

Andrew J. Kuhlmann (Wyo. Bar No. 7-4595)  
Senior Assistant Attorney General  
James LaRock (Wyo. Bar No. 7-5814)  
Assistant Attorney General  
Wyoming Attorney General's Office  
2320 Capitol Avenue  
Cheyenne, WY 82002  
PH: (307) 777-6946  
Fax: (307) 777-3542  
andrew.kuhlmann@wyo.gov  
james.larock@wyo.gov  
*Attorneys for the State of Wyoming*  
*Department of Environmental Quality*

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING**

**IN RE BROOK MINE APPLICATION** )  
 ) **Dockets 17-4802 (Consolidated)**  
**TFN 6 2-025** )

---

**DEPARTMENT OF ENVIRONMENTAL QUALITY'S**  
**DESIGNATION OF EXPERT WITNESSES**

---

The Department of Environmental Quality ("Department"), through its undersigned counsel, and pursuant to the *Order of Consolidation and Schedule*, filed on March 13, 2017, the Department Rules of Practice and Procedure, Chapter 2, Section 14(a), and Wyoming Rule of Civil Procedure 26(a)(2)(C) (formerly, Wyoming Rule of Civil Procedure 26(a)(2)(B)(ii)), hereby designates the following expert witnesses who may present expert testimony in this case:

1. **Mr. Bjarne "BJ" Kristiansen, P.G.**, Assistant Supervisor, Land Quality Division District 3, Wyoming Department of Environmental Quality, c/o Andrew Kuhlmann, Senior Assistant Attorney General, 2320 Capitol Avenue, Cheyenne, WY 82002; (307) 777-3537.

Mr. Kristiansen may testify about his duties as an assistant district supervisor and a permit coordinator for the Department, and specifically his work on the Brook Mine surface coal mining permit application, TFN 6 2/025. Mr. Kristiansen may testify generally about the procedures and

processes involved with the Department reviewing applications for mining permits, the approval of surface coal mining permits, operators' annual reports, inspecting mine permits, drafting inspection reports, calculating bond amounts, setting bond amounts, or other related procedures. He also may testify regarding his knowledge, skill, experience, training, or education qualifying him as an expert regarding the review and processing of mining permit applications, geology, groundwater quantity, groundwater quality, field investigations and inspections, inspection reports, or bond determinations for mining permits including, but not limited to, the Brook Mine permit application. Additionally, he may testify about his knowledge, observations, and opinions regarding the Brook Mine permit application, the Department's review and processing of that application, the objections raised against that application through the public comment process, field investigations, interactions and communications with the applicant or their agents, the parties or their agents, and members of the public, or other aspects of or issues related to the Brook Mine permit application. He also may testify based upon his observations, actions, and expert opinions in support of the Department's review and processing of the Brook Mine permit application, the Department's responses to the objections raised against that application through the public comment process, the Department's recommendations to the Environmental Quality Council ("Council"), or other aspects of the Brook Mine permit application. He may also rebut expert any opinions or evidence provided by the parties.

**2. Mr. Doug Emme**, Blasting Program Principal, Land Quality Division, Wyoming Department of Environmental Quality, c/o Andrew Kuhlmann, Senior Assistant Attorney General, 2320 Capitol Avenue, Cheyenne, WY 82002; (307) 777-3537.

Mr. Emme may testify about his duties as blasting program principal for the Department, and specifically his work on the Brook Mine surface coal mining permit application, TFN 6 2/025.

Mr. Emme may testify generally about the procedures and processes involved with the Department reviewing applications for mining permits, the approval of surface coal mining permits, the Department's blasting program, calculating bond amounts, setting bond amounts, or other related procedures. He also may testify regarding his knowledge, skill, experience, training, or education qualifying him as an expert regarding mine blasting, the Department's blasting program, the review and processing of mining permit applications, or bond determinations including, but not limited to, the Brook Mine permit application. Additionally, he may testify about his knowledge, observations, and opinions regarding the Brook Mine permit application, the Department's review and processing of that application, the objections raised against that application through the public comment process, interactions and communications with the applicant or their agents, the parties or their agents, and members of the public, or other aspects of or issues related to the Brook Mine permit application. He also may testify based upon his observations, actions, and expert opinions in support of the Department's review and processing of the Brook Mine permit application, the Department's responses to the objections raised against that application through the public comment process, and the Department's recommendations to the Council, or other aspects of the Brook Mine permit application. He may also rebut expert any opinions or evidence provided by the parties.

**3. Dr. Muthu Kuchanur, Ph.D.,** Geology Supervisor, Land Quality Division, Wyoming Department of Environmental Quality, c/o Andrew Kuhlmann, Senior Assistant Attorney General, 2320 Capitol Avenue, Cheyenne, WY 82002; (307) 777-3537.

