1)	1902:8,10;1903:17;	1930:17	20;1947:11,21;1948:1;	1875:4
1973:4	1904:10;1967:16;	restrictions (1)	1950:6;1951:11;	run (5)
Regional (1)	1969:9,11;1970:3,15;	1966:16	1954:10;1956:15,22,	1887:17;1928:3;
1921:17	1972:1,10;1973:13;	result (3)	24;1957:4;1958:10;	1943:20;1997:7,8
regulatory (2)	1977:16;1986:10	1904:11;1939:17;	1959:18,21;1961:18;	running (4)
-	İ	I	I .	1

			1	1 001 441 7 7, 2010
1869:2,7;1876:12,15	1928:23;1970:9	separated (1)	2007:19,19,19	similar (6)
runs (1)	screen (1)	1983:15	share (3)	1896:16;1899:10;
1964:13	1952:5	separately (1)	1895:19;1940:8;	1908:14;1959:18;
rural (4)	scroll (1)	1899:9	1949:3	1968:7;1996:14
1889:5;1908:2;	1961:2	separates (1)	shared (1)	simple (6)
1910:9;1931:24	seats (1)	1975:17	1920:12	1900:7;1926:2,4;
	1863:3	serious (3)	sheet (1)	1935:4;1991:10,11
${f S}$	second (8)	1918:1;1938:6;	1944:17	single (2)
	1870:19;1889:15;	1952:18	Sheldon (1)	1973:19;1988:16
safer (1)	1912:21;2008:17,23;	seriously (1)	1866:15	sit (3)
2011:3	2015:6,7,9	1909:8	Shifting (1)	1874:13;1924:3;
safety (1)	Section (7)	seriousness (1)	1921:24	1958:15
1904:23	1902:1;1903:18,22;	1910:22	Shortly (1)	site (9)
sake (1)	1904:12;1962:4;	serve (1)	1896:1	1874:3;1875:12;
1965:20	2001:9,10	1916:19	shoulders (1)	1935:24;1940:3;
sale (2)	sections (1)	served (1)	1898:12	1963:6,10;1985:24;
2000:6,7	1959:12	1878:6	shouting (1)	1986:1;1989:11
sales (5)	security (1)	services (1)	1884:11	sited (1)
1969:10,23;1971:7;	1948:14	1944:9	show (9)	1982:20
1973:19;2000:10	seed (1)	Session (2)	1878:13;1880:5,10;	sites (4)
same (20)	1920:18	1894:12;1999:9	1884:6;1885:14;	1873:20,23;1874:2,
1881:24;1891:15;	seeing (3)	set (1)	1939:6,16;1958:24;	14
1906:19;1923:3;	1898:4;1975:22;	1912:24	1978:2	siting (9)
1960:8,9,19;1961:21;	1982:8	setback (7)	showed (3)	1940:12;1946:22;
1968:5,6,8;1975:4;	seem (3)	1870:6,10,11;	1893:3;1976:23;	1959:22;1980:18;
1981:7;1984:5,6,8;	1891:22;1931:23;	1930:13,15,24;1931:6	2004:9	1981:13;1985:11,11;
1986:1;2006:3;2014:7,	1938:23	setbacks (5)	shown (3)	1988:10;1989:17
7	seemed (1)	1888:17;1905:20,21;	1883:3;1909:7,15	sitting (7)
samples (2)	1922:24	1910:1;1930:9	shows (4)	1964:4;1965:24;
1995:1,4	seems (3)	setting (4)	1902:18;1903:17;	1999:3,3,5,5,6
San (1)	1875:20;1927:12;	1895:19;1908:2;	1917:4,10	situated (1)
1964:10	1985:16	1914:17,22	shut (2)	1973:20
sat (1)	segue (1)	settings (1)	1868:17;1891:14	situation (6)
1869:1	1955:21	1906:16	shutdown (1)	1910:23;1914:23;
saw (4)	self-explanatory (1)	Settlers (3)	1904:15	1922:21;1923:14;
1871:8;1881:24;	1928:14	1866:17;1871:19;	side (5)	1930:9;1956:13
1882:8;1998:14	sell (3)	1875:16	1878:13;1880:5;	six (7)
saying (8)	1964:1;1996:16;	seven (5)	1893:2;1897:14;	1866:24;1869:2;
1884:16;1943:23;	1997:2	1903:1;1958:18;	1958:12	1892:5;1938:5;
1956:4;1972:24;	sellers (1)	1987:10;1988:18;	sight (1)	1978:10;1987:7;
1993:11;1996:22;	1968:17	2005:18	1893:23	2005:18
1997:4;2004:7	selling (1)	seventh (1)	sign (3)	six-year-old (2)
scale (10)	1922:4	1915:11	1864:16;1879:5;	1898:11;1900:13
1978:9,10,12;	senators (1)	several (7)	1991:22	size (4)
1983:12;1985:2;	1965:5	1867:14,21;1892:12;	signal (1)	1904:14;1908:14;
1987:7;1988:13,15,17;	Seneca (2)	1896:14;1897:15;	2002:4	1936:9;1971:18
1989:9	2002:14,23	1914:13;1922:2	signed (11)	sizes (1)
scales (1)	sensation (1)	severest (1)	1919:2;1922:21;	1989:12
1978:7	1897:4	1905:11	1923:16;1924:24;	skeptical (1)
scheduled (3)	sensations (1)	Severson (22)	1927:3;1938:3;	1899:22
1864:1,3,11	1899:10	1957:3,5,6,7,9,10;	1950:10,20;1992:16;	skepticism (1)
school (8)	sense (2)	1958:9,14,16;2001:6,8,	1995:17;1997:11	1899:20
1871:11;1907:1;	1974:22;1993:3	12,15,19,22;2002:2,5,	significant (6)	skip (1)
1909:14,14;1911:6;	sensitive (2)	7;2007:20;2011:10,15;	1940:5;1963:8;	1968:2
1951:7;2010:20;	1897:23;1898:24	2014:13	1969:20;1970:1,7,24	skipped (1)
2011:21	sensitivity (1)	shadow (2)	significantly (1)	1916:3
schools (1)	1906:15	1924:19;1995:12	1970:14	SLAGEL (5)
1940:13	sent (1)	<b>shale (1)</b> 1999:20	sign-in (1)	1890:23;1891:1,1,3;
		Tuuu•70	1879:4	1892:14
SCHOPP (6)	1942:19			
<b>SCHOPP (6)</b> 1863:6,13,15,17,19,	sentences (1)	shall (5)	signing (6)	slander (2)
SCHOPP (6) 1863:6,13,15,17,19, 22	sentences (1) 1994:15	<b>shall (5)</b> 1963:5;1994:10;	<b>signing (6)</b> 1864:14;1922:5;	slander (2) 1882:2,4
<b>SCHOPP (6)</b> 1863:6,13,15,17,19,	sentences (1)	shall (5)	signing (6)	slander (2)

1892.4; 1893.14;   1895.23   1885.	solve (1) 1958:12	1954:8	Springs (2)		
14:189:1181.9.20;   1809:7:1881:20.23;   1956:18;2013:13   1809:7:1880:9;   1956:22;2014:12   1976:22   1958:21909:45;   1958:21909:45;   1958:21913:7   1956:22;2014:12   1976:10   1807:18   1809:7:1880:9;   1889:12:1913:7   1899:11   1966:20:1967:11;   1966:20:1967:11;   1979:20   1898:12:1913:7   1932:19;1959:4;   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:15   1932:19;195:10   1	· · · · · · · · · · · · · · · · · · ·				
14:189:118.19.20;   18697:1881:20.23;   1956:18;2013:13   18092:418903:4;   1907:19   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:22   1988:1907:   1976:23   1988:191:17   1988:191:17   1988:191:17   1988:191:17   1988:191:17   1988:191:17   1988:191:1889:4;   1988:41:1899:4;   1988:41:1899:4;   1988:41:1899:4;   1988:11:1899:1;   1988:11:1899:1;   198	1959:6.11	· · · · · · · · · · · · · · · · · · ·	2 0 1 7		0 , ,
14:189:118,19.20;   1869:7;1881:20.23;   1936:18;203:13;   1894:48;1907:7;   1976:22;   1938:194:6;   1936:24;104:18;   1936:24;104:18;   1936:24;104:18;   1936:24;104:18;   1936:24;104:18;   1936:24;104:18;   1936:24;104:18;   1936:24;104:18;   1936:24;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1932:19;105:4;   1936:13;   1932:19;105:4;   1932:19;				*	1
14:189:118,19.20;   1869:7;1881:20,23;   1956:18;2013:13   1896:18;1909:45;   1966:20;1967:11;   1966:20;1967:11;   1966:20;1967:11;   1972:17;1992:10;   1973:23;202:7;   1988:46;1993:4;   1972:17;1992:10;   1989:9   1980:13;   1984:4;   1972:17;1992:10;   1989:9   1980:13;   1984:4;   1972:17;1992:10;   1989:9   1980:13;   1984:4;   1980:12;   1972:17;1992:10;   1980:13;   1980:1				•	0 , ,
