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BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

In re Brook Mining Co., LLC coal mine  
Permit – PT0841

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EQC Docket No. 20-4802

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**AFFIDAVIT OF JEFF BARRON**

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I, Jeff Barron, being of lawful age and first duly sworn upon oath, depose and state as follows:

1. I have been working on the permit to mine coal application for Brook Mining CO., LLC (“Brook”) since 2013.
2. Based on my review of information available on the internet, private organizations that are tax exempt file an IRS document entitled a Form 990, Return of Organization Exempt from Income Tax or a Form 990-PF, Return of Private Foundation.



3. To better understand the Powder River Basin Resource Council (“PRBRC”), I have reviewed the Form 990’s filed with the IRS by PRBRC and other non-profit organizations for many years. Since I began working on this permit to mine coal application, the PRBRC has objected at every stage of the permitting process. As I am a Sheridan County resident, I was curious as to who was funding the organization as it claimed in its filings in the permit process and via its website that it was representing ranchers and townspeople in the area. Further, I had personally been attacked by the PRBRC and people associated with the PRBRC and I wanted to better understand who was undertaking such actions.
4. Through the discovery process, the attorneys for Brook have asked for documents explaining the funding stream to the PRBRC. I have reviewed the discovery request by Brook and the response from the PRBRC. The PRBRC refused to produce any documents that detail and account for any and all membership fees, dues, or contributions to the PRBRC.
5. I have researched the IRS Form 990’s that the PRBRC has filed. I have also researched the 990’s of other entities that provide funding to the PRBRC.
6. I have been unable to locate any public filing where the PRBRC disclosed the origin of all the contributions and grants the PRBRC received in 2016, 2017, or 2018.
7. The PRBRC IRS Form 990’s are devoid of any detailed information which discloses the source of the funds received by the PRBRC in the contributions and grants section.
8. The PRBRC claims its members are made up of ranchers and townspeople, but the IRS Form 990’s filed by PRBRC show no membership dues collected in 2016, 2017 and 2018, which is inconsistent with statements on the PRBRC website. The PRBRC website

states on its Member page: “Powder River Basin Resource Council is made up of ranchers and townspeople, workers and retirees, wage earners, business owners, teachers, farmers, and professionals. We represent more than 2,000 individuals from all walks of life who are committed to preserving Wyoming’s quality of life, unique resources, and rich heritage.” <https://www.powderriverbasin.org/donate-join/> (accessed September 28, 2020).

9. In my research, I have never been able to find any IRS documents wherein the PRBRC has ever reported any revenue from membership dues.
10. I am aware that the Bylaws of the PRBRC require an individual to pay an annual membership fee to become or remain a member in good standing.
11. The PRBRC Form 990 filed for 2016 reports total revenue of \$441,269.00. PRBRC 2016 IRS Form 990, Part I, Line 12, page 1. See attached Exhibit A.
12. The PRBRC Form 990 filed for 2016 reports \$0.00 in Membership dues. PRBRC 2016 IRS Form 990, Part VIII, Statement of Revenue, Line 1b, page 9. See attached Exhibit A.
13. The PRBRC Form 990 filed for 2016 reports \$436,529.00 in Contributions and Grants. PRBRC 2016 IRS Form 990, Part I, Line 8, page 1. See attached Exhibit A.
14. To try and locate the source of the PRBRC revenue, contributions, and grants, I began researching other out of state trusts and organizations that must file an IRS Form 990.
15. In 2016, The New World Foundation of New York, NY, reported giving the PRBRC a grant of \$21,500.00 for general support. The New World Foundation, 2016 IRS Form 990, Schedule I, Part II, Grants.

[https://990s.foundationcenter.org/990\\_pdf\\_archive/131/131919791/131919791\\_201709\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/131/131919791/131919791_201709_990.pdf).

16. The New World foundation states its purpose is to “Support community activists across America and around the world.” The New World Foundation, 2016 IRS Form 990, Part I, Line 1, page 1.

