

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

**IN RE BENTONITE PERFORMANCE ) DOCKET 18-1601  
MINERALS LLC )**

**BENTONITE PERFORMANCE MINERALS, LLC'S LIST OF WITNESSES AND EXHIBITS**

Bentonite Performance Minerals, LLC ("BPM"), by and through undersigned counsel, submits its witness and exhibit lists in anticipation of the hearing scheduled January 16, 2019, as follows:

1. WITNESSES

BPM may call the following witnesses at the hearing:

a. Tyler Tetrault, BPM Mineral Resource Coordinator, c/o Holland & Hart, Cheyenne, WY; 307-778-4200.

Mr. Tetrault will be called to testify regarding the mine and reclamation plans provided to 2U for 2U's review, including the detail illustrating the full proposed surface use on 2U's subject lands, including proposed routes of egress and ingress. He will also be called to testify regarding proposed plan to reclaim 2U's surface to its approved future use, in segments as circumstances permit, as soon as feasibly possible. Mr. Tetrault will testify regarding his current communications and negotiations with 2U to ensure BPM's mining activities do not substantially prohibit 2U's operations. He will testify regarding his related communications with 2U for a new surface use agreement and regarding 2U's withholding of its consent to BPM relating to BPM's mining and reclamation plans, specifically relating to the amount of money 2U is demanding. He will testify regarding BPM's historic surface use agreement and its historic communications and negotiations with 2U relating to BPM's mining activities on 2U's subject lands. Mr. Tetrault will testify as to Mr. Tetrault will also testify regarding any documents he has authored or received or regarding any exhibits introduced through him.

b. Joel Severin, BPM Mine Manager, c/o Holland & Hart, Cheyenne, WY; 307-778-4200.

Mr. Severin may be called to testify regarding BPM's mine and reclamation plans on 2U Ranch's ("2U") subject lands, BPM's historical mining activities on 2U's subject lands, and his historical communications with 2U regarding BPM's mining activities.

c. Jennifer Hartman, BPM Environmental Specialist, c/o Holland & Hart, Cheyenne, WY; 307-778-4200.

Ms. Hartman may be called to testify regarding her communications with 2U to conduct surveys on 2U's subject lands relating to BPM's mining activities. Ms. Hartman will also testify regarding any documents she has authored or received or regarding any exhibits introduced through her.

d. Ronald Ericsson, 2U Ranch.

Mr. Ericsson will be called to testify consistent with his deposition testimony, regarding any documents he has authored or received, and regarding any exhibits introduced through him.

e. Land Quality Division ("LQD") Representative, WDEQ.

An LQD Representative may be called to testify regarding WDEQ's review of files relating to BPM and Wyoming State Mineral Lease 42804, WDEQ-LQD Mining Permit 267C, and Amendment TFN #6 1/197, and the considerations, recommendations and decisions related to that review, as well as LQD's communications with 2U regarding same.

f. BPM reserves the right to call other witnesses to rebut or explain evidence presented by Respondent, 2U Ranch.

## 2. EXHIBITS

BPM may introduce at the hearing the exhibits listed on BPM's Exhibit List, attached as Exhibit A. In addition to the documents on its exhibit list, BPM reserves the right to use any additional exhibits it deems necessary, including documents listed on 2U Ranch's exhibit lists, and any documents necessary for foundation, cross-examination, or rebuttal.

DATED this 14 December 2018.



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**CERTIFICATE OF SERVICE**

I certify that on December 14, 2018 I served a copy of the foregoing document to the following by email:

Ronald Ericsson/2U Ranch  
[ericsson@childselect.com](mailto:ericsson@childselect.com)



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