

# Ranchers

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wolves in 2020. Regulations don't allow a multiplier to be applied to yearling losses, so the department recommended \$11,626 for damages.

Peterson's claim of \$128,857 challenged Game and Fish's regulations on two fronts. First, he said, yearling losses should be compensated with the same multiplier as calves. Under that reasoning, Peterson claimed 49.9 yearling steers "damaged" by grizzlies and wolves for a value of \$59,072.

"There's no definition of calf," Peterson's attorney Julie Meinecke told the commissioners. "I believe the law allows you to interpret that term as you wish."

In a lot of cases, she said, there's "essentially no difference" between the size of a baby calf at the end of the [grazing] season and the size of a yearling at the beginning of a grazing season.

"And so ... the multiplier is absolutely applicable to a yearling operation to protect Christian and other operators like him," Meinecke said.

Peterson's second point was that wolves and grizzlies created additional expenses. He listed 12 items required because of wolves and grizzlies — everything from scouting flights to drones, the maintenance of cowboys' hous-

ing and programming two-way radios — totaling \$69,785.

But the agency isn't allowed to compensate for such incidental expenses, biologist Ellsbury told the commission. "It's not a bear actually damaging radios — any of that," he said.

The rancher contends those expenses are actual damages, not what are referred to as consequential damages, Peterson's attorney Meinecke argued. She referred to Longwell's recent loss in court and said he was unsuccessful, in part, because he sought reimbursement for expenses that were not presented to Game and Fish as actual damages.

"We are presenting those to you at this initial stage so that as we go through this process we can have you, and then potentially an arbitration panel and the court, determine whether these [are] actual damages," Meinecke told the commission.

Longwell's 2020 appeal involved cattle and sheep lost to grizzly bears and mountain li-

ons. He claimed payment for the value of 320 calves, six yearling steers, 3.5 lambs and 3.5 ewes lost to grizzly bears, plus 80.5 lambs lost to mountain lions.

The department agreed with his mountain lion losses, but verified only 30 calf losses and three yearling steer losses to grizzlies. The Game and Fish Department challenged Longwell's assertion that he should be paid according to a 20-times multiplier for his calf losses. Longwell also sought to apply a three-times multiplier for his loss of yearling steers, a calculation Ellsbury said regulations do not allow.

Longwell has filed several claims and appeals in recent years. The Game and Fish Commission has sided with its staff, including when the rancher claimed \$422,971 for losses in 2018. It said only \$89,498 was allowed by law and regulation.

An arbitration panel, however, sided with Longwell in that

dispute and settled on \$339,927, a figure Wyoming appealed in court. Wyoming's appeal focused on losses to grizzly bears, only, and Judge Bill Simpson of Cody sided largely with the state and cut the arbitration panel's amount down to \$61,202.

Longwell told the commission July 14 he was taking that case to the Wyoming Supreme Court. As he has before, Longwell argued constitutional issues for his claim of losses in 2020, saying the government was taking private property without compensation.

He told of a decade of conflicts with grizzly bears that have not waned, despite Game and Fish efforts to trap and move grizzlies depredating on stock. Much of the problem, Longwell contends, stems from federal protection of Yellowstone Ecosystem grizzlies under the Endangered Species Act.

Scientists debate how many grizzlies are in the ecosystem, whether they are increasing in numbers or expanding from core habitat because of a loss of natural food like whitebark pine nuts and cutthroat trout. The U.S. Fish and Wildlife Service has tried to remove the Yellowstone Ecosystem grizzly from federal protection, but courts have halted those efforts, saying the federal agency

has failed to take several factors into account, including the effect such action might have on other grizzly populations.

"You know you got bears running out your ears," Longwell told commissioners. "I don't know if I can last 10 more years. And we hadn't even got into, you know, the fact of the stress and all the bullcrap I have to deal with — all these kinds of meetings, arbitration, hiring a lawyer.

"But the real cost," he said, "is the devaluation of a piece of property when you can't run livestock on it.

"I need you guys to stand up to somebody and get some freakin' answers," Longwell said about federal protection of grizzly bears. While Wyoming has spent tens of millions of dollars on grizzly bear conservation, the federal government has kicked in 5% of that amount, Longwell claimed.

Wyoming's grizzly bear conservation expenses, plus compensation for stock kills, come from Game and Fish's budget, which is largely made up of revenue from hunting licenses.

"The people of Wyoming ought to be irate," Longwell said. "Hunters and anglers that are paying for this ought to be ... blowing the steam out their ears over this deal."

“You know you got bears running out your ears.”

-HD Ranch manager  
Josh Longwell

## Public notices

### CALL FOR BIDS—Worland High School Gym Floor Refurbishment

Washakie County School District No. 1 is now accepting bids for gym floor refurbishment, work will include but is not limited to, sanding down to original wood, re-designing and repainting floor at Worland High School. There may be a possibility of extending the floor six feet at either end of the main gym floor. It will be necessary to do a walk through before the bid date. To arrange a walk through you may contact us at 307-347-9286 or via email to wbaumstarck@wsh1.k12.wy.us. All project descriptions are also available via email to wbaumstarck@wsh1.k12.wy.us or by contacting the district office at 307-347-9286. Bids will be accepted until 3:00 p.m., Thursday, July 29, 2021.

