

Michael J. Wozniak  
William E. Sparks  
BEATTY & WOZNIAK, PC  
216 Sixteenth Street, Suite 1100  
Denver, Colorado 80202-5115  
Phone: (303) 407-4499  
Fax : (303) 407-4494  
mwozniak@bwenergylaw.com  
wsparks@bwenergylaw.com

**FILED**  
DEC 01 2009  
Jim Ruby, Executive Secretary  
Environmental Quality Council

---

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

---

IN THE MATTER OF THE )  
APPEAL OF POWDER RIVER ) DOCKET NO. 09-3807  
BASIN RESOURCE COUNCIL )  
AND WILLIAM F. WEST RANCH, )  
LLC FROM WYPDES PERMIT )  
NO. WY0094056 )

---

**STEPHENS ENERGY COMPANY, LLC DESIGNATION OF EXPERT WITNESS**

---

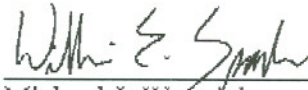
Respondent, Stephens Energy Company, LLC (Stephens), by and through their undersigned counsel, hereby designates its expert witness:

Christopher J. Brown  
Project Engineer/President  
Bison Environmental, Inc.  
840 Woodman Drive  
Buffalo, Wyoming 82834  
Phone: 307-684-7233  
Fax: 307-684-7233

Attached to this filing is the expert report submitted by Chris Brown. Also attached is a Curriculum Vitae for Chris Brown.

Dated this 1st day of December, 2009.

Respectfully submitted,



---

Michael J. Wozniak

William E. Sparks

BEATTY, WOZNIAK & REESE

216 Sixteenth Street, Suite 1100

Denver, Colorado 80202-5115

Phone Number: (303) 407-4499

Fax Number: (303) 407-4494

Attorneys for Stephens Energy Company, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of December, 2009, I sent a copy of the foregoing via facsimile and overnight mail as noted below:

VIA FACSIMILE TO: (307) 778-7118

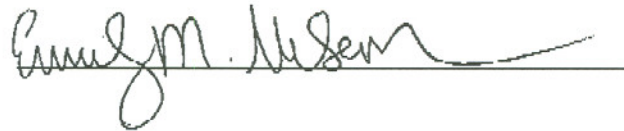
Kate Fox  
J. Mark Stewart  
DAVIS & CANNON, LLP  
422 West 26th Street  
Cheyenne, WY 82003

VIA FACSIMILE TO: (307) 777-3542

Mike Barrash  
Luke Esch  
Wyoming Attorney General's Office  
123 Capitol Building  
Cheyenne, WY 82002

VIA FACSIMILE TO: (307) 777-6134

Chairman Environmental Quality Council  
122 West 25th Street  
Herschler Building, Room 1714  
Cheyenne, WY 82002

A handwritten signature in black ink, appearing to read "Amy M. Nelson", is written over a horizontal line.



840 Woodman Drive  
Buffalo, Wyoming 82834

Office: 307-684-7233  
Fax: 307-684-7233

December 1, 2009

Re: Report for Stephens Energy Company, LLC Regarding Appeal of WYPDES Permit No. 0094056

This report is submitted in support of Stephens Energy Company, LLC (Stephens) in its response to the appeal filed by the Powder River Basin Resource Council and William F. West Ranch, LLC (collectively PRBRC or Petitioners) before the Environmental Quality Council, appeal docketed No. 09-3807. In this appeal, Petitioners have challenged the Wyoming Department of Environmental Quality's (DEQ) approval of WYPDES Permit No. 0094056 issued on May 6, 2009.

I am the President and Project Engineer for Bison Environmental, Inc. and was hired by Stephens to prepare and submit the permit application for WYPDES Permit No. 0094056. In preparing this report, I have reviewed WYPDES Permit No. 0094056, the Petition filed in 09-3807, the October 31, 2009 Expert Opinion on Tier 2 submitted by Dr. Ginger B. Paige, Petitioners Requests for Admission, Interrogatories, and Requests for Production. In addition, I have assisted in responding to Petitioners' discovery requests.

In preparing the permit application for WYPDES Permit No. 0094056, I reviewed the Known Irrigation Uses in Current CBM Development Basins of Wyoming (Last Updated: 12/31/08) and the Wyoming State Engineer Surface Water Appropriation Permits, attached hereto. I also reviewed the permit application form and instructions on the DEQ's website. It is my opinion that all terms and conditions of the permit application were complete.

I personally visited and visually inspected the three impoundments identified in WYPDES Permit No. 0094056. I verified that the existing impoundments listed in WYPDES Permit No. 0094056 showed no visible signs of leaks, seeps, or breaches. Based on these observations and my knowledge of CBM water Impoundments, it is my opinion that it is unlikely that any water from these three impoundments has ever or will ever reach the lands owned by William F. West Ranch, LLC. It is my opinion that the impoundments in WYPDES Permit No. 0094056 comply with all DEQ requirements.

Christopher J. Brown, P.E.

## Professional Qualifications

**Christopher J. Brown, P.E. – Project Engineer & Manager, Hydrologic Specialist**

### Education

- Bachelor of Science Mechanical Engineering, Cedarville University, 1997
- Civil Engineering Graduate Studies, University of Wyoming, 2001-2002

### Licensure

- Registered Professional Civil Engineer by the State of Wyoming (No. 10613)

### Work Experience

Bison Environmental Inc., President/Project Engineer, 2006-Present

- Design hydraulic structures
- Design water impoundment structures
- Compile and assemble data for WYPDES Permit applications, renewals, and modifications
- Manage Federal Plans of Development/Water Management Plans
- Design and implement evaporation and seepage loss models for surface water impoundments
- Compile and assemble WYPDES Storm Water Notices of Intent (permit applications) and Storm Water Pollution Prevention Plans
- Field investigation and reconnaissance
- Coordinate and compile Agricultural Use Protection Analysis reports
- Manage and operate corporation

CBM Associates, Inc., Operations Manager/Project Engineer, 2000-2006

- Manage and operate Buffalo, Wyoming, branch office
- Manage WYPDES permitting department inclusive of three offices
- Prepare project budgets for department operations
- Design and implement mixing models of surface water stream flows
- Design and implement evaporation and seepage loss models for surface water impoundments
- Perform hydrologic modeling of stream channels
- Research and organize historical Wyoming stream flow and precipitation data
- Assist in the development of relational databases
- Contribute data to the assembly of Federal Water Management Plans and Plans of Development
- Participate in the acquisition of new business opportunities
- Experience with State environmental regulatory agencies on behalf of clients