[https://990s.foundationcenter.org/990\\_pdf\\_archive/131/131919791/131919791\\_201709\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/131/131919791/131919791_201709_990.pdf).

17. In 2016, The Chicago Community Trust, of Chicago, IL, reported giving the PRBRC a contribution of \$50,000.00. The Chicago Community Trust, 2016 IRS Form 990, Schedule I, Part II, Grants.

[https://990s.foundationcenter.org/990\\_pdf\\_archive/362/362167000/362167000\\_201709\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/362/362167000/362167000_201709_990.pdf).

18. In 2016, the Western Organization of Resource Councils Education Project (“WORC”) EIN 84-1123481, of Billings, MT, reported giving PRBRC four donations totaling \$179,000.00. WORC, 2016, IRS Form 990, Schedule I, Part II, Grants.

[https://990s.foundationcenter.org/990\\_pdf\\_archive/841/841123481/841123481\\_201612\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/841/841123481/841123481_201612_990.pdf).

19. In 2016, the Maki Foundation of Aspen, CO, reported giving the PRBRC a grant of \$4,000.00. Maki Foundation, 2016, IRS Form 990-PF, Part XV, Line 3, Grants.

[https://990s.foundationcenter.org/990pf\\_pdf\\_archive/840/840836242/840836242\\_201612\\_990PF.pdf](https://990s.foundationcenter.org/990pf_pdf_archive/840/840836242/840836242_201612_990PF.pdf).

20. In 2016, Patagonia Organization of Los Angeles, CA, reported giving the PRBRC a grant of \$7,500. Patagonia Org, 2016 IRS Form 990-PF, Part XV Line 3, Grants.

[https://990s.foundationcenter.org/990pf\\_pdf\\_archive/142/142004175/142004175\\_201704\\_990PF.pdf](https://990s.foundationcenter.org/990pf_pdf_archive/142/142004175/142004175_201704_990PF.pdf).

21. In 2016, Farm Aid, Inc of Cambridge, MA reported giving the PRBRC a grant of \$5,000. Farm Aid, 2016 IRS Form 990, Schedule I, Part II Grants and Other Assistance to Domestic Organizations and Domestic Governments.  
[https://990s.foundationcenter.org/990\\_pdf\\_archive/363/363383233/363383233\\_201612\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/363/363383233/363383233_201612_990.pdf).
22. I was not able to identify all of the out of state entities that supported the PRBRC in 2016, but I was able to locate \$267,000.00 of the reported \$436,529.00 in contributions and grants the PRBRC disclosed in its 2016 IRS filing.
23. The PRBRC Form 990 filed for 2017 reports total revenue of \$528,854.00. PRBRC 2017 IRS Form 990, Part I, Line 12, page 1. See attached Exhibit B.
24. The PRBRC Form 990 filed for 2017 reports \$0.00 in Membership dues. PRBRC 2017 IRS Form 990, Part VIII, Statement of Revenue, Line 1b, page 9. See attached Exhibit B.
25. The PRBRC Form 990 filed for 2017 reports \$522,435.00 in Contributions and Grants. PRBRC 2017 IRS Form 990, Part I, Line 8, page 1. See attached Exhibit B.
26. In 2017, the American Endowment Foundation of Hudson, OH, reported a grant of \$6,500.00 to the PRBRC. American Endowment Foundation, 2017, IRS Form 990, Schedule I, Part II, Grants.  
[https://990s.foundationcenter.org/990\\_pdf\\_archive/341/341747398/341747398\\_201712\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/341/341747398/341747398_201712_990.pdf).
27. In 2017, the Maki Foundation of Aspen, CO, reported giving the PRBRC a grant of \$5,000.00. Maki Foundation, 2017, IRS Form 990-PF, Part XV, Line 3, Grants.  
[https://990s.foundationcenter.org/990pf\\_pdf\\_archive/840/840836242/840836242\\_201712\\_990PF.pdf](https://990s.foundationcenter.org/990pf_pdf_archive/840/840836242/840836242_201712_990PF.pdf).