14:1891-18,19.20;   1892-71,1881-20.23;   1936-18,2013-13   1896-18,1993-14;   1904-4; 1905-8; 1909-8;   1936-12,2001-19   1936-12,2001-29;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-29;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-14;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,2001-13;   1936-12,20001-13;   1936-12,2001-29;   1936-12,2					
14:189:118,19.20;   1869:7;188:12.0.23;   1966:18;20:13:13   1964:1905:8;1909:4;   1964:1933:4;   1972:17;1992:10;   1973:14;   1972:17;1992:10;   1973:14;   1972:17;1992:10;   1973:14;   1972:17;1992:10;   1973:14;   1972:17;1992:10;   1973:14;   1973:15;   1973:14;					
14:1891:18.19.20;   18697:1881:20.23;   1965:1820213:13   18696:1820213:13   1965:	solicited (1)	southern (1)	1989:5;2012:21	1971:19;1972:15,23;	1931:15
14:1891:18.19.20;   1807-71.881:20.23;   1906:44:1905:81;909:4     1807-18   1807-18   1809:9;   1809:18   1906:20;1967:11;   1916:41;933:4;   1937:23;2012:5, 6 stidics (4)   1932:19;1939:4;   1937:23;2002:7   1806:2   1873:10   1806:2					
14:189:118.19.20;   1897:71881:20.23;   1896:71881:20.23;   1896:48:2013:13   speaker (2)   1896:81:1906:4;   1906:41:1933:4;   1916:41:1933:4;   1937:23:2012:5, 6   1898:9   1932:19:1939:4;   1932:19:1939:4;   1932:19:1939:4;   1947:32:002:7   sight (1)   1884:6;   1890:4;   1932:17:1999:1   1884:6;   1890:4;   1933:14   somewhere (3)   1922:17:1999:1   1884:6;   1898:18:198:18:   1956:18:1994:13:15;   1958:81:1994:13:15;   1958:81:1994:13:15;   1958:81:1994:13:15;   1958:81:1994:13:15;   1958:81:1994:1;   1958:81:1994:13:15;   1958:81:1994:13:15;   1958:18:1994:13:15;   1958:18:1994:13:15;   1968:11;   19					, ,
14:1891:18.19.20;   1896-7;1881:20,23;   1962-18;1893:14;   1964:4958;1909:4   1885:23   50meone (9)   1885:23   50meone (9)   1887:11880:9;   1889:12;1913:7   1956:22;2014:12   1966:22;2014:13   1879:11880:9;   1889:12;1913:7   1942:4   1956:15;2013:12   1961:19193:4;   1972:17;1992:10;   1982:19;1939:4;   1937:23;2002:7   1873:10   1879:17;1992:10;   1873:10   1870:17;1992:10;   1871:17   1871:7   1866:2   50mewhat (1)   1871:7   1896:2   50mewhat (1)   1871:7   1896:2   50mewhat (1)   1871:7   1896:2   50mewhat (1)   1871:7   1896:2   50mewhat (1)   1871:19181:9;   1906:131:1915:15   50me (2)   1938:81974:13.15;   1906:31,1915:15   1958:11   1968:13   1968:23;   1969:18   1969:18   1969:1918:19   1969:1918:19   1969:1918:19   1969:1918:19   1969:1918:19   1968:23;					
14:189:118.19.20;   1869:7;1881:20,23;   1892:24;1893:14;   1904:4;1905:8;1909:4;   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:18   1867:19   1968:19   1971:17;1992:10;   1988:9   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1947:3;2002:7   1884:6;1890:4;   1932:19;1992:1   1873:10   1896:2   somewhare (3)   1873:10   1896:2   somewhare (3)   1884:6;1890:4;   1932:17;1999:1   1884:6;1890:4;   1933:14					<b>1</b>
14:1891:18,19;20;   1869;7;1881:20,23;   1895:18;2013:13   1894:8;1907:7;   1904:4;1905:8;1909:4   1895:1;1880:9;   1867:18   1884:8;1907:7;   1956:22;2014:12   1967:16;   1968:1913:3;   1968:21;1953:4;   1972:17;1992:10;   1998:9;   1973:23;2012:5,6   1973:21;1992:10;   1998:9;   1973:21;1992:10;   1998:9;   1886:6;   1973:17;1992:10;   1896:22   1974:3;2002:7   1896:22   1974:3;2002:7   1896:22   1974:18;   1972:17;1999:1   1886:6;   1884:8;1903:7;   1995:14   1972:17;1999:10;   1886:6;   1873:10   1930:7;1932:15;   1865:15;2013:12   1967:12;1981:13;   1930:7;1932:15;   1930:7;1932:2;   1930:7;1932:15;   1930:7;1	• , ,		<b>1</b>		
14:1891:18,19.20;   1869:7;1881:20,23;   1892:24:1893:14;   1894:8;1905:7;   1962:22;1913:7   1962:22;2014:12   1962:22;2004:23:2002:22   1962:22;2014:12   1962:22;2004:23:2002:22   1962:22:2014:12   1962:22;2004:23:2002:22   1962:22:2014:12   1962:22:2014:12   1962:22:2004:23:2002:22   1962:22:2014:12   1962:22:2004:23:2002:22   1962:22:2014:12   1962:22:2004:23:2002:22   1962:22:2014:12   1962:22:2004:23:2002:22   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:22:12   1962:22:2014:12   1962:					
14:1891:18,19.20;   1869:7;1881:20,23;   1895:24:1893:14;   1904:4;1905:8;1909:4;   1904:4;1905:8;1909:4;   1867:18   1882:2;1964:8;   1916:4;1933:4;   1972:17;1992:10;   1998:9;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:1;   1884:6;1890:4;   1932:19;1939:1;   1884:6;1890:4;   1932:19;1939:1;   1884:6;1890:4;   1933:11   1930:7;   1932:15;   1930:13;   1943:14   1930:19;		` /			*
14:1891:18,19,20:   1869:7;1881:20,23;   1956:18;2013:13   staff (4)   1976:22   1958:8;1964:6   1964:4;1905:8;1909:4   1879:1;1880:9;   1899:2;1964:8;   1964:20;1967:11;   1977:12;1992:10;   1932:12;1993:2;1993:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1932:19;193					
14:1891:18,19,20:   1869:7:1881:20,23;   1956:18:2013:13   staff (4)   1892:24;1893:14;   1903:4;1903:8;1999:4   1897:1;1880:9;   1897:1;1890:4;   1966:20;1967:11;   1916:4;1933:4;   1972:17;1992:10;   1998:9;   1937:23;2012:5,6   1998:9   1998:9;   1897:217;1992:10;   1998:19;   1932:19;1939:4;   1932:19;1939:4;   1932:19;1939:4;   1884:6;1890:4;   1932:17;1992:10;   1896:2   1932:19;1939:1;   1999:1   1898:1;1899:4;   1993:18;1899:1;   1993:18;1899:1;   1993:18;1899:1;   1993:18;1899:1;   1993:18;1899:1;   1993:18;1899:1;   1993:18;1899:1;   1993:18;1899:1;   1993:19;193:15;   1993:193:18;   1993:193:19;193:19;   1993:193:19;   1993:193:19;   1993:193:19;   1993:193:19;   1993:193:19;   1993					
14:1891:18,19,20:   1869:7;1881:20,23;   1956:18;2013:13   staff (4)   1892:24;1893:14;   1904:4;1903:8;1909:4   1899:1;1880:9;   1897:1;1880:9;   1898:1;1996:48;   1966:20;1967:11;   1966:20;1967:11;   1979:20   1937:23;2012:5,6   1998:9   sometine (1)   1977:17;1992:10;   1937:23;2012:5,6   1998:9   sometine (1)   1973:10   1896:2   1873:10   1896:2   1884:6;1890:4;   1932:12;   1932:13;   1933:13;					1913:22;2005:17;
14:1891:18,19.20;   1869:7;1881:20.23;   1892:24;1893:14;   1904:4;1905:8;1909:4   1869:24;1893:14;   1966:22,1964:8;   1966:22,1964:8;   1966:22,1964:8;   1966:22,1964:8;   1966:22,1964:8;   1966:22,1964:8;   1966:22,1964:8;   1966:22,1964:8;   1972:17;1992:10;   1976:22   1976:22   1976:22   1976:16   1989:12;1913:7   1916:4;1933:4;   1972:17;1992:10;   1979:20   1979:20   1932:12   1905:14   1932:12   1905:14   1905:12   1905:14   1905:1905:16   1905:14   1		1867:20		Stateline (1)	1897:10,17,20;1904:3;