Pub. July 8, 15 & 22, 2021 No. 8996

#### Public Notice

The Spring Gulch Coal Company of Thermopolis, Wyoming, Permit No. 211-T7 has applied for Chapter 15 area bond release from the Land Quality Division of the Department of Environmental Quality for the State of Wyoming. This permit was originally approved on October 21, 1974. The coal mining permit area is located in: T. 44N., R. 94W., Sections 6 and 7; T. 46N., R. 98W., Sections 30, 31, 32, and 33; and T. 46N., R. 99W., Sections 25 and 26, Hot Springs County, Wyoming. The areas of the permit are approximately 31 miles northwest of Thermopolis, Wyoming and 0.5 miles northwest of Kirby, Wyoming. This area can be found on the Kirby and Grass Creek USGS quadrangle maps. The parcels to be released from bond are located in Section 26 in Township 46N., Range 99W. This bond release request includes 8.9 acres. The reclamation of the parcel was completed in 2017. This release is for backfill and regrade work and is in the amount of \$34,408.

Information regarding the mining operation, reclamation procedures and areas proposed for release may be reviewed in the Office of the Land Quality Division of the Department of Environmental Quality in Cheyenne and Lander, Wyoming. Written objections to the proposed bond release request must be received by the Administrator of the Land Quality Division, Department of Environmental Quality, 200 W. 17th Street, Suite 10, Cheyenne, WY 82002 before the close of business August 30, 2021. Objections may also be submitted by the same deadline via the Land Quality Division's electronic comment portal at <http://lq.wyomingdeq.commentinput.com/>. If written objections are filed, and a public hearing is requested, the Environmental Quality Council (Council) shall hold a public hearing within sixty (60) days after the final date for filing objections unless a different period is stipulated to by all parties. The Council shall publish notice of the time, date and location of the hearing in a newspaper of general circulation in the locality of the proposed operation once a week for two (2) consecutive weeks immediately prior to the hearing. The hearing shall be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act (W.S. §16-3-101 through §16-3-115), with a right of judicial review as provided in that act. Without prejudice to the objector or applicant's right to a hearing before the Council, the Administrator may hold an informal conference to resolve written objections after notification to all parties. The Administrator shall make a record of the conference unless waived by all parties, which shall be accessible to all parties.

The Administrator shall furnish all parties of the conference with a written finding of the Division based on the conference, and the reasons for the finding.

Pub. July 8, 15, 22 & 29, 2021 No. 8994

#### PUBLIC NOTICE

Pursuant to the Wyoming Administrative Procedure Act and the Wyoming Public Service Commission's (Commission) Procedural Rules, notice is hereby given of the Application of Rocky Mountain Power (RMP or the Company) requesting authority to establish new Tariff Schedule 400, Special Contracts (Schedule 400), as more fully described below:

RMP is a public utility, as defined in Wyo. Stat. §37-1-101(a)(vi)(C), providing retail electric service under certificates of public convenience and necessity issued by the Commission. RMP is subject to the Commission's jurisdiction pursuant to Wyo. Stat. §37-2-112.

On June 28, 2021, the Company filed an Application for approval of proposed Schedule 400 to authorize the Company to enter into special contracts for electric utility service pursuant to Wyo. Stat. §37-3-116, which allows public utilities to enter into service agreements providing they comply with the terms of this statute. Proposed Schedule 400 is a general tariff that provides guidelines for customers to qualify for an electric utility service agreement pursuant to Wyo. Stat. §37-3-116.

Proposed Schedule 400 will be applicable to all customers that meet the eligibility criteria outlined in the tariff's language. The tariff proposes a framework for eligible customers to negotiate and enter into a special contract or tariff rate. In order to qualify for service under Schedule 400, a customer must meet the following requirements: [i] have a minimum electric service load of 10,000 kilowatts ("kW"); [ii] either demonstrate unique characteristics of load or demonstrate a viable/competitive alternative energy source or business location; [iii] agree to terms, rates, and charges that generate enough revenue to cover incremental costs to provide service to the customer during the term of the contract; and [iv] agree to terms to reasonably contribute to fixed cost recovery. The Company developed the eligibility criteria in an attempt to maintain compliance with the statute, to provide structure for the negotiation process, and to protect existing customers by requiring the customer to pay for the cost to provide service, which prevents cost shifting.

This is not a complete description of RMP's Application. You may review the Application at RMP's Wyoming offices and at the Commission's office in Cheyenne, Wyoming, during business hours or online at <http://psc.wyo.gov>.

Anyone desiring to file a public comment, statement, protest, intervention petition or request for a public hearing in this matter must file with the Commission in writing on or before August 6, 2021. Petitions shall set forth the grounds of the proposed intervention or request for hearing as well as the position and the interest of the petitioner in this proceeding.

