

FILED

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

NOV 05 2013

Objections to Linc Energy’s Proposed)
Research & Development License for)
Underground Coal Gasification and the)
Proposed Reclassification & Exemption of)
a Portion of the Fort Union Formation)

Jim Ruby, Executive Secretary
Environmental Quality Council

Docket No. 13-4804

**POWDER RIVER BASIN RESOURCE COUNCIL’S DESIGNATION OF WITNESSES
AND EXHIBITS**

In accordance with the Presiding Officer’s Scheduling Order of October 28, 2013,
Powder River Basin Resource Council (“PRBRC” or “Resource Council”) hereby designates and
respectfully submits the following list of exhibits and witnesses for the hearing on November 14,
2013.

Witnesses

Will Call:

1. Jill Morrison, Organizer, Powder River Basin Resource Council, 934 N. Main St.,
Sheridan, WY, 82801. Ms. Morrison has personal knowledge about the Linc Energy application
and associated documents and will be called to present factual testimony in support of the
objections. Specifically, Ms. Morrison will present factual testimony regarding use of Fort Union
Formation water based on her review of studies and information included as Resource Council
exhibits.

May Call:

1. Kevin Frederick, Administrator, Water Quality Division, Department of
Environmental Quality, 122 W. 25th St., Cheyenne, WY, 82002. Mr. Frederick has personal
knowledge about DEQ’s review of Linc Energy’s permit application including the request for
aquifer reclassification and exemption. Specifically, Mr. Frederick would be able to describe

WDEQ's administrative permitting and review process for the aquifer reclassification and exemption.

2. Mark Taylor, Program Principal, Land Quality Division, Department of Environmental Quality, 2100 W. 5th St., Sheridan, WY 82801. Mr. Taylor has personal knowledge about DEQ's review of Linc Energy's permit application including the request for aquifer reclassification and exemption.

3. Don Fischer, North District Geological Supervisor, Groundwater Section, Water Quality Division, Department of Environmental Quality, 2100 W. 5th St., Sheridan, WY 82801. Mr. Fischer has personal knowledge about DEQ's review of Linc Energy's permit application including the request for aquifer reclassification and exemption.

4. Any witnesses designated by any other party, which the Resource Council may call for direct examination or for the purposes of foundation, rebuttal, or impeachment.

5. Any other witnesses necessary for rebuttal or impeachment purposes.

Exhibits

PRBRC 1: Wyoming Business Council/Gas Tech, Inc., *Viability of Underground Coal Gasification in the "Deep Coals" of the Powder River Basin, Wyoming*, June 2007, available online at <http://www.wyomingbusiness.org/program/ucg-viability-analysis-powder-river-/1169> (excerpts attached to Objections and Request for Hearing)

PRBRC 2: Queensland Independent Scientific Panel for Underground Coal Gasification, *Independent Scientific Panel Report on Underground Coal Gasification Pilot Trials*, June 2013, available online at <http://mines.industry.qld.gov.au/assets/legislation-pdf/isp-final-report-cs-review.pdf> (attached to Objections and Request for Hearing)

PRBRC 3: Electronic correspondence from Don Fischer to Shannon Anderson, Oct. 11, 2013 (attached to Objections and Request for Hearing)

PRBRC 4: Letter from Timothy Moore, Oct. 2013

PRBRC 5: Petition from Powder River Basin landowners, Nov. 2013

PRBRC 6: Western Research Institute, *Review of Information and Data Relevant to the Hoe Creek Underground Coal Gasification Site Restoration*, Jan. 1992, available online at http://www-lib.uwyo.edu/showcase/files/original/wri-92-r016_838a72e953.pdf

PRBRC 7: Morrison-Maierle/City of Gillette, *Gillette Long-Term Water Supply Study*, Aug. 2007, available online at <http://www.gillettewy.gov/Modules/ShowDocument.aspx?documentid=5429>

PRBRC 8: Environmental Protection Agency, *Evaluation of Impacts to Underground Sources of Drinking Water by Hydraulic Fracturing of Coalbed Methane Reservoirs, Final Report*, Attachment 5, June 2004 available online at http://www.epa.gov/ogwdw/uic/pdfs/cbmstudy_attach_uic_attach05_powder.pdf

PRBRC 9: Wyoming State Engineer's Office/WY Water Development Commission, *Fort Union Formation Aquifer Monitoring Plan and Preliminary Aquifer Management Plan*, Executive Summary, Nov. 1995, available online at http://library.wrds.uwyo.edu/wwdcrept/Gillette/Gillette-Ft_Union_Formation_Aquifer_Monitoring_Preliminary_Management_Plan-Final_Rpt-1995.html

PRBRC 10: HKM Engineering/WY Water Development Office, Northeast Wyoming River Basins Water Plan Technical Memoranda Appendix E, Feb. 2002, available online at <http://waterplan.state.wy.us/plan/newy/techmemos/muniuse.html>

PRBRC 11: Wright Water and Sewer, *2012 Annual Water Quality Report*, available online at <http://www.wrightwaterandsewer.com/wwsdqualityontap.pdf>

PRBRC 12: WY Water Development Office, Northeast Wyoming River Basins Water Plan, Feb. 2002 excerpt, available at http://waterplan.state.wy.us/plan/newy/finalrept/chapter_3.html

PRBRC 13: WY Water Development Office/HKM Engineering, Northeast Wyoming River Basins Water Plan, Technical Memorandum (Domestic Water Use), Feb. 2002, available at <http://waterplan.state.wy.us/plan/newy/techmemos/domuse.pdf>

PRBRC 14: Environmental Protection Agency, *Guidance for Review and Approval of State Underground Injection Control (UIC) Programs and Revisions to Approved State Programs. GWPB Guidance #34*, available online at http://www.epa.gov/ogwdw/uic/pdfs/guidance/guide-memo_guidance-34_review_state_prog.pdf

Dated this 5th day of November, 2013.

/s/ Shannon Anderson

Shannon Anderson
Powder River Basin Resource Council
934 N. Main St., Sheridan, WY 82801
(307) 672-5809
sanderson@powderriverbasin.org

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 5th day of November, 2013, the foregoing DESIGNATION OF WITNESSES AND EXHIBITS was served on the following party via U.S. and electronic mail:

Thomas Coverdale
Chairman, Environmental Quality Council
122 W. 25th St.
Herschler Bldg., Rm. 1714
Cheyenne, WY 82002
tyffanne.rowan@wyo.gov

And these parties via electronic mail only:

Jeremiah Williamson
Attorney for DEQ
jeremiah.williamson@wyo.gov

Bruce Salzburg
Attorney for Linc Energy Operations, Inc.
BSalzburg@crowell.com

/s/ Shannon Anderson

Shannon Anderson