Dr. Kuchanur may testify about his duties as a geology supervisor for the Department, and specifically his work on the Brook Mine surface coal mining permit application, TFN 6 2/025. Dr. Kuchanur may testify generally about the procedures and processes involved with the Department

reviewing water issues related to mining permit applications, the approval of surface coal mining permits, hydrologic modeling, or other related procedures. He also may testify regarding his knowledge, skill, experience, training, or education qualifying him as an expert regarding hydrologic modelling and the review of water issues, hydrology, water quantity, and water quality related to mining permit applications including, but not limited to, the Brook Mine permit application. Additionally, he may testify about his knowledge, observations, and opinions regarding the Brook Mine permit application, the Department's review and processing of that application, the objections raised against that application through the public comment process, interactions and communications with the applicant or their agents, other state agencies, the parties or their agents, and members of the public, or other aspects of or issues related to the Brook Mine permit application. He also may testify based upon his observations, actions, and expert opinions in support of the Department's review and processing of the Brook Mine permit application, the Department's responses to the objections raised against that application through the public comment process, the Department's recommendations to the Council, or other aspects of the Brook Mine permit application. He may also rebut expert any opinions or evidence provided by the parties.


**4. Mr. Matt Kunze**, Surface Water Hydrologist, Land Quality Division, Wyoming Department of Environmental Quality, c/o Andrew Kuhlmann, Senior Assistant Attorney General, 2320 Capitol Avenue, Cheyenne, WY 82002; (307) 777-3537.

Mr. Kunze may testify about his duties as a surface water hydrologist for the Department, and specifically his work on the Brook Mine surface coal mining permit application, TFN 6 2/025. Mr. Kunze may testify generally about the procedures and processes involved with the Department reviewing water issues related to applications for mining permit applications, the approval of

surface coal mining permits, or other related procedures. He also may testify regarding his knowledge, skill, experience, training, or education qualifying him as an expert regarding the review of water issues, hydrology, water quantity, and water quality related to mining permit applications including, but not limited to, the Brook Mine permit application. Additionally, he may testify about his knowledge, observations, and opinions regarding the Brook Mine permit application, the Department's review and processing of that application, the objections raised against that application through the public comment process, interactions and communications with the applicant or their agents, other state agencies, the parties or their agents, and members of the public, or other aspects of or issues related to the Brook Mine permit application. He also may testify based upon his observations, actions, and expert opinions in support of the Department's review and processing of the Brook Mine permit application, the Department's responses to the objections raised against that application through the public comment process, and the Department's recommendations to the Council, or other aspects of the Brook Mine permit application. He may also rebut expert any opinions or evidence provided by the parties.

The Department reserves its right to designate additional expert witnesses or expert testimony to rebut experts designated by Petitioners.

Dated this 17<sup>th</sup> day of March, 2017.

  
Andrew J. Kuhlmann (Wyo. Bar No. 7-4595)  
Senior Assistant Attorney General  
James LaRock (Wyo. Bar No. 7-5814)  
Assistant Attorney General  
Wyoming Attorney General's Office  
2320 Capitol Avenue  
Cheyenne, WY 82002  
(307) 777-6946  
[andrew.kuhlmann@wyo.gov](mailto:andrew.kuhlmann@wyo.gov)  
[james.larock@wyo.gov](mailto:james.larock@wyo.gov)  
*Counsel for the State of Wyoming Department  
of Environmental Quality*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of March, 2017, a copy of the foregoing document was filed electronically with the Wyoming Environmental Quality Council's online docket system and copies were served electronically via that system and by email on the following:

Todd Parfitt  
Director, DEQ  
[todd.parfitt@wyo.gov](mailto:todd.parfitt@wyo.gov)

Alan Edwards  
Deputy Director, DEQ  
[alan.edwards@wyo.gov](mailto:alan.edwards@wyo.gov)

Lynne Boomgaarden  
Clayton H. Gregersen  
Attorneys for Big Horn Coal  
[lboomgaarden@crowleyfleck.com](mailto:lboomgaarden@crowleyfleck.com)  
[jwacker@crowleyfleck.com](mailto:jwacker@crowleyfleck.com)  
[wdrake@crowleyfleck.com](mailto:wdrake@crowleyfleck.com)  
[cgregersen@crowleyfleck.com](mailto:cgregersen@crowleyfleck.com)

Thomas L. Sansonetti  
Isaac N. Sutphin  
Jeff S. Pope  
Attorneys for Brook Mining Company, LLC  
[tlsansonetti@hollandhart.com](mailto:tlsansonetti@hollandhart.com)  
[insutphin@hollandhart.com](mailto:insutphin@hollandhart.com)  
[jspope@hollandhart.com](mailto:jspope@hollandhart.com)  
[csvec@hollandhart.com](mailto:csvec@hollandhart.com)  
[jmkelley@hollandhart.com](mailto:jmkelley@hollandhart.com)

Jay Gilbertz  
Attorney for Mary Brezik-Fisher and David Fisher  
[jgilbertz@yonkeetoner.com](mailto:jgilbertz@yonkeetoner.com)

Brooke Collins  
38 Monarch Rd  
Ranchester WY 82839  
[bpcharlie@wbaccess.net](mailto:bpcharlie@wbaccess.net)

Shannon Anderson  
Powder River Basin Resource Council  
[sanderson@powderriverbasin.org](mailto:sanderson@powderriverbasin.org)

  
\_\_\_\_\_  
Wyoming Attorney General's Office