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

IN THE MATTER OF APPEAL OF:)
)
APPROVAL OF AMENDMENT TO) **DOCKET NO. 24-4801**
LIMITED MINING OPERATION, PEAK)
GRAVEL, ET0961, TFN 7 6/211)

LIST OF WITNESSES

COMES NOW, Gregory Weisz, Senior Assistant Attorney General with the Wyoming Attorney General’s Office, counsel for the Wyoming Department of Environmental Quality Land Quality Division, and submits the following list of potential witnesses. All witnesses are “may call,” to wit:

Todd Parfitt, Director
Wyoming Department of Environmental Quality
c/o Gregory Weisz
Wyoming Attorney General’s Office
109 State Capitol
Cheyenne, WY 82002
(307) 777-7823

Mister Parfitt is the Director of the Wyoming Department of Environmental Quality. He is a combination material witness/expert witness. If called, he will testify as to all issues described in the *Affidavit of Todd Parfitt*, the *Affidavit of Kyle Wendtland*, the *Motion to Correct Characterization of LMO Notification ET0961*, the *Motion to Dismiss for Want of Subject Matter Jurisdiction*, Wyoming Statute § 35-11-401(e)(vi), Department of Environmental Quality-Land

Quality Division rules, all issues pertaining to LMO Notification ET0961, and all relevant issues within his jurisdiction, training, experience, and qualifications. By this listing, he adopts all opinions described in his affidavit.

Kyle Wendtland, Former Administrator

Wyoming Department of Environmental Quality
Land Quality Division
c/o Gregory Weisz
Wyoming Attorney General's Office
109 State Capitol
Cheyenne, WY 82002
(307) 777-7823

Mister Wendtland is a combination material witness/expert witness. He is the former Administrator of the Wyoming Department of Environmental Quality Land Quality Division. If called, he will testify as to all issues described in the *Affidavit of Kyle Wendtland*, the *Affidavit of Todd Parfitt*, the *Motion to Correct Characterization of LMO Notification ET0961*, the *Motion to Dismiss for Want of Subject Matter Jurisdiction*, Wyoming Statute § 35-11-401(e)(vi), Department of Environmental Quality-Land Quality Division rules, all issues pertaining to LMO Notification ET0961, and all relevant issues within his former jurisdiction, training, experience, and qualifications. By this listing, he adopts all opinions described in his affidavit.

Brandi O'Brien, Interim Administrator

Wyoming Department of Environmental Quality
Land Quality Division
c/o Gregory Weisz
Wyoming Attorney General's Office
109 State Capitol
Cheyenne, WY 82002
(307) 777-7823

Ms. O'Brien is the Interim Administrator of the Wyoming Department of Environmental Quality Land Quality Division. If called, she may testify as to issues described in the *Affidavit of Todd Parfitt*, the *Affidavit of Kyle Wendtland*, the *Motion to Correct Characterization of LMO*

Notification ET0961, the Motion to Dismiss for Want of Subject Matter Jurisdiction, Wyoming Statute § 35-11-401(e)(vi), Department of Environmental Quality-Land Quality Division rules, all issues pertaining to LMO Notification ET0961, and all relevant issues within her jurisdiction, training, experience, and qualifications.

Robin Jones, District 1 Supervisor

Wyoming Department of Environmental Quality
Land Quality Division
c/o Gregory Weisz
Wyoming Attorney General's Office
109 State Capitol
Cheyenne, WY 82002
(307) 777-7823

Mister Jones is the Supervisor of Land Quality Division District 1. If called, he may testify as to issues described in the *Affidavit of Todd Parfitt, the Affidavit of Kyle Wendtland, the Motion to Correct Characterization of LMO Notification ET0961, the Motion to Dismiss for Want of Subject Matter Jurisdiction, Wyoming Statute § 35-11-401(e)(vi), Department of Environmental Quality-Land Quality Division rules, the settlement agreement that applied to the former LMO operator, his involvement with regard to this LMO Notification, all issues pertaining to LMO Notification ET0961, and all relevant issues within his jurisdiction, training, experience, and qualifications.*

Monte Buchanan, Natural Resources Program Supervisor

Wyoming Department of Environmental Quality
Land Quality Division
c/o Gregory Weisz
Wyoming Attorney General's Office
109 State Capitol
Cheyenne, WY 82002
(307) 777-7823

Mister Buchanan, at the relevant time period pertaining to his testimony, was an analyst with the Land Quality Division. Since that time, he became Natural Resources Program

Supervisor. If called, he may testify as to issues described in the *Affidavit of Todd Parfitt*, the *Affidavit of Kyle Wendtland*, the *Motion to Correct Characterization of LMO Notification ET0961*, the *Motion to Dismiss for Want of Subject Matter Jurisdiction*, Wyoming Statute § 35-11-401(e)(vi), Department of Environmental Quality-Land Quality Division rules, the settlement agreement that applied to the prior LMO operator, his involvement with regard to this LMO Notification, his involvement with the prior LMO operator, all issues pertaining to LMO Notification ET0961, and all relevant issues within his jurisdiction, training, experience, and qualifications.

Will de Ryk, Member
Peak Gravel, LLC
1557 South Street
Wheatland, WY 82201

Peak Gravel, LLC is the operator of the LMO at issue in this case. If called to testify in this matter, Mr. de Ryk, who is, upon information and belief, the controlling member/manager of the limited liability company is expected to testify as to all relevant issues within his knowledge and experience.

Other potential witnesses:

DEQ-LQD reserves the right to call any of the following witnesses:

- Any witness necessary to lay foundation for any exhibit;
- Any witnesses necessary to rebut the testimony of any other witness or the contents/substance of any exhibit;
- Any witness whose identity is disclosed or discovered during the course of discovery in this matter; and
- Any witness necessary to lay foundation for the testimony of any other witness.

This listing is not meant to signify consent to subject matter jurisdiction in this matter.

DATED this 13th day of November, 2024.

/s/ M. Gregory Weisz
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served by email or mailing a true and correct copy, on the 13th day of November, 2024, addressed to the following:

Wyoming Environmental Quality Council
2300 Capitol Avenue
Hathaway Bldg., 1st Floor, Room 136
Cheyenne, WY 82002

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Peak Gravel, LLC
1557 South Street
Wheatland, WY 82201

/s/ Danielle Burnside
Danielle Burnside, *Paralegal*
Wyoming Attorney General's Office