28. In 2017, WORC Education Project of Billings, MT, reported giving the PRBRC five separate grants totaling \$249,000.00. One grant of \$75,000.00 was identified as for the purpose of “COAL”. One grant of \$25,000 was identified as for the purpose of “Just Transitions” a fund created in response to President Obama’s POWER initiative, <https://www.justtransitionfund.org/history>. WORC, 2017, IRS Form 990, Schedule I, Part II, Grants.  
[https://990s.foundationcenter.org/990\\_pdf\\_archive/841/841123481/841123481\\_201712\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/841/841123481/841123481_201712_990.pdf).
29. In 2017, Farm Aid, Inc of Cambridge, MA, reported giving the PRBRC a grant of \$5,000. Farm Aid also reported giving WORC grants totaling \$17,500. Farm Aid, 2017 IRS Form 990, Schedule I, Part II Grants and Other Assistance to Domestic Organizations and Domestic Governments.  
[https://990s.foundationcenter.org/990\\_pdf\\_archive/363/363383233/363383233\\_201712\\_990.pdf](https://990s.foundationcenter.org/990_pdf_archive/363/363383233/363383233_201712_990.pdf).
30. In 2017, Patagonia Organization of Los Angeles, CA, reported giving the PRBRC a grant of \$17,000. Patagonia also reported giving WORC a grant of \$25,000. Patagonia Org, 2017 IRS Form 990-PF, Part XV Line 3, Grants.  
[https://990s.foundationcenter.org/990pf\\_pdf\\_archive/142/142004175/142004175\\_201804\\_990PF.pdf](https://990s.foundationcenter.org/990pf_pdf_archive/142/142004175/142004175_201804_990PF.pdf).
31. In 2017, The New World Foundation of New York, NY, reported giving the PRBRC a grant of \$25,000.00. The New World Foundation also reported giving WORC a grant of \$40,000. The New World Foundation, 2017 IRS Form 990, Schedule I, Part II, Grants.

[https://990s.foundationcenter.org/990\\_pdf\\_archive/131/131919791/131919791\\_201809990.pdf](https://990s.foundationcenter.org/990_pdf_archive/131/131919791/131919791_201809990.pdf).

32. I was not able to locate all of the out of state entities that supported the PRBRC in 2017, but I was able to locate \$307,500.00 of the reported \$522,435.00 in contributions and grants the PRBRC disclosed in its 2017 IRS filing.
33. The PRBRC Form 990 filed for 2018 reports total revenue of \$509,682.00. PRBRC 2018 IRS Form 990, Part I, Line 12, page 1. See attached Exhibit C.
34. The PRBRC Form 990 filed for 2018 reports \$0.00 in Membership dues. PRBRC 2018 IRS Form 990, Part VII, Statement of Revenue, Line 1b, page 9. See attached Exhibit C.
35. The PRBRC Form 990 filed for 2018 reports \$499,635.00 in Contributions and Grants. PRBRC 2018 IRS Form 990, Part I, Line 8, page 1. See attached Exhibit C.
36. In 2018, the Maki Foundation of Aspen, CO, reported giving the PRBRC a grant of \$5,000. Maki Foundation, 2018, IRS Form 990-PF, Part XV, Line 3, Grants.  
[https://projects.propublica.org/nonprofits/display\\_990/840836242/01\\_2020\\_prefixes\\_82-84%2F840836242\\_201812\\_990PF\\_2020011617040844](https://projects.propublica.org/nonprofits/display_990/840836242/01_2020_prefixes_82-84%2F840836242_201812_990PF_2020011617040844).
37. In 2018, WORC Education Project of Billings, MT, reported giving the PRBRC four separate grants totaling \$249,000.00. One grant of \$100,000.00 was identified as for the purpose of “COAL”. One grant of \$75,000 was identified as for the purpose of “Just Transitions” a fund created in response to President Obama’s POWER initiative,  
<https://www.justtransitionfund.org/history>. WORC, 2018, IRS Form 990, Schedule I, Part II, Grants.  
[https://projects.propublica.org/nonprofits/display\\_990/841123481/11\\_2019\\_prefixes\\_82-90%2F841123481\\_201812\\_990\\_2019110716829553](https://projects.propublica.org/nonprofits/display_990/841123481/11_2019_prefixes_82-90%2F841123481_201812_990_2019110716829553).

