

EXHIBIT A

Reid W. Lambert, (5744)
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Salt Lake City, UT 84111
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Attorneys for Kilgore Companies LLC

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
SOUTHERN DISTRICT OF TEXAS – HOUSTON DIVISION**

In re:

Westmoreland Coal Company, et al.,

Debtor.

Chapter 11

Bankruptcy Case No. 18-35672 (DRJ)

(Jointly Administered)

DECLARATION OF LORI WADSWORTH

Lori Wadsworth, subject to penalty of perjury of the laws of the United State, hereby declares as follows:

1. I am the Project Manager for Kilgore Companies LLC dba LeGrand Johnson Construction Co. (“Kilgore”), and have personal knowledge regarding the facts set forth herein, which facts are true to the best of my knowledge and belief.
2. In approximately June of 2018, Westmoreland Kemmerer, LLC engaged Kilgore to complete an “access road project” to complete, among other things, a chip seal of the mine access road.
3. A required and standard part of the access road project was completing a restriping of the access road, for which Kilgore engaged a subcontractor, American Pavement Marking, LLC (“APM”).

4. Kilgore began the access road project in late August of 2018. On approximately September 18, 2018, Colton Sandall who was our contact person at the mine, called and asked me to hurry and submit an invoice on the job, because the mine was looking at filing bankruptcy, and he wanted me to bill the job before that happened.

5. In the conversation with Colton Sandall, I pointed out that the job was not complete because we had not completed the striping, and he told me to bill for the striping at plan quantity and that they would pay for it.

6. Consistent with my conversation with Colton Sandall, I issued Invoice No. 1700987-1 to Westmoreland Kemmerer, Inc. on September 18, 2018. A copy of the invoice is attached hereto as Exhibit 1.

7. Line item no. 7 on the invoice is the charge for the striping, billed at the contract plan price of \$6,628.00, as directed by Colton Sandall.

8. Kilgore completed the striping work on September 20, 2018. A copy of the job ticket from Kilgore's subcontractor, APM, is attached hereto as Exhibit 2, and a copy of APM's invoice, issued on September 24, 2018, is attached hereto as Exhibit 3.

9. Based on the above and consistent with the ordinary course of Kilgore's business, the access road project was not substantially complete until September 20, 2018, when the striping was completed.

EXECUTED this 3rd day of June, 2019.

/s/Lori Wadsworth
Lori Wadsworth

EXHIBIT 1



Progress Billing Invoice

From: Kilgore Companies, LLC
 PO Box 869
 Magna, UT 84044

Invoice #: 1700987-1

Date: 09/18/18

Customer #: 3702

To: Westmoreland Kemmerer, Inc.
 PO Box 950
 Kemmerer, WY 83101

Application #: 1

Invoice Due Date: 10/18/18

Contract: 1700987- Westmoreland Mine Access Road Project 2018

Payment Terms: Net 30 Days

Cont Item	Description	Contract Amount	Contract Quantity	Quantity This Period	Quantity JTD	Unit U/M	Unit Price	Amount This Period	Amount To-Date	% Compl
1	Mobilization/De-Mobilization	69,100.00	0.00	0.00	0.00	LS	0.00000	69,100.00	69,100.00	100.00%
2	Traffic Control	9,800.00	0.00	0.00	0.00	LS	0.00000	9,800.00	9,800.00	100.00%
3	PASS Oil	160,380.00	100.00	105.11	105.11	TON	1,485.00000	156,088.35	156,088.35	97.32%
4	Chips	63,855.85	631.00	987.20	987.20	TON	85.35000	84,257.52	84,257.52	158.45%
6	Delineator Removal And Installation	14,850.00	300.00	0.00	0.00	EA	49.50000	0.00	0.00	0.00%
6	Full Depth Reclamation	19,062.50	3,050.00	0.00	0.00	SY	6.25000	0.00	0.00	0.00%
7	Striping	6,628.00	10,570.00	16,570.00	16,570.00	LF	0.40000	6,628.00	6,628.00	100.00%
8	Scarifying, Filling, And Compacting Roadway	47,355.00	45,100.00	51,580.00	51,580.00	SY	1.05000	54,159.00	54,159.00	114.37%
9	Place And Compact Additional Roadbase (Grade VV)	114,600.00	3,000.00	1,513.12	1,513.12	TON	38.20000	57,801.18	57,801.18	60.44%
10	Cut back, Clean, Reestablish Ditches & Drainage	9,915.00	0.00	0.00	0.00	LS	0.00000	0.00	0.00	0.00%
11	Concrete	42,510.00	78.00	150.00	150.00	SY	546.00000	85,020.00	85,020.00	200.00%
12	Install Ditch Liner	31,250.00	4,200.00	0.00	0.00	LF	7.45000	0.00	0.00	0.00%

CURRENT BILLING

Total Billed: 522,854.05
 Less Retainage: 0.00
 Total Due This Invoice: 522,854.05

TOTAL TO DATE

Total Billed To Date: 622,854.05
 Less Retainage: 0.00
 Net Billed To Date: 622,854.05

EXHIBIT 2

American Pavement Marking, LLC.

