

1 balance between?

2 A. That's right. And the environmentalist is one of
3 them.

4 Q. Okay.

5 A. And no one has ever applied to mine under those
6 trees yet, even though we have 13 years of research that
7 says the tree roots only go down three feet and that the
8 water can't come up because of a hardpan, so there is no
9 connection. But even knowing that, I have -- my
10 company and my company president has refrained from even
11 submitting a permit to mine under those trees. So we still
12 have to go through that process if we ever even decide to
13 mine under those trees, and we haven't made that decision.

14 Q. But, sir, you wish to make sure that your company
15 has the right to mine there should you decide that that's
16 necessary --

17 A. No, that's not correct. What I was trying to do
18 is keep them from keeping --

19 MR. BENNETT: I'll object on grounds of
20 relevancy, Your Honor.

21 THE COURT: Answer the question.

22 A. I was trying to keep them from keeping me from
23 mining within two miles of those trees, which is
24 ridiculous. That is a lot of coal. So the answer is, I
25 was trying to protect the right to mine that coal at a