38. In 2018, The Seidler Foundation C/O Mr. Harvey Kadlec of Des Moines, IA, reported giving \$1,000.00 to the PRBRC. The Seidler Foundation, 2018 IRS Form 990-PF, Part XV, Line 3, Grants.  
[https://projects.propublica.org/nonprofits/display\\_990/421209825/01\\_2020\\_prefixes\\_39-42%2F421209825\\_201812\\_990PF\\_2020010316990385](https://projects.propublica.org/nonprofits/display_990/421209825/01_2020_prefixes_39-42%2F421209825_201812_990PF_2020010316990385).
39. In 2018, Farm Aid, Inc of Cambridge, MA, reported giving the PRBRC a grant of \$5,000. Farm Aid also reported giving WORC grants totaling \$10,500. Farm Aid, 2018 IRS Form 990, Schedule I, Part II Grants and Other Assistance to Domestic Organizations and Domestic Governments.  
[https://projects.propublica.org/nonprofits/display\\_990/363383233/06\\_2019\\_prefixes\\_35-39%2F363383233\\_201812\\_990\\_2019062116434298](https://projects.propublica.org/nonprofits/display_990/363383233/06_2019_prefixes_35-39%2F363383233_201812_990_2019062116434298)
40. In 2018, The New World Foundation of New York, NY, reported giving the PRBRC a grant of \$25,000.00. The New World Foundation also reported giving WORC a grant of \$40,000. The New World Foundation, 2018 IRS Form 990, Schedule I, Part II, Grants.  
[https://projects.propublica.org/nonprofits/display\\_990/131919791/10\\_2019\\_prefixes\\_13-16%2F131919791\\_201809\\_990\\_2019102116765525](https://projects.propublica.org/nonprofits/display_990/131919791/10_2019_prefixes_13-16%2F131919791_201809_990_2019102116765525).
41. In 2018, Tides Foundation of San Francisco, CA, reported giving the PRBRC a grant of \$18,000. Tides also reported giving WORC a grant of \$90,000. Tides Form 990, Schedule I, Part II, Grants.  
[https://projects.propublica.org/nonprofits/display\\_990/510198509/02\\_2020\\_prefixes\\_47-52%2F510198509\\_201812\\_990\\_2020021017130090](https://projects.propublica.org/nonprofits/display_990/510198509/02_2020_prefixes_47-52%2F510198509_201812_990_2020021017130090).



42. I was not able to locate all of the out of state funds that supported the PRBRC in 2018, but I was able to locate \$303,000.00 of the reported \$499,635.00 in contributions and grants the PRBRC disclosed in its 2018 IRS filing.

43. Based on the IRS filings referenced in this affidavit, the PRBRC received over 61.2% of the contributions and grants reported on its 2016 990 from out of state entities. The PRBRC received over 58.9% of the contributions and grants reported on its 2017 990 from out of state entities. The PRBRC received over 60.6% of the contributions and grants reported on its 2018 990 from out of state entities. The PRBRC likely received greater amounts of out of state contributions and grants in 2016 to 2018 but PRBRC's refusal to provide documents detailing membership dues, contributions, and grants for these years has prevented an exact calculation.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 6<sup>th</sup> day of October 2020



JEFF BARRON

STATE OF WYOMING )  
 ) ss  
COUNTY OF SHERIDAN )

Subscribed and sworn to before me by Jeff Barron this 6<sup>th</sup> day of October 2020.

Witness my hand and official seal.

SEAL



Notary Public

My commission expires: 1/22/2023

