



Jim Ruby &lt;jim.ruby@wyo.gov&gt;

## Mining Marlboro Country for kitty litter.r (WSL04)

1 message

**Ronald Ericsson** <ericsson@childselect.com> Sun, Jul 29, 2018 at 2:24 PM  
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July 29, 2018

Bridget Hill  
 Director  
 Office of State Lands and Investments  
 Herschler Building, 1E 122 W 25th ST  
 Cheyenne, WY 82002

C: State Board of Land Commissioners  
 State Loan and Investment Board  
 Matt Mead - Ed Buchanan - Cynthia Cloud - Mark Gordon - Julian Balow

RE: Mining Marlboro Country for kitty litter (WSL04)

Dear Ms. Bridget Hill:

We have never received a response back from you on our request (sent November 28, 2017) that the Office of State Lands and Investments (OSLI) revoke or amend Wyoming State Mineral Lease 42804 (WSL04) that allows mining of bentonite by Bentonite Performance Minerals (BPM) – Halliburton on the 2U Ranch, LLC.

This mining will permanently destroy the view-scape of a beautiful ranch that was featured in Marlboro advertising for many years (see attached photos). BPM proposes to mine at least 1,000,000 tons of low quality bentonite which has a primary use as scoopable kitty litter. Do you really want to destroy a unique part of Wyoming (Black Hills) in order to satisfy cat owners in places which as California and New York.?

BPM mining will eliminate 10,936 trees, springs, marshes, wetlands, wildlife habitat and scar Green Mountain (see attached photo). Leaving behind permanent out-of-pit overburden stockpiles (mini ski slopes) that are a poor

substitute for what Mother Nature created in Green Mountain.

Is the OSLI in violation of "W.S. 35-11-402, Establishment of Standards states that reclamation should be to the highest previous use of the affected lands, the surrounding terrain and natural vegetation, surface and subsurface flowing or stationary water bodies, wildlife and aquatic habitat and resources, and acceptable uses after reclamation including the utility and capacity of the reclaimed lands to support such uses" when they know that this mining permit will cause this permanent destruction? Old growth - slow maturing trees, mined springs and marshes, etc. are not physically or realistically reclaimable. Bur oak trees do not mature for 200 years and live for 400 years. It takes 90-100 years to grow a marketable ponderosa pine.

How can OSLI issue a mining lease in which they do not have all the mineral rights (see attached mineral rights file)? Will the OSLI be financially liable for damages to the land as the proposed mining (reclamation will not meet the standards) is in violation of W.S. 35-11-402? If so, this is a losing proposition for taxpayers as surface damage will far exceed lease revenues received by the State.

How is BPM meeting the lease stipulation of "Dilliance in mining" when they will have taken 29 years plus to complete the mining? Is it in the interest of the state (taxpayers) to have to wait this long for their revenue?

Why did OSLI inform the Department of Environmental Quality that a Cultural Resources survey was not required when there are 19 known cultural sites and 7 isolated finds on lands surrounding the proposed mining? Land adjacent to the lease land is closed to mining under Sections 203/206 of FLPMA or R&PP act due to the Federal discovery of numerous archeological sites, one recommended as eligible for listing to the National Register of Historic Places. Did OSLI conduct due diligence by not contacting the Wyoming State Historic Preservation Office when you are required by the Rules And Regulations, Board Of Land Commissioners, Chapter 22, Leasing of Bentonite, adopted pursuant to the authority granted in W.S. 36-6-101(b) to protect historical, archeological or paleontological materials?

Sincerely,

Ronald J. Ericsson, PhD  
Scott A. Ericsson, PhD  
Roland S. Ericsson, Esquire

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**4 attachments**









STATE OF WYOMING  
COUNTY OF CROOK

SS.

IN DISTRICT COURT  
SIXTH JUDICIAL DISTRICT

In the Matter of the Estate of EDNA S.  
ROBINSON,

Probate No. 5522

FILED  
CROOK COUNTY

JAN 30 2013

Deceased.

