



Jim Ruby <jim.ruby@wyo.gov>

Fw: MINING BENTONITE BY BPM VS RIGHTS OF THE LANDOWNER

1 message

Ronald Ericsson <ericsson@childselect.com>

Mon, Aug 13, 2018 at 9:15 AM

To: "jim.ruby@wyo.gov" <jim.ruby@wyo.gov>, "joe.garardin@wyo.gov" <joe.garardin@wyo.gov>, "sryemington@hollandandhart.com" <sryemington@hollandandhart.com>

From: Ronald Ericsson on behalf of Ronald Ericsson <ericsson@childselect.com>**Sent:** Monday, August 6, 2018 11:37 AM**To:** bridget.hill1@wyo.gov**Cc:** kari.gray@wyo.gov; SecofState@wyo.gov; treasurer@wyo.gov; askthesuperintendent@wyo.gov; SAOAdmin@wyo.gov; Ogden.Driskill@wyoleg.gov; tyler4hd1@gmail.com; kyle.wendtland@wyo.gov; todd.parfitt@wyo.gov; josh.malmberg@wyo.gov; don.eisenhour@colloid.com; Lyndon.Bucher@mineralstech.com; rodney.raber@colloid.com; rodney.wheaton@mineralstech.com; Melody Smith; mark.wardell@colloid.com; sara.etter@colloid.com; Warren.Scott@halliburton.com; Joel Severin; Tyler Tetrault; scottaericsson@gmail.com; rolandericsson@cox.net; Beverly Keegan; Julie Anderson; Jean Ericsson; gargawill@gmail.com; m victoria.ericsson@gmail.com; Spencer Ericsson; o.b. webb; m victoria.ericsson@gmail.com; vackerman@spe.midco.net; schlosserangus@rangeweb.net; Roxie Dacar; Jim Dacar; Levi Dacar; dacar9625@gmail.com; Meredith & Anthony Tavaglione; Kim Hayworth; Raenell Taylor; fmclarkson@msn.com; Lucy Pauley; Jennifer Hartman; teamwy@fosterfriess.com; Tyler.Lindholm@wyoleg.gov; mary.hopkins@wyo.gov**Subject:** MINING BENTONITE BY BPM VS RIGHTS OF THE LANDOWNER**To: Bridget Hill, Director**
Wyoming Office of State Lands and Investments**Re: Your Letter Dated 27 July 2018 (Attached)****At the bottom of the stationery from your office is this statement: *EFFECTIVE MANAGING NATURAL RESOURCES AND FUNDS FOR CURRENT AND FUTURE GENERATIONS***

The 2U Ranch LLC is the surface landowner of property where the state of Wyoming owns some minerals (ownership is in dispute with another owner of minerals). If the Office of State Lands agrees with DEQ and the bentonite company BPM is granted a permit then 10,936 trees plus springs, wetlands, marshes and natural habitat will be destroyed. *Future generations* will never have this land in the natural condition that prevailed before BPM leveled it to look like a parking lot.

The basic content of your letter was to inform 2U Ranch that it is the responsibility of the Department of Environmental Quality to make certain BPM complies with all state laws and regulations. Plus the state is in compliance since no mining has taken

place and therefore no laws or regulations violated. This begs the question on how the state can offer a lease to mine minerals when not all of the minerals are owned by the state as listed in the permit. Again, you place responsibility on DEQ to make certain the permit is in compliance on all state laws. However, it is the state that offers the mining lease and it is the state that claims to own the minerals - not DEQ.

Anther point in your letter (item 1) page 2) "...that a cultural resource survey was not undertaken as part of permitting process that this violated Wyoming statutes". You further write "... on any state or federal lands...). The Office of State Lands should not be involved in telling DEQ that a Cultural Survey will not be required *ON PRIVATELY HELD SURFACES*. 2U Ranch is the surface landowner and the Cultural Survey is on private land *not on state or federal land*.


This is the fifth email 2U Ranch has sent regarding the mining permit issue with BPM - four of which were sent after your letter dated 27 July. And, all of these emails included the Office of State Lands, DEQ and State Board of Land Commissioners plus many others involved. We await a reply from Kyle Wendtland. With regard to the position of the state that BPM must comply with all statues, rules and regulations from DEQ. We have documented issues where the permit is Technically inadequate and therefore not valid. The emails sent listed below:


- 1. Technically inadequate permit (WDEQ-LQD Mining Permit 267C - WSL04 - TFN #6 1/19) - July 20, 2018.**
- 2. WDEQ-LQD Mining Permit 267C - Wyoming State Mineral Lease 42804 - TFN #6 1/19) - July 29, 2018**
- 3. Mining Marlboro Country for kitty litter (WSL04) - July 29, 2018**
- 4. Re: Fw: Mediation between 2U Ranch, LLC and BPM, LLC - August 3, 2018**

Protecting Wyoming Land for Future Generations,

**Ronald J. Ericsson, PhD
Scott A. Ericsson, PhD
Roland S. Ericsson, Attorney at Law**

3 attachments

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3228K

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3164K

8/14/2018

State of Wyoming Mail - Fw: MINING BENTONITE BY BPM VS RIGHTS OF THE LANDOWNER



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