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

**IN RE BROOK MINE APPLICATION )**  
**TFN 6 2-025 ) DOCKET 17-4802**

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**POWDER RIVER BASIN RESOURCE COUNCIL’S PRE-HEARING MEMORANDUM  
EXHIBIT A: WITNESS DESIGNATION LIST**

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The Powder River Basin Resource Council (“Resource Council”) hereby designates the following witnesses for the hearing to be held May 22-26, 2017 in the above-captioned proceedings.

**WILL CALL WITNESSES**

The following witnesses will be called by the Resource Council at the hearing:

- 1) **Anton Bocek**: Mr. Bocek is a nearby landowner. He will provide testimony about his interests and concerns related to the mine permit application and the proposed coal mining operations. Mr. Bocek is a member of the Resource Council.
- 2) **John Buyok**: Mr. Buyok is a nearby landowner. He will provide testimony about his interests and concerns related to the mine permit application and the proposed coal mining operations. Mr. Buyok is a member of the Resource Council.
- 3) **Gillian Malone**: Ms. Malone is a member of the public that engages in recreational activities in the areas nearby to the proposed mining operations. She will provide testimony about her interests and concerns related to the mine permit application and the proposed coal mining

operations. Ms. Malone may also provide brief testimony on the Resource Council's organizational interests and concerns related to the permit application and proposed mining operations. Ms. Malone is a founding member of the Resource Council and currently serves on its Board of Directors.

4) **Gennaro Marino Ph.D., P.E., D.GE**: Dr. Marino will present expert testimony on the subsidence risk presented by the mine and reclamation plan and will identify deficiencies in the permit application related to subsidence evaluation and prevention. Dr. Marino will present the opinions discussed in his expert report and other opinions related to subsidence he has drawn from reviewing the permit application and associated materials.

5) **Mickel Wireman M.S., P.G.**: Mr. Wireman will provide expert opinions related to the hydrology aspects of the permit application, including the sufficiency of the water monitoring plan, impacts to the hydrologic balance within and outside the permit area, and impacts to alluvium and alluvial valley floors. A copy of the report he has prepared is provided in the Resource Council's exhibits and it was also previously filed in this docket as a part of the Resource Council's expert witness disclosures. Mr. Wireman has let his Wyoming geologist registration lapse, but he has associated with Wyoming professional geologist Sue Ann Spencer for the purposes of his testimony and report. Ms. Spencer has provided a certification that she has reviewed Mr. Wireman's findings in his report and that she finds them compliant with the standards of a professional geologist in Wyoming. Ms. Spencer will also be present at the hearing and will be called jointly with Mr. Wireman to provide limited testimony to this effect as well.

#### **MAY CALL WITNESSES**

The Resource Council may call the following witnesses at the hearing:

1) **Brooke Collins**: Ms. Collins lives nearby to the proposed mining operations. She has not yet decided whether she wants to provide testimony at the hearing, but she is likely to be called as a witness. If she does testify, she will provide testimony about her interests and concerns related to the mine permit application and the proposed coal mining operations.

2) **Carol Bilbrough**: Ms. Bilbrough is the LQD Program Manager for DEQ. If not called by DEQ, the Resource Council may call her as a witness to testify as to the oversight and management of the permitting process and regarding DEQ practices and procedures.

3) **Niles Veal**: Mr. Veal is a contractor to Brook. If not called by Brook, the Resource Council may call him as a witness to testify to his personal knowledge about permit preparation work, work to address DEQ identified deficiencies, and regarding his interactions with nearby landowners and residents.

The Resource Council reserves the right to call additional witnesses necessary for impeachment or foundation purposes.