ORDER APPROVING FINAL REPORT, ACCOUNTING,  
and PETITION FOR DISTRIBUTION  
BY CHRISTINA R. WOOD  
CLERK OF THE DISTRICT COURT  
CLW

THIS MATTER having come before this Court on the *Final Report, Accounting and Petition For Distribution* and the *Petition for Discharge of Personal Representative and Closure of Estate* of the Personal Representative, Jeb H. Clarkson, Senior Vice President of Pioneer Bank & Trust, as filed with the Court in the above-captioned Estate, and the Court, having reviewed the file of record herein, including the *Agreement Among Heirs* executed by all heirs of Edna S. Robinson, and being duly advised in the premises, finds that all parties remaining interested in the Estate have approved the *Final Report* and have waived in writing hearing and notice of hearing thereon, and that the Court has full and complete jurisdiction over the subject matter and all interested parties, the **COURT FINDS** as follows:

1. The *Final Report* and each and all of the statements therein made are true and correct, that the conduct of the Personal Representative in the administration of this Estate as reflected in said *Final Report* is in accordance with law and the prior Orders of this Court, that the administration of said Estate is fully and finally concluded and this the Estate is ready for distribution, and that, therefore, this Court's order ought to be entered at this time fully and finally approving, ratifying and confirming the *Final Report*, and all doings of the Personal Representative in this matter, and the Court's decree ought to be entered providing for the full and final distribution of this Estate, and the closing thereof.

2. The assets of this Estate available for distribution consist solely of the following mineral interests (the "Mineral Interests") located in Crook County, Wyoming:

*An undivided 60% interest in the bentonite and associated clays in the following lands:*

Township 56 North, Range 67 West, 6<sup>th</sup> P.M.

Section 04: Lots 7, 9, 10, 11, 12 and 16

Section 05: Lots 9, 10, 13, 14, 15, 17, 18, 19 and 20

Section 06: Lots 14, 15, 17, 18, 20, 21, 22 and 23

*All (100%) interest in the bentonite and associated clays in the following lands:*

Township 56 North, Range 62 West, 6<sup>th</sup> P.M.

✓ Section 07: Lots 7, 8, 9 and 10

Township 56 North, Range 63 West, 6<sup>th</sup> P.M.

✓ Section 01: Lots 6, 7, 8, 9, 10, 15, 16, and 18

✓ Section 11: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$

Certificate of Clerk of the District Court. The above is a true and correct copy of the original instrument which is on file or of record in this court.

Done this 31 day of Jan 2013  
Christina R. Wood  
By ..... Clerk  
..... Deputy

Township 57 North, Range 62 West, 6<sup>th</sup> P.M.

- ✓ Section 19: Lots 17, 18 and 19
- ✓ Section 30: Lots 6, 7, 8, 9 and 10
- ✓ Section 31: Lots 5, 6, 7 and 9

All (100%) of the bentonite and associated clays in the following lands:

Township 57 North, Range 62 West, 6<sup>th</sup> P.M.

- ✓ Section 18: Lots 8 and 9
- ✓ Section 19: Lots 7, 8, 9, 10, 15 and 16

Township 57 North, Range 63 West, 6<sup>th</sup> P.M.

- ✓ Section 13: W $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$
- ✓ Section 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The *Final Report* be, and the same hereby is, fully and finally ratified, confirmed and approved, and all the doings of the Personal Representative in the premises be, and the same hereby are, fully and finally adjudged.

2. All title to the Mineral Interests legally described is vested in the noted fractional undivided interests of the whole, all as Tenants in Common:

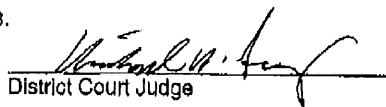
Lisa Kuzara Bradford:	1/6
George P. Kuzara, Jr.:	1/6
Doug Peterson:	1/6
Kay Wischoefer:	1/6
Mark Robinson:	1/18
Cheryl Goehring:	1/18
Stacy Robinson:	1/18
Ralph Robinson:	1/18
Christine Lamb:	1/18
Linda Gilbert:	1/18

3. The Estate of Edna S. Robinson has been fully administered, all sums of money due from the Estate have been paid, and all property has been delivered from the Estate to the parties.

4. No assets belonging to the Estate of Edna S. Robinson remain for administration or distribution pursuant to W.S. 2-7-815.

3. Jeb H. Clarkson, Senior Vice President of Pioneer Bank & Trust, is hereby discharged as Personal Representative and from all further responsibilities or liability related thereto, and the Estate of Edna S. Robinson is hereby closed.

Dated this 30 day of July, 2013.

  
District Court Judge