1869:24;1893:14;   1885:23   1885:33   1885:33   1885:33   1888:13   1885:33   1888:13   1885:33   1888:13   1888:23   1888:					1889:14;1896:22;
1869:7;1881:20,23;   1956:18;2013:13   staff (4)   steady (1)   1976:22   1904:4;1905:8;1909:4   sleeping (1)   1879:1;1880:9;   1879:1;1880:1;   1879:1;1880:1;   1879:1;1982:10;   1973:10   1871:7   1930:7;1932:15;   1930:11   1871:7   1930:7;1932:15;   1930:11   1879:20;   1884:6; 1972:13;   1930:11   1884:6; 1972:13;   1930:11   1884:6; 1972:13;   1930:11   1879:12;   1415:15   1906:11;   1982:11;	, ,				stop (9)
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1869:7;1881:20,23;   1859:7;1881:20,23;   1892:24;1893:14;   1895:23;   1904:4;1905:8;1909:4   1885:23   1885:23   1908:24;1909:4   1867:18   1885:21;1964:6   1956:22;2014:12   1967:16   1867:18   1885:21;1964:8;   1889:12;1913:7   1942:4   194					
1869:7;1881:20,23;   1956:18:2013:13   staff (4)   1894:8;1907:7;   1976:22   1976:22   1982:4;1905:8;1909:4   1885:23   someone (9)   1869:1;1880:9;   1885:23   someone (9)   1958:8;1964:6   1956:22;2014:12   stellar (1)   1976:12   stellar (1)   1976:16   1867:18   1882:2;1964:8;   1889:12;1913:7   1942:4   stage(1)   1932:12   stellar (1)   1932:12   stellar (2)   1865:13,16(2)   1865:13,16(2)   1865:13,16(2)   1865:13,16(2)   18					1918:15;1967:15
1869:7;1881:20,23;   1956:18;2013:13   staff (4)   1894:8;1907:7;   1976:22   1976:2					
14;1891:18,19,20;   1869:7;1881:20,23;   1956:18;2013:13   speaker (2)   1894:8;1907:7;   1976:22   1976:22   1976:22   1976:22   1867:16   1879:1;1880:9;   1885:2;1964:8;   1899:1;1880:9;   1889:12;1913:7   1964:4;1933:4;   1972:17;1992:10;   1979:20   1879:2013:12   1866:15;2013:12   1866:15;2013:12   1866:14,16,19,2   1973:14   1930:7;1932:15;   1930:7;1932:16;   1930:7;1932:15;   1930:7;193:15;					
14;1891:18,19,20;	,				
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14;1891:18,19,20;					
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14;1891:18,19,20;         1869:7;1881:20,23;         1956:18;2013:13         staff (4)         steady (1)           1892:24;1893:14;         1885:23         speaker (2)         1894:8;1907:7;         1976:22           sleeping (1)         1879:1;1880:9;         speaking (2)         1894:8;1907:7;         1966:22;2014:12         stellar (1)           1867:18         1882:2;1964:8;         1889:12;1913:7         speaking (2)         stage (1)         1967:16           slide (5)         1966:20;1967:11;         special (1)         1942:4         stemmed (1)         1932:12           1972:17;1992:10;         1998:9         species (3)         stand (2)         1967:12;1981:1         step (2)           slides (4)         sometime (1)         2004:23;2005:2;         1865:15;2013:12         stechnoth (21)         1866:23,5,7,11         stechnoth (21)         1866:23,5,7,11 </td <td></td> <td></td> <td></td> <td></td> <td></td>					
14;1891:18,19,20;         1869:7;1881:20,23;         1956:18;2013:13         staff (4)         steady (1)         1976:22         1976:22         steady (1)         1976:22         steallar (1)         1976:16         steage (1)         1976:12         steage (1)         1976:19         1976:12         steage (1)         1976:12         1976:12         197					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       1894:8;1907:7;       1976:22         1892:24;1893:14;       1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1894:8;1907:7;       1976:22         sleeping (1)       1879:1;1880:9;       spaking (2)       stage (1)       1967:16         slide (5)       1966:20;1967:11;       special (1)       stage (1)       1967:16         1937:23;2012:5,6       1998:9       special (1)       1905:14       stemmed (1)         1932:19;1939:4;       1873:10       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1947:3;2002:7       somewhat (1)       1871:7       1930:7;1932:15;       standard (2)       1865:14,16,19,2         1986:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         1902:17;1999:1       1973:14       specific (6)       1989:23;1990:11       1866:2,3,5,7,11,         1916:11;1918:19;       193:11,899:4;       1964:20;1998:18       1964:15       1879:12,14,18;         1900:6,13;1915:15       specifically (4)       star (1)       1889:11,1899:4;       1899:11,1899:4;       1930:11       1866:8         1935:8;1974:13,15;       1900:6,13;1915:15       specificity (1)       1873:13;193:12,					
14;1891:18,19,20;         1869:7;1881:20,23;         1956:18;2013:13         staff (4)         steady (1)           1892:24;1893:14;         1892:24;1893:14;         1892:1963:8;1964:6         1956:22;2014:12         stellar (1)           sleeping (1)         1879:1;1880:9;         1889:12;1913:7         stage (1)         1967:16           1867:18         1882:2;1964:8;         1889:12;1913:7         1942:4         stemmed (1)           slide (5)         1966:20;1967:11;         special (1)         1905:14         step (2)           1937:23;2012:5,6         1998:9         special (1)         1905:14         step (2)           slides (4)         sometime (1)         2004:23;2005:2;         1865:15;2013:12         Stichnoth (21)           1932:19;1939:4;         1873:10         2006:14         standard (2)         1865:14,16,19,2           1896:2         somewhat (1)         1930:7;1932:15;         standpoint (3)         1869:13,15;           1992:17;1999:1         1884:6;1890:4;         1964:20;1998:18         1964:15         187:12,14,18;           1916:11;1918:19;         1898:11;1899:4;         1900:6,13;1915:15         specifically (4)         start (1)         1889:1;1890:22           1985:8;1974:13,15;         1900:6,13;1915:15         specificity (1)         1873:13;1931:2,3,6;<					
