

Shannon Anderson (Wyo. Bar No. 6-4402)  
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BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS  
UPON REFERRAL FROM THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

In re Applications for Coal Mine Permit	)	OAH Docket No. 19-004-220
Transfers – PT0214 & PT0428	)	
Blackjewel, LLC	)	EQC Dockets No. 18-4805 &
	)	18-4803
In re Permit Renewal Application	)	
Contura Coal West – PT0214	)	
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**PETITIONER’S UNOPPOSED MOTION TO VOLUNTARILY DISMISS  
PORTIONS OF PETITIONS  
MOTION FOR LEAVE TO FILE AMENDED PETITIONS**

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By and through its undersigned attorney, Petitioner Powder River Basin Resource Council (“Resource Council” or “PRBRC”) hereby moves to voluntarily dismiss portions of its petitions for hearing to the Environmental Quality Council (“EQC”) in the above-captioned matters related to the Department of Environmental Quality’s (“DEQ” or “Department”) withholding the real estate appraisal at issue in these matters from public inspection.

After the filing of the petitions in these dockets, on January 8, 2019, DEQ issued a final response to a Public Records Act request made by the Resource Council for the appraisal. The Resource Council has since appealed DEQ’s partial denial of the Resource Council’s Public Records Act request to Wyoming district court. The Resource Council’s court appeal related to the confidentiality of the appraisal has divested the EQC of jurisdiction to consider that matter.

For the sake of clarity, the Resource Council seeks leave to file the attached amended petitions, removing the objections related to DEQ's claim of confidentiality for the appraisal.

Counsel for the Resource Council has conferred with counsel for the Department of Environmental Quality ("DEQ" or "Department"), Contura, and Blackjewel. All three parties represent they do not oppose this motion.

Respectfully submitted this 21st day of February, 2019.

/s/ Shannon R. Anderson  
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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 21st day of February, 2019, the foregoing **MOTION TO VOLUNTARILY DISMISS PORTIONS OF PETITIONS** was mailed to:

Bernard Haggerty, Hearing Examiner  
State of Wyoming  
Office of Administrative Hearings  
2020 Carey Ave., 5<sup>th</sup> Floor  
Cheyenne, WY 82002

And was served on the following parties via electronic mail and the EQC online docket system:

Meghan Lally, Chair  
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