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ATTORNEYS FOR PETITIONER BROOK MINING COMPANY, LLC

# BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

IN RE BROOK MINE APPLICATION	)	Civil Action No. 16-1601
	)	

## PETITIONER'S WITNESS AND EXHIBIT LIST

Pursuant to the Council's Order on Schedule, Brook Mining Company (Brook) submits its witness and exhibit list for the upcoming August 17-18, 2016 hearing on its request for an Order in Lieu of Consent.

#### WITNESSES

### 1. Will Call

- a. Jeffrey Barron. Western Water Consulting. Mr. Barron will testify about the details of Brook's mine and reclamation plan, the development of Brook's mine and reclamation plan, and the communications that Brook had with Padlock Ranch and Big Horn Coal Co. about the mine and reclamation plan and Brook's plan to mitigate any damage to Padlock's grazing activities. Mr. Barron will testify about the history of mining in the Sheridan Coal Fields, the history of Brook's coal ownership, and the history between Big Horn Coal and Brook's predecessors. Mr. Barron will also testify about the authenticity of key documents in this case. Finally, Mr. Barron may rebut claims made by either Respondent.
- b. Randal Atkins. Ramaco, LLC. Mr. Atkins will testify about Ramaco's development of the Brook Mine and plans for the Brook Mine. Mr. Atkins will testify about Ramaco's commitment to working with landowners in the area to minimize the overall impact of the Brook Mine. Mr. Atkins may also testify about how Ramaco has met the elements for the Council to issue an order in lieu of consent.

## 2. May Call

- a. BJ Kristiansen. Wyoming Department of Environmental Quality Representative. Brook may call Mr. Christiansen to testify about: 1) the status of Big Horn Coal Co.'s reclamation efforts; 2) Big Horn Coal Co.'s remaining reclamation obligations; 3) the authenticity of the Department's records for Brook and Big Horn Coal Co.; 4) the process for establishing a surface damages bond before issuing a permit and 5) the general status of the completeness of the Brook mine permit and the detail in the Brook Mine Plan and Reclamation Plan.
- b. Wyoming Attorney General's Office Representative. Brook may call an attorney from the Wyoming AG's office to testify about the office's opinion on Brook's legal right to mine coal.
- c. Big Horn Coal Co. Representative. Based on pending responses to discovery requests, Brook intends to identify a person at Big Horn Coal who has knowledge of its existing and future operations. Brook may call this person to testify about those subjects, including Big Horn's current and future plans for any mining activities within Brook's proposed permit boundary, Big Horn's current and future plans to complete its outstanding reclamation obligations, and Big Horn's current and future plans for its surface within Brook's proposed permit boundary.

#### 3. Rebuttal Witnesses

- a. Edward Redente, Ph.D. Redente Ecological Consultants, Inc. Brook may call Dr. Redente to rebut the claims Padlock Ranch may make about its grazing operations and the impact that the Brook Mine may have on those operations.
- b. Ken Woodring. Ramaco, LLC. Mr. Woodring may rebut claims about the details of the Brook Mine and Reclamation Plan. He may also rebut claims about whether the Brook Mine substantially prohibits any landowner operations.

#### **EXHIBITS**

The exhibits Brook intends to introduce at the hearing in the above-referenced matter are listed on the table marked Exhibit 1, attached.

Brook reserves the right to designate additional exhibits, necessary for impeachment or rebuttal. Brook further designates all non-objectionable exhibits listed by Padlock Ranch Co. or Big Horn Coal Co.

DATED: August 1, 2016.

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## **CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2016, I served a true and correct copy of the foregoing by United States mail, postage prepaid and addressed to the following:

Ansthe

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