14;1891:18,19,20;         1869:7;1881:20,23;         1956:18;2013:13         staff (4)         steady (1)           1892:24;1893:14;         1885:23         speaker (2)         1894:8;1907:7;         1976:22           1904:4;1905:8;1909:4         smoone (9)         1958:8;1964:6         1956:22;2014:12         stellar (1)           1867:18         1889:1;1880:9;         1889:12;1913:7         1942:4         stemmed (1)           1916:4;1933:4;         1972:17;1992:10;         1979:20         1905:14         step (2)           1937:23;2012:5,6         1998:9         species (3)         1865:15;2013:12         stichnoth (21)           1932:19;1939:4;         1873:10         2004:23;2005:2;         1865:15;2013:12         Stichnoth (21)           1896:2         somewhat (1)         specific (6)         1989:23;1990:11         1866:2,3,5,7,11           1896:2         somewhere (3)         1933:18;1943:17;         1932:14;1955:5;         1871:12,14,18;           1902:17;1999:1         1973:14         specific (6)         1989:23;1990:11         1869:19;1870:19           1935:8;1974:13,15;         1964:10;1918:19         1964:10;1918:19         1964:10;1918:19         1964:10;1918:19           1998:11;198:19;198:19         1973:14         specifically (4)         start (5)         1873:13;1					9;1881:14;1883:3,18;
14,1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1894:8;1907:7;       1976:22         sleeping (1)       1879:1;1880:9;       1889:12;1913:7       1942:4       stellar (1)         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1916:4;1933:4;       1972:17;1992:10;       1979:20       species (3)       stand (2)       1967:12;1981:1-         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1932:19;1939:4;       1873:10       2006:14       standard (2)       1866:2,3,5,7,11         1896:2       somewhat (1)       1930:7;1932:15;       standpoint (3)       1869:19;1870:1*         1896:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         slow (2)       1884:6;1890:4;       1964:20;1998:18       1964:15       1879:20;1881:2         1916:11;1918:19;       1973:14       specifically (4)       star (1)       1889:11;1899:4;         1935:8;1974:13,15;       1900:6,13;1915:15       1968:11       1920:14;1947:4       star (5)         1975:19;1981:3;		-			1868:20;1869:6,6,8,
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1879:1;1880:9;       1958:8;1964:6       1956:22;2014:12       stellar (1)         1867:18       1889:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)       1932:12         slide (5)       1966:20;1967:11;       special (1)       stagering (1)       1932:12       step (2)         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:1-       step (2)         1932:19;1939:4;       1873:10       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1947:3;2002:7       somewhat (1)       1871:7       1930:7;1932:15;       standpoint (3)       1869:19;1870:1         1896:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         slow (2)       1884:6;1890:4;       1964:20;1998:18       1964:15       1879:20;1881:2         1916:11;1918:19;       1973:14       specifically (4)       star (1)       1889:1;1890:22         1935:8;1974:13,15;       1900:6,13;1915:15       specificity (1)       1873:13;1931:2,3,6;					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1904:4;1905:8;1909:4       1885:23       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       speaking (2)       1889:12;1913:7       1942:4       stemmed (1)         slide (5)       1966:20;1967:11;       special (1)       1905:14       step (2)         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:1-         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1932:19;1939:4;       1873:10       2006:14       standard (2)       1865:14,16,19,2         1947:3;2002:7       somewhat (1)       1930:7;1932:15;       standpoint (3)       1869:19;1870:11         1896:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         slow (2)       1884:6;1890:4;       1964:20;1998:18       1964:15       1879:20;1881:2         small (18)       1916:11;1918:19;       1898:11;1899:4;       1964:20;1998:18       1964:15       1879:12,14,18;         1900:6,13;1915:15       1900:6,13;1915:15       specificity (1)       1873:13;1931:2,3,6;       1					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         1867:18       1879:1;1880:9;       1882:2;1964:8;       1889:12;1913:7       stage (1)       1967:16         1866:0;1967:11;       1966:20;1967:11;       speaking (2)       1942:4       stemmed (1)         1916:4;1933:4;       1972:17;1992:10;       1979:20       1905:14       stage (1)         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:1-         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1947:3;2002:7       somewhat (1)       1871:7       1930:7;1932:15;       standpoint (3)       1866:2,3,5,7,11,         1896:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         1922:17;1999:1       1973:14       specifically (4)       star (1)       1889:11;20;14,189:22         small (18)       19(5)       1886:6;1917:23;       1930:11       1894:8         1935:8;1974:13,15;       1900:6,13;1915:15       specificity (1)       1873:13;1931:2,3,6;       1866:8			1968:11	2013:22	
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       speaking (2)       stage (1)       1967:16         1867:18       1882:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1932:19;1939:4;       1873:10       2006:14       standard (2)       1865:14,16,19,2         1947:3;2002:7       somewhat (1)       specific (6)       1989:23;1990:11       1866:2,3,5,7,11         1896:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         slow (2)       1884:6;1890:4;       1964:20;1998:18       1964:15       1879:20;1881:2         small (18)       son (5)       1886:6;1917:23;       1930:11 <td< td=""><td></td><td>1900:6,13;1915:15</td><td></td><td>1873:13;1931:2,3,6;</td><td>1866:8</td></td<>		1900:6,13;1915:15		1873:13;1931:2,3,6;	1866:8
