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ATTORNEY FOR RESPONDENT  
BIG HORN COAL COMPANY

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

IN RE BROOK MINE APPLICATION )  
 ) Civil Action No. 16-1601  
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**RESPONDENT BIG HORN COAL COMPANY'S WITNESS AND EXHIBIT LISTS**

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Big Horn Coal Company (BHC), by and through its undersigned counsel, and as ordered by the Hearing Examiner, hereby files its Witness and Exhibit Lists.

**I. WITNESSES**

1. BHC will call the following witness:

Jordan Sweeney  
Corporate Environmental Manager  
Lighthouse Resources Inc.  
10980 South Jordan Gateway  
South Jordan, UT 84095  
801.539.3820

Mr. Sweeney will testify about the following: (i) his background, education, training and experience, including his knowledge and experience related to mine and reclamation plans; (ii) his knowledge and experience related to the nature and use of BHC properties within and adjacent to the proposed Brook Mining Company (Brook)

mine disturbance area; (iii) his knowledge of and responsibilities related to BHC's existing Mine Permit No. 213-T8; (iv) BHC's communications with Brook/Ramaco regarding requests for surface owner consent and the ongoing failure of Brook to provide full and complete information upon which an informed consent decision could be made, or any explanation of how Brook's plans have changed over time and why; (v) how Brook's mine and reclamation plan as most recently submitted for BHC's consideration, was incomplete and differs significantly from those materials previously provided to BHC and to the district court; (vi) the impacts, including economic impacts, of Brook's proposed mine and reclamation plan on BHC operations; (vii) his knowledge of BHC's surface rights under the 1983 Release Agreement. Mr. Sweeny is further expected to testify consistent with BHC's response to Brook's petition for an order in lieu of consent, BHC's discovery responses, and deposition testimony he provided.

2. BHC reserves the right to call any witnesses listed by any other party as its own witness. BHC also reserves the right to call other and/or additional witnesses to rebut or impeach evidence produced by any other parties.

## **II. EXHIBITS**

3. BHC intends to use the Exhibits listed in Exhibit A, which is attached hereto and incorporated by this reference.

4. In addition to the Exhibits listed in Exhibit A, BHC may use any or all exhibits listed by any other party in their Exhibit Lists or otherwise presented by other parties at hearing. BHC anticipates that Petitioner will offer as an exhibit(s) the mine and reclamation plans it presented to BHC for consideration in February 2016, in their entirety. Therefore, in order to

avoid duplication, BHC has not listed those plans as BHC exhibits. If Petitioner does not list the February 2016 mine and reclamation plans in their entirety as "Brook Exhibits," BHC reserves the right to supplement its exhibit list to include relevant portions of those plans.

5. BHC reserves the right to offer additional exhibits as may be needed to establish foundation, rebut or impeach evidence produced by any other parties, and to utilize demonstrative exhibits at hearing.

DATED this 1<sup>st</sup> day of August, 2016.

BIG HORN COAL COMPANY

By:



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*Attorney for Respondent,  
Big Horn Coal Company*

**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and complete copy of the above and foregoing ***Respondent Big Horn Coal Company's Witness and Exhibit Lists*** upon the following on the 1<sup>st</sup> day of August, 2016, by electronic filing with the Environmental Quality Council and by United States mail, postage prepaid and addressed to the following:

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*Attorney for Respondent,  
Big Horn Coal Company*

**RESPONDENT BIG HORN COAL COMPANY'S EXHIBITS**

**EXHIBIT A**

- BHC 1: Resumé of Jordan B. Sweeney (3 pages)
- BHC 2: May 6, 1983 Release Agreement, Recorded September 8, 1983 BK 278 PG 237 No. 881830, with attachments (38 pages)
- BHC 3A: Photo 1 – BHC Facility Area Covered by 1983 Release Agreement (1 page)
- BHC 3B: Photo 2 – BHC Facility Area Covered by 1983 Release Agreement (1 page)
- BHC 4: Form 8 Surface Owner Consent Correspondence and 2 Maps Big Horn Coal Received from Petitioner, dated July 23, 2014 (23 pages)
- BHC 5A: Exhibit “C” to Brook Mining Company, LLC’s November 25, 2014 Complaint in Civil No. CV 2014-372 (33 pages)
- BHC 5B: RAMACO Offer to Purchase Certain Big Horn Coal Property, dated December 15, 2014, with Exhibit A (8 pages)
- BHC 5C: January 8, 2015 Amended and Substituted Exhibit “C” to Brook Mining Company, LLC’s November 25, 2014 Complaint in Civil No. CV 2014-372 (8 pages)
- BHC 5D: April 22, 2015 Second Amended and Substituted Exhibit “C1” to Brook Mining Company, LLC’s November 25, 2014 Complaint in Civil No. CV 2014-372 (9 pages)
- BHC 6: May 11, 2016 Letter from Randall W. Atkins, RAMACO CEO, to Ross R. Bhappu, Partner “Resource Capital Partners,” with attachment (3 pages).
- BHC 7: August 9, 2012 Letter from Jordan Sweeney to Nancy Nuttbrock, former WDEQ/LQD Administrator (Admin\_BHC00078, 1 page)
- BHC 8: August 13, 2015 Letter from Jordan Sweeney to Mark Rogaczewski, WDEQ/LQD District III Supervisor, with attachments (Admin\_BHC00039 – BHC00060, 22 pages)
- BHC 9: Executive Summary for August 2016 Presentation to Lighthouse Resources, Inc. Board of Directors, Prepared by Jordan Sweeney (5 pages)