

IN THE SUPREME COURT OF THE STATE OF MONTANA

Case No. DA 22-0064

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MONTANA ENVIRONMENTAL INFORMATION CENTER and SIERRA CLUB,

Plaintiffs / Appellees,

v.

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY, MONTANA BOARD OF ENVIRONMENTAL REVIEW,

Respondents,

and

WESTERN ENERGY CO., NATURAL RESOURCE PARTNERS, L.P., INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 400, and NORTHERN CHEYENNE COAL MINERS ASSOCIATION,

Respondent-Intervenors / Appellants.

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**[PROPOSED] ORDER**

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On February 18, 2022, Respondent-Intervenors/Appellants Westmoreland Rosebud Mining, LLC, f/k/a Western Energy Co., Natural Resource Partners, L.P., International Union of Operating Engineers, Local 400, and Northern Cheyenne Coal Miners (together, Appellants) filed an unopposed motion under Mont. R. App. P. 8(6) to correct deficiencies in the record delivered to this Court. Appellants pointed out that the administrative record from the Montana Board of Environmental Review, which is required for judicial review of contested case

proceedings under the Montana Administrative Procedures Act, see Mont. Code Ann. §§ 2-4-704(1), -614, was not included in the district court record.

IT IS ORDERED that Appellants' motion to correct the record is GRANTED and pursuant to Mont. R. App. P. 8(6), the district court shall provide the administrative record to this Court