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       speaking (2)       stage (1)       1967:16         1867:18       1882:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1947:3;2002:7       somewhat (1)       specific (6)       1989:23;1990:11       1866:2,3,5,7,11         slight (1)       1871:7       1930:7;1932:15;       standpoint (3)       1869:19;1870:19         1896:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         slow (2)       1884:6;1890:4;       1964:20;1998:18       1964:15       1889:1;1890:22         1922:17;1999:1       1973:14       specifically (4)       star (1)       1889:1;1890:22					S-T-I-C-H-N-O-T-H (1)
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       speaking (2)       stage (1)       1967:16         slide (5)       1882:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)         1916:4;1933:4;       1972:17;1992:10;       1979:20       1905:14       step (2)         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1947:3;2002:7       somewhat (1)       2006:14       standard (2)       1865:14,16,19,2         1947:3;2002:7       somewhat (1)       1930:7;1932:15;       standpoint (3)       1869:19;1870:19         1896:2       somewhere (3)       1933:18;1943:17;       1954:14;1955:5;       1871:12,14,18;         slow (2)       1884:6;1890:4;       1964:20;1998:18       1964:15       1879:20;1881:2					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1879:1;1880:9;       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       1889:12;1913:7       stage (1)       1967:16         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1947:3;2002:7       somewhat (1)       1871:7       1930:7;1932:15;       1989:23;1990:11       1866:2,3,5,7,11,         slight (1)       1871:7       1930:7;1932:15;       1954:14;1955:5;       1871:12,14,18;					1889:1;1890:22;
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       speaking (2)       stage (1)       1967:16         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1932:19;1939:4;       1873:10       2006:14       standard (2)       1865:14,16,19,2         1947:3;2002:7       somewhat (1)       1930:7;1932:15;       1989:23;1990:11       1866:2,3,5,7,11,         slight (1)       1871:7       1930:7;1932:15;       standpoint (3)       1869:19;1870:19					1879:20;1881:2;
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       speaking (2)       stage (1)       1967:16         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1932:19;1939:4;       1873:10       2006:14       standard (2)       1865:14,16,19,2         1947:3;2002:7       somewhat (1)       specific (6)       1989:23;1990:11       1866:2,3,5,7,11					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       speaking (2)       stage (1)       1967:16         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)         1932:19;1939:4;       1873:10       2006:14       standard (2)       1865:14,16,19,2					1869:19;1870:19,20;
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       1889:12;1913:7       1942:4       stemmed (1)         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:1-1         slides (4)       sometime (1)       2004:23;2005:2;       1865:15;2013:12       Stichnoth (21)					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)         sleeping (1)       1879:1;1880:9;       1882:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1916:4;1933:4;       1972:17;1992:10;       1979:20       1905:14       step (2)         1937:23;2012:5,6       1998:9       species (3)       stand (2)       1967:12;1981:14					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1879:1;1880:9;       1958:8;1964:6       1956:22;2014:12       stellar (1)         1867:18       1882:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12         1916:4;1933:4;       1972:17;1992:10;       1979:20       1905:14       step (2)					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1879:1;1880:9;       1958:8;1964:6       1956:22;2014:12       stellar (1)         slide (5)       1882:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)         slide (5)       1966:20;1967:11;       special (1)       staggering (1)       1932:12					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1879:1;1880:9;       1956:22;2014:12       stellar (1)         1867:18       1882:2;1964:8;       1889:12;1913:7       1942:4       stemmed (1)					
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:4;1905:8;1909:4       someone (9)       1879:1;1880:9;       speaking (2)       1956:22;2014:12       stellar (1)         1956:18;2013:13       speaking (2)       1956:22;2014:12       stellar (1)				-	
14;1891:18,19,20;       1869:7;1881:20,23;       1956:18;2013:13       staff (4)       steady (1)         1892:24;1893:14;       1885:23       speaker (2)       1894:8;1907:7;       1976:22         1904:44;1905:8;1909:4       someone (9)       1958:8;1964:6       1956:22;2014:12       stellar (1)					
14;1891:18,19,20; 1869:7;1881:20,23; 1956:18;2013:13 staff (4) steady (1) 1892:24;1893:14; 1885:23 speaker (2) 1894:8;1907:7; 1976:22					
14;1891:18,19,20; 1869:7;1881:20,23; 1956:18;2013:13 <b>staff (4) steady (1)</b>					-,,,,,,
$1 \times 1 \times 2 \times 1 \times $					
11.1000.32.1000.3 ( Complem (4) 1001.4.1012.10 1005.11.1000.6 1005.24	11.1889.23.1890.2 6	Somehow (4)	1891:4;1913:10;	1905:11;1988:6	1895:24

1957:11;2000:5,5	submitted (2)	1919:20;2008:14;	1940:15	1882:19
stress (4)	1926:4;1954:13	2010:5	taxation (2)	therefrom (1)
1918:14;1948:4,8,17	subsidized (2)	Surrounding (3)	1964:23,23	1994:12
stresses (1)	2002:20,21	1906:7;1937:4;	taxed (2)	thereof (1)
1916:16	substantial (1)	1959:15	2003:16,17	1973:4
stressors (1)	1969:15	surroundings (2)	taxes (5)	thereto (1)
1948:11	subsurface (5)	1908:13;1910:11	1921:2;1947:15;	1994:17
strike (2)	1926:24;1927:3,18;	susceptible (1)	2003:19,20;2004:1	thinking (5)
		1909:16		
1883:17;1886:2	1944:23;1945:19		Tea (9)	1904:16;1914:16;
stringency (1)	subtotal (1)	swayed (1)	1878:11;1879:16,17;	1930:22;1941:4;
2005:1	1937:13	1898:7	1880:3,16;1881:5,20;	2013:18
stringent (2)	success (1)	sworn (3)	1885:1,5	though (7)
1871:3,4	1921:16	1865:22;1914:2;	team (1)	1897:21;1934:9,10;
