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Mr. Mike Robinson, Project EIS Team Lead  
BLM Casper Field Office  
2987 Prospector Drive  
Casper, WY 82604  
WY\_CasperMail@blm.gov

**RE: Public Comments for W.I. Moore Ranch Co., Inc.  
Draft Environmental Impact Statement  
Converse County Oil and Gas Project**

Dear Mr. Robinson:

I am an attorney in Douglas, Wyoming that represents many landowners in Converse County regarding oil and gas development on their property. W.I. Moore Ranch Co., Inc. has requested that I review and provide comments to the Draft EIS for the Converse County Oil and Gas Project upon their behalf. While the project as a whole will be devastating to the landowners of the county, the following are several of the specific concerns that my client has in regard to the preferred alternative and the analysis of the information.

1) Dramatic Underestimate of Total Water Usage:

The BLM and OG based its analysis of water usage and produced water quantities on the claim that each oil and gas well would use approximately 100,000 barrels of water. In fact, each horizontal oil and gas well drilled within Converse County within the last six months has utilized between 250,000 and 300,000 barrels of water on average. This means that the BLM's analysis of impacts is based upon an inaccurate and unreasonable belief that a mere 33-40% of fresh water is going to be utilized and 33-40% of produced water is going to be generated than what is being used in reality. This makes the BLM's analysis fundamentally flawed and not legally sufficient to support the choice of either Alternative B or C.

2) Reliance on Outdated Data:

All data and studies relied on in the EIS are from 2014 or older. As this EIS came out in 2018, this means that the *newest* data is still 4 years old. The age of the data significantly reduces its validity and cannot and should not be relied upon by the BLM in analyzing the potential impacts of the alternatives. The BLM should require the OG to produce newer data with a higher degree of reliability and validity to base any decisions upon.

3) Failure to Provide Analysis of Current Groundwater Levels and Conditions

This EIS acknowledges that there are few to no monitor wells in the EIS area. This results in all information contained in the EIS in regard to the amount of groundwater being nothing more than a guess. Combining the gross underestimation of freshwater usage with an unknown water table (as well as unknown recharge rates for that water table) creates an unacceptable risk of depletion of the aquifer under either Alternative B or Alternative C.

4) Range Resources Damage is Significantly Underestimated

The BLM calculates that the total loss of AUM's due to Alternative B and Alternative C is 25,198 and 22,812. Analysis of the impacts was based upon these numbers. However, these numbers clearly only apply to range resource destruction on federally owned lands. As federally owned lands make up only 10% of the EIS area, the actual impact to range resources is ten times greater than what the BLM considered in this document. This is such a dramatic underestimation this is the equivalent of no analysis at all and neither Alternative B and Alternative C should be chosen without a true and correct analysis.

5) Alternative C Mitigation Requirements Cannot Be Enforced

Alternative C includes several mitigating design requirements that the BLM has relied on to claim a diminution in impacts, thus making it more likely the BLM will find the Alternative C attractive. However, this EIS area is only 10% federally owned. Private landowners that own surface not over the federal minerals cannot be forced to accept the BLM's mitigation factors. Therefore, the OF should not get credit for mitigation that there is no guarantee can happen.

6) Recycling Production Water Cannot Be Done at This Time

Alternative C also reduces the total impacts in the analysis by stating that much produced water will be recycled and used again. However, at this time, the recycling of production water in Converse County is not technologically feasible to conduct economically. Therefore, it should not be used to mitigate the impacts in the analysis.


7) Disposal Wells Can Cause Significant Damage

The EIS states that much of the produced water shall be disposed of in disposal wells. However, the known dangers of disposal wells are not analyzed in depth. It has been conclusively proven in Oklahoma and other places that these disposal wells cause serious and continuing earthquakes and tremors. And Oklahoma, prior to the creation and use of the many disposal wells, was not as seismically active as Wyoming is right now. Therefore, allowing the OG to drill and use 30 more disposal wells in Converse County could very likely cause significant seismic activity here. Thus, it should not be allowed.

While there are many, many more reasons which the BLM should either choose Alternative A, the no action alternative, or reject the entire EIS as being uncomplete at this time, I've outlined several of the most important ones to my client, W.I. Moore Ranch Co., Inc. At this time, we would request that you choose Alternative A in your final EIS analysis.

If you have any questions or comments, please feel free to contact this office at any time. Thank you.

Sincerely,  
Jacobson Law Office, LLC

  
Heather A. Jacobson, Attorney