JOB TICKET

18572

2103.81 - LeGrand Johnson Const: Westmoreland Coalmine Access Road Striping (Kemmerer) Thursday, September 20, 2018

Contact: Lori Wadsworth 435-757-4942

Work to Perform Initial Redo (Interstate) Repair (Contractor) Warranty (Manufacturer)

Single Yellow Line

Equipment	Materials	Federal	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
237: 2014 Peterbilt Paint Truck	Paint: City-County			
058: Ford F-250 2008	Rate: City: ~ 300 LF/GAL (1)			
	Beads: M-247			
	Tape: -----			

Employee	Phone	Shop/Yard	Travel Time	Onsite Labor	Onsite Stdby	Onsite Maint
Derek Jacobson	(801) 940-1485	1	6	2:30		
Eric Moon	(385) 368-7674	↓	↓	↓		
Erik Soledad	(385) 333-6251	↓	↓	↓		

Street Address:

On Site: 6:00 (AM) / PM Off Site: 3:30 AM (PM) Break / Lunch: — HRS 9:30

Conditions: Night / Sunny / Overcast / Raining / After Rain / Snow Temp: 71° F Wind None / Light / Heavy

Paint Materials	Batch / Tote	Message Materials
Rate: Perm / City / Temp Perm / Temp	Y: 275 TM 2509	Sealer GAL
Paint: UDOT / City-County /	W:	Paint GAL
Beads: UDOT / Message / M-247	B:	Beads IRS

Paint	Hours:			Messages	Hours:	
	LF	GAL	Rate (LF/GAL)		UOM	Paint
4" Yellow	16938	61.8	274.07	12" LINE	EA	
4" White					LF	
8" White				24" LINE	EA	
8" Black					LF	
Tape	Glue:	GAL	Hours:	HVXW	BLK	
	Inlayed	Grooved	Repair	Rolls	LEFT ARROW	HEAD
4" Yellow					RIGHT ARROW	HEAD
4" White					STRAIGHT	HEAD
8" White					COMBO LEFT	HEAD
7" Contrast					COMBO RIGHT	HEAD
Removal	Hours:	Removal Method		BIKE ARROW	HEAD	
4"		LF	Grind- Truck	BIKE SYMBOL	EA	
8"		LF	Grind- Finn	SCHOOL	LTR	
		LF	Grind- Road Pro	ONLY	LTR	
Groove	Hours:		Grind- Hand	STOP	LTR	
4"		LF	Water- Truck	R x R	EA	
8"		LF	Water- Spinjet			

JOB HWY - MP
 LANE ODOM: 16938
 GUN SOLID SKIP
 1: 16938 0
 2: 0 0
 3: 0 0
 4: 0 0
 5: 0 0
 6: 0 0
 7: 0 0
 8: 0 0
 TOTAL 16938 0
 PUMPS
 YELLOW WHITE BLACK
 61.8 0.0 0.0

Accepted By Lori Wadsworth Printed _____ Company _____

EXHIBIT 3

Job # 1700987

American Pavement Marking, LLC.
858 N McCormick Way, Layton, UT 84041
Phone (801)546-0220 | Fax (801)546-0233

LeGrand Johnson Const
P.O. Box 248
Logan, UT 84321

Westmoreland Coalmine Access Road Striping (Ke
Interstate# 2103.81
Project# /

INVOICE

Date: 9/24/2018
Invoice #: 124704
Total: \$5,490.12

Invoice #: 124704		Memo:		Page 1 of 1					
Line Description	Price	Unit	QUANTITIES			DOLLARS			
			Previous	Current	To Date	Previous	Current	To Date	
Contract Items									
() 4" Pavement Marking Paint (Single Yellow Line) 400.75100.7	\$0.240	LF	0.00	16,938.00	16,938.00	\$0.00	\$4,065.12	\$4,065.12	
() Mobilization (Mainline Paint) 400.75100.1	\$1,425.000	EACH	0.00	1.00	1.00	\$0.00	\$1,425.00	\$1,425.00	
							\$5,490.12		
INVOICE TOTAL							\$5,490.12		

American Pavement Marking, LLC.
 858 N McCormick Way, Layton, UT 84041
 Phone (801)546-0220 | Fax (801)546-0233

LeGrand Johnson Const
 P.O. Box 248
 Logan, UT 84321

Westmoreland Coalmine Access Road Striping (Ke
 Interstate# 2103.81
 Project# /

TICKET DETAIL

Date: 9/24/2018

Invoice #: 124704

TICKET DETAIL		Invoice #:	124704			Page 1 of 1
9/20/2018	Mainline		Derek Jacobson			Event# 18572
Paint	() 4" Pavement Marking Paint (Single Yellow Line)			16,938.00	LF	
Mobilization	() Mobilization (Mainline Paint)			1.00	EACH	