strong (1)	sudden (2)	1957:6	1873:8	1939:7;1988:11;
1897:13	1963:22;2005:21	Syndrome (1)	technically (1)	1998:3;2007:22
strongly (2)	sufficient (1)	1875:13	2015:4	thought (26)
1957:21;1999:23	1904:14	system (6)	telling (2)	1866:21;1867:6,9;
struck (1)	suggest (2)	1927:4,20;1928:1;	1913:17;2007:13	1871:8;1879:16;
1959:4	1898:15;1905:20	1944:24;1945:20;	ten (10)	1880:14;1882:9;
structures (1)	suggestion (1)	1950:11	1895:17;1898:19;	1889:15;1896:13;
1925:9	1898:8	systems (1)	1941:19;1973:21;	1940:24;1960:1,17,18;
	suitable (1)			1961:15,22;1963:8,11;
struggle (1)		1918:14	1974:6;1978:9;1979:9,	
1940:12	1903:20	757	9;1980:16;1985:2	1965:13,15;1966:3;
stuck (1)	sum (1)	T	tenant (1)	1974:7;1979:17;
2004:6	1905:1		1927:10	1984:12;1995:2,3;
studies (4)	summaries (1)	table (2)	tend (2)	2005:20
1893:3;1909:6,14;	1939:5	1913:1;1942:2	2014:3,3	thousands (2)
1994:23	summary (9)	tag (1)	term (3)	1903:12;2006:19
study (18)	1916:9;1933:21;	1897:11	1878:6,7,8	three (23)
1901:14;1903:13;	1934:7,19,24;1935:1,	taint (1)	terrible (2)	1866:18;1867:2;
1970:8,8,21;1971:19,	12;1939:15;1949:24	1877:5	1868:4;1876:10	1868:14;1887:24,24;
22;1973:23;1977:17;	summer (3)	talk (7)	territory (1)	1890:5;1900:15;
1978:4,5;1981:1;	1867:17;1876:14;	1874:17;1882:1;	2006:10	1901:19;1903:2;
1984:16;1985:10;	1948:10	1891:6,8;1902:8;	Tesla (1)	1904:6;1915:13,22;
1989:14;2012:7,10;	Sunrun (1)	1959:1;2004:11	1904:5	1918:3;1920:4;
2013:2	1964:12	talked (10)	tested (1)	1928:12;1963:2;
stuff (16)	supplies (1)	1874:15;1891:5;	1899:12	1969:11;1976:19;
1924:7;1962:17,18;	1920:19	1926:11;1942:22;	testified (4)	1979:7;1980:13;
1966:1;1980:24;	supply (2)	1944:12;1946:6;	1876:5;1946:14;	1981:22;1984:20;
1982:14;1992:2,3;	1966:3,6	1949:2;1958:21;	1950:23,24	2007:6
1993:16;1994:24;	support (9)	1966:2;2012:6	testify (6)	three-quarters (1)
1995:19;1999:10;	1921:11;1939:6,9,		1864:11;1879:1;	1906:13
		talking (22)		
2006:9;2009:5,10;	11,16;1940:2,14;	1871:19;1877:6;	1882:3;1894:23;	threshold (1)
2010:4	1953:10;1969:22	1883:12,23;1902:9;	1953:7;1957:1	1904:5
stumbled (1)	supported (1)	1926:10;1946:11;	testifying (2)	threw (1)
1959:6	1969:9	1957:15;1964:22;	1864:24;1874:11	1998:5
stunted (1)	supporting (1)	1966:5;1968:6,7,9,12;	testimonies (1)	throughout (4)
1943:4	1904:1	1975:20;1979:22;	1900:9	1871:6;1899:2;
SU-7-14 (1)	supposed (2)	1990:10,11,14;1995:5;	testimony (10)	1905:10;1922:1
				*
1863:9	1929:21;2011:2	1997:22;2005:7	1865:11;1875:1;	throwing (1)
<b>sub</b> (3)	sure (16)	talks (2)	1882:6;1895:20;	1931:3
1927:14;1928:24;	1864:18;1866:22;	1883:24;1959:13	1905:18;1908:18;	thumb (1)
1944:24	1868:3;1882:7,22;	tally (2)	1934:21,23;1953:9,18	1924:13
sub-easement (1)	1886:21;1918:1,15;	1935:4;1951:3	Texas (4)	tie (3)
1997:3	1922:16;1927:15;	target (1)	1981:18;1982:7;	1881:23,24;1882:23
sub-easemented (1)	1928:15;1931:17;	1976:18	1989:10,10	ties (1)
			The state of the s	
1997:19	1943:22;1949:3,12;	targeted (1)	Thanks (1)	1881:15
sub-easements (1)	2012:4	1998:19	1941:14	tight (4)
1996:14	surface (2)	targeting (2)	Thayer (2)	1985:15,21;1987:16,
subject (2)	1926:23;1993:2	1998:10;1999:10	1971:13,13	21
1901:11;1923:9	surprised (1)	task (1)	Thayer's (1)	tighter (2)
submission (2)	1897:8	1935:17	1978:5	1966:15;1985:15
1954:13,17	surrounded (3)	tax (1)	thereafter (1)	tightly (2)
1754.15,17	Sur i vuliucu (3)	шл (1 <i>)</i>	therealter (1)	ugnuy (2)
-		ı	1	1

·	T			T
1988:21;2010:9	touched (1)	1930:21;1941:20;	turbulence (3)	1998:1,21;1999:16
til (1)	1929:24	1948:13;1958:18;	1903:1;1924:18;	underground (1)
2002:4	toward (2)	1969:2;2004:24;	1995:11	1992:3
tile (9)	1875:24;1885:12	2005:3	turn (1)	underneath (1)
1927:1,1;1928:9;	towards (3)	trying (17)	1951:22	1918:8
1944:15;1945:3,15;	1876:14;1886:2;	1873:13;1876:6;	turned (2)	underspecification (1)
1946:17;1949:7,18	2008:18	1877:7;1881:14;	1910:5;1912:6	1969:4
tiled (1)	tower (2)	1882:4,5;1885:21,22;	turns (1)	understatement (1)
1945:10	1923:5;1930:12	1913:9;1927:8;	1993:4	1917:20
timely (1)	towers (1)	1945:13;1946:7,14;	Tuttle (7)	underway (1)
1947:12	1967:1	1948:12;1955:4;	1969:8;1970:13,16,	1940:6 unincorporated (3)
times (9) 1884:10;1890:11;	town (11) 1878:23;1908:7;	1960:4;2012:19 <b>tubes (1)</b>	19;1971:11;2012:7; 2013:2	2000:9,14;2001:5
1899:8;1930:4;1941:3;	1979:2,7;1981:9,22;	1897:5	TV (1)	uninterrupted (2)
1961:16;1990:18;	1982:7,10,22;2000:9;	Tuesday (1)	1868:13	1890:15;1902:16
1992:9;2006:15	2010:7	1864:3	twice (1)	United (5)
title (2)	towns (3)	<b>Turbine (48)</b>	1947:16	1971:19;1972:15,23;
1915:2;1926:1	1937:4;2010:6,11	1875:13;1892:2;	two (54)	1973:3;2005:10
today (3)	Township (5)	1895:18;1899:12;	1866:17;1867:16,16;	units (5)
1923:15,18;1938:7	1866:16;1892:6,7;	1900:21;1901:3,4;	1868:13;1878:7,8;	1871:10;1906:24;
together (10)	1939:10,10	1904:5,13;1908:19,24;	1890:5;1900:11;	1911:5;1919:13;
1881:23;1882:24;	townships (6)	1909:12,21,22;1910:8,	1902:24;1904:3;	1951:7
1885:6;1932:13;	1935:2;1940:12;	20;1911:1;1918:6;	1915:16;1918:8,9;	University (1)
1974:1,3;1977:13;	1941:11,13;2007:11,12	1926:22;1927:6,21;	1935:24;1942:17;	1973:5
1987:4;1993:5;	traffic (2)	1930:11;1931:1,2;	1946:19;1956:11;	unreasonably (1)
1994:16	1890:14,16	1933:20;1936:16,19;	1962:1;1967:12;	1903:23
told (5)	Trail (4)	1947:5;1955:9,24;	1971:14;1974:9;	unstable (1)
1896:11;1898:2;	1866:17;1871:19;	1956:6;1971:2,15;	1976:20;1977:3,5,5,11,	1901:10
1952:15,19;1996:7	1875:16;1965:12	1976:10;1983:4,23;	13;1978:11,19;1979:5,	up (93)
tomorrow (3)	train (1)	1984:14,17,20;	7,14,15;1980:8,23,24;	1864:14,16;1868:1,
1863:24;1864:24;	1867:21	1989:18;1991:20;	1981:12;1983:3,5,9,12,	6,14;1871:7;1880:1,1;
2014:22	transfer (1)	1996:8;2002:10,16;	21,22;1984:19;1985:5,	1890:10;1891:23,24;
ton (1)	1996:17	2003:1,3,13,20	17;1986:24;1988:6,6,	1892:6;1893:2,12;
1970:10	transient (2)	turbines (105)	7;2005:10;2007:11;	1894:7,17;1896:7,9,15;
tonight (7)	2000:11,15	1868:4;1869:5,8,22;	2012:20;2013:6	1898:2,23;1899:19;
1863:24;1865:1;	transmission (6)	1895:22,23;1896:6,12;	type (2)	1900:5;1906:21;
1889:13;1914:15,20; 1927:5;1932:1	1926:23;1927:22; 1929:11;1936:4;	1899:15,24;1900:20; 1901:2;1903:2;1904:9;	1925:19;1968:8 types (4)	1908:9;1913:1,7,9; 1919:3;1922:21;
took (15)	1950:13;1954:23	1901.2,1903.2,1904.9,	1998:3,6,24;1999:17	1919.3,1922.21, 1924:1,24;1925:14;
1873:3;1877:24;	transporting (1)	1903.12,1900.0,	typical (2)	1927:3,19;1928:9,18,
1878:2;1898:5;1908:6;	2000:6	1908:11,12,14,23,	1924:6;1928:1	23;1930:6;1935:17,22;
1912:5;1935:18;	traverse (1)	1917:17;1918:2,17;	1724.0,1720.1	1937:18;1938:3;
1936:16;1960:3;	2013:17	1920:5;1927:21;	U	1941:17;1942:1,4;
1967:12,17;1970:22;	treatment (1)	1928:12;1929:11;		1945:2,12;1950:7,10;
1972:10;1977:24;	1901:12	1931:22;1933:13;	UCLC (3)	1951:13,23;1953:24;
1978:1	tree (1)	1936:4,14,14,20;	1865:13;1942:18;	1955:22;1967:2,21;
top (12)	1891:16	1937:1,6,10,12,15,16;	2015:1	1974:6;1975:17,20;
1916:21;1917:4,10;	trees (1)	1938:12,18;1941:8;	ultimately (2)	1976:4;1980:9,12,16;
1927:13,14;1932:8;	1908:3	1950:5,9,9;1954:22;	1927:23;1928:2	1982:21;1983:13;
1935:15,15;1937:18;	tried (3)	1955:1,9,14,20,24;	ultralights (1)	1984:24;1985:1,7;
1972:13;2009:12;	1871:6;1889:22;	1956:1,3,5,7,9;1969:2;	2005:9	1986:9;1987:13,13;
2010:23	1890:4	1970:17;1975:19,21;	unable (1)	1989:2;1991:6,21;
topographical (1)	trolling (1)	1976:8,16;1977:1,21,	1943:2	1999:21;2002:10,15;
1978:17	1990:6	22;1978:16;1979:22;	unanimously (1)	2003:4,6,7,13;2005:8;
topography (1)	true (3)	1980:2,6,7,8,18;	1921:18	2006:18,21;2007:24,
1929:5	1934:2;1968:18,21	1982:11,24;1983:7,17;	uncomfortable (2)	24;2008:3,9,13,20;
torture (1)	trust (2)	1985:7,22;1986:3,8,16,	1895:18;1897:24	2011:1;2013:4,5
1869:12	1898:8;1997:4	21,23;1987:4,4,11;	under (17)	updated (2)
tossing (1)	trustworthy (1)	1988:2,3,19;1989:12,	1895:16;1900:9;	1934:11;1963:2
1931:7	1900:7	15;1998:14;2003:5,24;	1903:21;1904:12;	upon (5)
<b>total (6)</b> 1898:20;1935:4,11,	try (12) 1870:3;1882:2;	2004:2;2006:4,19; 2007:15;2008:7;	1955:19;1965:2; 1968:16,18;1993:9,9,	1869:13;1959:6; 1993:8;2008:8;2010:2
17;1976:9;2002:24	1883:5,10;1913:23;	2007:13;2008:7;	11;1995:3,9;1997:17;	upper (1)
11,1710.3,4004.44	1005.5,10,1715.45,	2007.7,10,2010.10,13	11,1//3.3,7,177/.1/,	upper (1)
Min-II-Script®	Area Wide	Reporting and Video Co	nferencina	(24) til - unner

vendors (1)	wake (6)	weather (3)	1872:11;1890:8;	2014:2
1925:7	1870:19;1956:16	1953:11	1867:24;1868:5,23;	winds (1)
varies (1)	Wait (2)	1883:5;1920:6;	wife (10)	1891:12;1896:15
1970:10;1975:1		ways (3)	1974:16	windows (2)
variables (2)	$\mathbf{W}$	2011:1,2;2013:22	widespread (1)	1869:1;1890:13
1980:20,21		1995:20;2005:3,11;	1922:17	window (2)
Vansycle (2)	1918:14	1967:2;1988:24;	who's (1)	1893:7,8;1898:3
15;2012:24	vulnerable (1)	1959:9;1961:21;	2004:12,2003:21,23,	windmills (3)
1987:2,22,24;1989:7,	1910:19;1937:22	1944:3,7;1945:8;	2004:12;2005:21,23;	1900:11,17
1967:16;1969:6;	voting (2)	11;1942:5;1943:14,24;	whooping (5)	windmill (2)
<b>values (11)</b> 1967:16;1969:6;	voted (2) 1921:18;1938:22	1925:20,21;1934:4; 1935:9;1938:6;1939:8,	1996:23;1997:13; 2008:21,21	2010:3,8,21;2012:22; 2014:2;2015:1
2012:11	1939:10,12;1952:6	1921:10;1923:6;	1965:11;1976:7;	2009:2,2,12,12,16,23; 2010:3,8,21;2012:22;
1971:16;2003:13,15;	vote (3)	1881:10;1906:19;	1939:20;1955:18;	8,9,11,21;2008:7,9,17;
1966:17;1969:10,21;	2001:24	1863:3;1877:2;	1893:6;1932:15;	2006:2,4,7,19;2007:7,
1930:3;1939:18;	VOICES (1)	way (29)	whole (10)	11,12,13,15;2002:15;
1925:6;1926:1,1;	2007:19;2014:16	1909:5	1972:17	1996:12;1998:4,8,10,
value (12)	1942:1,2;1952:18;	waves (1)	white (1)	11,19,23,23;1995:7,13;
1898:17	VOICE (5)	1984:10,11,13,14,19	1876:13,16	1993:1,1,7,7;1994:9,
valid (1)	1872:18	Waverly (5)	whichever (2)	1987:8,20;1991:20;
11.1 (4)	vocal (1)	1881:5	1937:9	1985:3,4,6;1986:12;
$\mathbf{V}$	1863:13,14;2015:6	1878:17;1880:7;	wherever (1)	1983:13,14;1984:6;
₹7	Vitzthum (3)	Watseka (3)	1949:17	6,15;1978:16;1979:12;
1919:17,22	1893:18	1929:7;1949:16	where's (1)	1975:9,12,14;1976:4,6,
utilize (2)	visually (1)	water (2)	2007:2,20;2012:20	1973:13,21;1974:7;
1958:2;2002:12	1970:17,22;1995:10	1867:5;2015:4	1999:7,13;2002:17;	1971:15;1972:8;
utility (2)	1924:17;1958:20,20;	watching (2)	1987:19;1992:13,16;	21;1970:6,13,17;
1868:13;2014:2	visual (6)	1867:12	1975:3,5;1982:20;	24;1967:1;1969:1,6,7,
usually (2)	1908:15,19;1941:1	watched (1)	1972:20;1974:8;	14,16;1965:1;1966:3,4,
1980:1,1,2;1992:14	1895:23,24;1899:8;	2010:22;2011:7	1968:22;1971:9,24;	1959:2,17,22;1960:12,
1973:12;1979:12;	visited (6)	2004:14;2006:23;	1879:20;1945:14,16;	1953:6;1957:17,19;
1930:17;1969:22;	1896:6;1940:21	23;1885:6;1894:15;	what's (20)	1941:8;1952:7,17;
using (8)	visit (2)	22,24;1884:1,5,7,19,	2006:18,21	1925:12;1940:17;
1975:8;2012:17	1979:5	6;1882:8;1883:2,18,19,	wetlands (2)	1921:16;1924:20;
USGS (2)	virtually (1)	18;1880:10,14;1881:3,	1957:10	1917:16;1918:4,5;
2014:7	1939:20	1878:10;1879:5,11,13,	West (1)	1911:23;1915:4;
uses (1)	viewscape (1)	22;1877:3,9,17;	1957:21;1978:24	1909:21;1910:2,20;
1973:8	1995:11	1874:4,8,9;1876:18,	weren't (2)	13;1905:5;1908:11,16;
usefulness (1)	1972:10;1975:16,17;	Watch (34)	1904:23;1959:14	14,21;1903:9;1904:5,9,
1904:17	1924:17;1971:5;	14,15	welfare (2)	1899:9,11,12;1901:8,
useful (1)	view (6)	1919:12;1959:7,11,	1910:21	1896:6,10,12;1898:20;
1989:14,15	2014:20	waste (5)	welcomed (1)	1894:14;1895:17;
1975:23;1976:1;	2011:6,11,13,14;	1985:20;1989:10	1864:9;1942:4	1888:8;1893:2;
1933:6,21;1934:10;	2004:14;2006:23;	1977:20;1979:22;	welcome (2)	1885:6;1886:14;
1877:4;1924:7,11;	video (7)	Washington (4)	1916:15	1884:1,5,7,8,19,21,23;
1873:5;1874:18;	1901:10	1915:14	weight (1)	1883:2,18,19,22,23;
1869:13,13;1870:2;	victims (1)	Warren (1)	1932:14	1881:3,6,7;1882:8;
used (15)	1904:24	1973:6	1917:12;1918:13;	18;1880:4,6,10,11,13;
2006:7	vicinity (1)	warranty (1)	1914:13;1916:12;	12,14,22;1879:5,11,13,
1996:11;1997:13;	1964:11	2000:6	weeks (5)	1877:3,9,17;1878:10,
1979:20;1994:11;	vice-president (1)	wares (1)	1901:13;1920:20	1875:13;1876:18,22;
1973:10;1975:15;	1924:18;1995:11,21	1869:13	1864:2,4;1885:10;	1873:11;1874:4,7,9;
1939:12,12;1970:16;	vibration (3)	war (1)	week (5)	1871:18;1872:19;
1926:18;1929:12;	1892:21;1920:19	2002:15;2007:12	1864:3,5	7;1869:5,8,14,21;
1924:22;1925:6;	veterinarian (2)	1902:14;1931:10;	Wednesday (2)	20,24;1867:4,8;1868:4,
1898:16;1919:8,22;	1891:11	wants (4)	1961:19;1991:1	1863:10;1866:17,19,
use (17)	vertical (1)	1864:2,6;2014:23	WECS (2)	Wind (181)
2004:18,19	1934:3;1954:22	Walton (3)	1975:8;2007:14	1910:17
1891:15;1900:24;	1890:7;1932:10,22;	1868:2	1881:3;1918:6;	willingness (1)
upset (4)	versus (5)	walked (1)	website (4)	1901:11;1940:20
1890:16	1960:6	1995:11	1982:19,23;1983:4	willing (2)
<b>ups</b> (1)	verbiage (1)	1893:12;1924:18;	Weatherford (3)	1907:24;1908:15
	2000:3	1868:14;1891:23,24;	1948:9,19,20	1891:7,14;1893:19;

	T	1	T	1 051 001 7 7 2010
windy (1)	1937:16;1972:2	1947:19,23;1948:4;	120 (1)	1916:11
1908:20	Wow (1)	1956:22	1909:17	2.5 (1)
winged (1)	1977:22	zero (2)	1200 (1)	2002:21
2014:6	write (5)	1971:14;1979:15	1930:13	20 (7)
winter (2)	1883:8;1963:17;	Zimmerman (1)	128 (1)	1874:23;1891:16;
1876:10;1948:10	1967:5,10;1972:18	1863:19	1915:12	1896:10;1912:17;
wires (1)	writes (1)	zone (2)	13 (1)	1937:9;1988:3;
1992:2	1972:17	1909:21;1930:24	1888:13	1993:15
Wisconsin (6)	written (6)	Zoning (13)	13.4 (1)	200 (1)
1909:20;1985:1;	1925:2;1959:18,19;	1863:8,9;1870:2,3;	1936:14	1957:10
1986:9,17;2004:19;	1964:20;1967:10;	1888:10,10,19;	134 (1)	2003 (1)
2005:8	1995:15	1903:20;1931:23,24;	1956:2	1916:23
within (42)	wrong (2)	1962:7;1963:3;	136 (8)	2006 (5)
1895:17;1896:14,24;	1889:16;1990:6	2011:19	1956:1;1988:11;	1911:24;1912:1;
1903:1;1906:10,11;	wrote (1)		1989:18;2003:6,23;	1967:3;2000:10;
1908:22;1909:13;	1972:22	0	2004:3;2007:12,16	2001:4
1910:6;1918:2;1920:4,			14 (2)	2010 (1)
5,6,12;1925:10;	Y	0 (2)	1896:22;1986:21	1875:24
1931:22;1933:11,20;		1975:18,18	14,000 (1)	2011 (16)
1936:6;1946:22;	yard (2)		1932:7	1873:10;1875:17;
1969:15;1971:1,14;	1868:2;1965:24	1	14.49 (1)	1876:1,17;1877:23;
1973:21;1974:9;	year (18)		1971:1	1878:10,20;1879:7,23;
1977:12;1979:4,6,15;	1875:19;1876:12,13,	1 (3)	141 (1)	1880:7;1881:4;
1980:8;1981:11,22;	16,16;1878:6,7,8;	1975:18,18,18	1905:11	1885:11;1886:14;
1983:5,9,22;1984:19,	1887:18;1890:11;	1,325,000 (1)	15 (7)	1894:13;1911:20,21
19;1985:17;1986:23;	1911:18;1953:5;	1921:6	1897:5,14;1909:7,	2012 (6)
1988:22,22;2012:20	1965:3;2003:20,22,24;	1.1 (1)	16;2001:23;2002:1,3	1875:24;1878:1,1,2;
<b>without (6)</b> 1870:8;1886:11;	2004:1;2013:16 years (23)	1930:11	<b>155 (2)</b> 1902:18;1905:6	1927:3;1928:21 <b>2014 (5)</b>
1979:20;1994:18;	1866:18,18,24;	<b>1.18 (1)</b> 1892:11	1902:18;1903:6 16 (1)	1921:3;1932:24;
1996:3;2005:1	1867:8,16,17;1868:6;	1.25 (1)	1937:12	1933:2;2000:17;
witness (9)	1870:1;1873:24;	1905:20	160 (2)	2002:17
1864:20;1877:5;	1891:16;1903:7;	1.3 (1)	1996:24;1997:1	2015 (1)
1879:2;1882:5;	1908:1;1910:14;	1956:3	1600 (1)	1863:7
1885:24;1894:20;	1915:12;1922:2;	1.6 (1)	1896:22	2025 (1)
1912:14,17;1957:1	1923:16;1928:8;	2003:4	164 (2)	1964:24
witnesses (1)	1945:10;1947:18;	1.7 (1)	2008:2,3	20th (1)
1912:13	1963:2;1993:15;	2003:4	1640 (2)	1933:2
wondered (2)	1999:12;2005:12	1.8 (1)	1930:24;1931:6	2300 (1)
1899:7;1908:12	yellow (4)	2002:15	17 (2)	1914:7
wonderful (1)	1954:8;1975:20;	10 (6)	1938:12;1986:16	23rd (1)
1895:16	1978:20,24	1878:20;1880:7;	17th (1)	1864:5
word (4)	yield (1)	1909:7;1928:1;	1864:3	24 (6)
1898:16;1933:9;	1928:2	1979:18;2003:18	1800 (1)	1932:8;1973:21;
1944:23;1954:20	York (3)	10:00 (3)	1916:10	2008:24;2010:6;
wording (1)	1988:12,18;2002:22	2001:21;2011:9;	1887 (1)	2012:6,6
1960:10	young (4)	2015:12	1915:11	2400 (2)
work (10)	1895:16;1898:9;	100 (4)	18-inch (2)	1895:6;1907:17
1864:13,21;1919:8;	1907:24;1917:23	1977:1;2007:11;	1928:24;1945:4	24-inch (1)
1928:22;1959:9;	7	2008:11;2010:10	18th (1)	1928:24
1968:14;1972:14,18;	$\mathbf{Z}$	10849 (2)	1864:4	25 (3)
2002:8;2005:6	7D A (7)	1895:6;1907:17	1950 (1)	1964:24;2005:12;
worked (2)	ZBA (7)	10th (1)	1918:6	2008:11
1910:14;1952:8	1893:1;1901:22;	1864:1	1999 (1)	2500 (2)
<b>working (3)</b> 1885:6;1945:6;	1906:2;1911:4;	11 (2)	2000:17	1897:10;1906:13
1885:0;1945:0; 1946:9	1914:20;1947:22;	1937:11;1989:21	1st (1) 1878:1	<b>25th (1)</b> 1864:5
1940:9 works (4)	1951:7	<b>1160 (1)</b> 1866:3	10/0.1	<b>26</b> (1)
1913:15;1931:14;	<b>Zehr (22)</b> 1913:4,12,16,17;	1800:3 11th (4)	2	1937:10
1968:18;1987:21	1913:4,12,16,17, 1914:1,3,7,7,10,12;	1879:5,14;1881:15,	<u> </u>	<b>2618 (1)</b>
World (1)	1914.1,3,7,7,10,12,	21	2 (3)	1918:6
1904:4	1920:10;1941:24,24;	12 (2)	1969:15;1975:19,19	2836 (1)
worried (2)	1942:5,11;1946:24;	1870:12,15	2,000 (1)	1866:3
	17 12.0,11,1770.27,	1070.12,10	-,··· ( <del>-</del> )	1000.0

<u> </u>				February 9, 2015
289 (4)	1936:5	1973:19		
1936:2,12;1950:4,6	480 (1)			
2nd (1)	1909:19	8		
1921:17	49 (1)		-	
	1937:6	8 (3)		
3	170.10	1878:10;1894:13;		
	5	2015:1		
3 (3)		8.8 (1)		
1971:6;1975:19,19	5 (4)	1971:1		
30 (2)	1918:22;1969:15;	8:12 (2)		
1928:1;1938:11	1971:1;2001:10	1941:20,22		
31 (2)	50 (2)	8:22 (1)		
1937:5;1972:7	1925:11,14	1941:20		
31.8 (1)	500 (2)	8:24 (1)		
1935:10	1890:12;1933:20	1941:22		
314 (2)	53.4 (1)	80 (2)		
1885:4;1894:14	1935:10	1927:1;1942:18		
315 (2)	540 (1)	80/35 (1)		
1879:21;1894:11	1897:21	1890:13		
32 (1)	550 (1)	800 (2)		
1901:15	1908:3	1909:13,17		
333 (2)	56.617 (1)	8th (2)		
2007:15,18	1962:4	1879:23;1884:4		
35 (4)	56-625 (1)	1077120,100	-	
1902:1;1903:18;	1904:12	9		
1969:6;1979:20	582 (1)		-	
3617 (1)	1977:21	9 (1)		
1914:7	5th (1)	2008:18		
36-inch (1)	1932:24	90 (1)		
1928:23		1918:22		
37 (1)	6	900.101 (1)		
1936:24	-	1903:22		
39 (4)	6 (1)	900.102 (1)		
1936:5;1984:24;	1938:17	1903:18		
1985:1,8	6:29 (1)	901.102 (1)		
3990 (1)	1863:1	1902:2		
1918:7	6:30 (1)	91 (2)		
	2014:23	1937:14;1979:23		
4	61 (1)	99 (5)		
-	1937:17	1936:12;1950:5,6;		
4 (3)	62 (1)	1955:23;1956:13		
1938:15;1975:19;	1937:14	9th (1)		
2001:9	63 (1)	1863:6		
4,010 (1)	1985:22			
1938:12	66,480 (1)			
40 (2)	1935:11			
1930:14;1986:7				
<b>400-foot</b> (1)	7			
1923:5				
42 (1)	7 (3)			
1999:12	1865:13;1971:6;			
<b>42-year</b> (1)	1989:23			
1923:5	<b>7:30</b> (1)			
43 (1)	1913:21			
1988:11	71 (1)			
4349 (1)	1935:8			
1918:7	741 (2)			
45 (4)	1935:22;1936:15			
1896:1;1898:21;	<b>75</b> (1)			
1930:14;1937:1	1964:24			
45,000 (1)	<b>750</b> (1)			
1925:13	1916:13			
452 (1)	<b>7500</b> (1)			