If you wish to participate in this matter and you require reasonable accommodation for a disability, please contact the Commission at (307) 777-7427, or write to the Commission at 2515 Warren Avenue, Suite

300, Cheyenne, Wyoming 82002, to make arrangements. Communications impaired persons may also contact the Commission by accessing Wyoming Relay at 711. Please mention Docket No. 20000-602-ET-21.

Pub. July 15 & 22, 2021 No. 9003

#### ADVERTISEMENT FOR BIDS

Notice is hereby given that the Town of Thermopolis, Wyoming will receive bids until 10:00 A.M., local time, July 29, 2021 at the Thermopolis Town Hall, at 420 Broadway, Thermopolis, Wyoming, for MATERIALS, LABOR, SERVICES, TRANSPORTATION & COMPLETE CONSTRUCTION OF TOWN OF the THERMOPOLIS 2021 CHIP SEAL PROJECT. The Engineer's opinion of probable construction costs ranges from \$80,000 to \$100,000. All bids will be publicly opened and read aloud - date and time stated above. Mail or deliver to Town of Thermopolis, P.O. Box 603, 420 Broadway, Thermopolis, WY 82443. The Town of Thermopolis will take no responsibility for delivery of bids through mail. Complete digital copies of the bidding documents are available at [www.questcdn.com](http://www.questcdn.com). Submitting Contractors will be required to register with the website to download the bidding documents for \$25 by inputting Quest project #7935508 on the website's Project search page. Please contact QuestCDN.com at 952-233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in membership registration, downloading, and working with this digital project information. The Town of Thermopolis reserves the right to reject any and/or all bids and to waive any informalities if deemed in the best interest of the Owner. No bid may be considered unless accompanied by the required bid guarantee of 5% of the total bid amount which amount shall be forfeited if the bidder is awarded the Contract and fails to enter into a Contract with the Owners. Successful bidder will be required to provide payment and performance bonds in an amount of at least 100% of awarded contract price. A pre-bid meeting will be held at 10:00 A.M. local time, on July 23, 2021 at the Town Hall, 420 Broadway, Thermopolis, Wyoming.

Dated this 15th day of July, 2021.

/s/ Town of Thermopolis

Pub. July 15 & 22, 2021 No. 9001

#### Public Notice

The Spring Gulch Coal Company of Thermopolis, Wyoming has filed a mining permit renewal application with the Land Quality Division of the Wyoming Department of Environmental Quality for the mining of coal in Hot Springs County, Wyoming. The areas of the permit are approximately 31 miles northwest of Thermopolis, Wyoming and 0.5 miles northwest of Kirby, Wyoming. The application may be viewed at the Cheyenne or Lander Office of the Land Quality Division. The application will be readvertised for public comment prior to approval by the Department of Environmental Quality.

Pub. July 22 & 29, 2021 No. 9005

#### Notice

The Hot Springs County Board of Commissioners is asking Hot Springs County Residents to apply to serve on the following Hot Springs County Boards:

Predatory Animal Control Board  
Unexpired Term

Term Expires January 5, 2023  
One Member

Residents of Hot Springs County interested in applying to serve on a Board or Position should submit their County Board Questionnaire (available on the County website [www.hscounty.com](http://www.hscounty.com) or at the County Clerk's Office) to the Hot Springs County Clerk's Office no later than 5 p.m. July 30th, 2021. Applications will be considered and appointments made at the Hot Springs County Commissioners Meeting August 3, 2021.

Rosemary DeSeyn  
Hot Springs County Clerk

Pub. July 22 & 29, 2021 No. 9007

#### PUBLIC NOTICE

The following is a list of individuals (current and no-longer employed) and their positions that were paid a salary or wage (full-time positions) during the fiscal year, ending June 30, 2021 by the Town of Thermopolis. This is published in compliance with Section 1. W.S. 15-1-110(b)(i). The first number is the paid annual base wage, the second number is overtime. These wages do not include fringe benefits such as health insurance benefits and pension plans. Mike Chimenti, Mayor, \$6,000.00; Tony Larson, Councilman, \$1,400.00; William Malloy, Councilman, \$1,550.00; Dusty Lewis, Councilman, \$1,300.00; and John Dorman, Sr. Councilman, \$1,450.00. Brett Andreen, Water/Equipment Operator \$26,519.71 & \$395.51; Jessica Araiza, Police Officer, \$39,948.40 & \$5,297.82; Katherine Baker, Nuisance/Animal Officer, \$27,768.48, \$1,488.96, Bobbi Byrd, Officer, \$45,516.62 & \$3,225.71; Richard Clouse, Landfill Leadman, \$45,433.44 & \$409.83; Mark Collins, Wastewater Operator II/Equipment Operator II, \$40,980.48 & \$2,737.68; Pat Cornwell, Sergeant, \$52,082.52 & \$5,259.59; Fred Crosby, Asst. to the Mayor/Codes Administrative Assistant, \$53,928.24; Mary Jolene Esquibel, Asst. Town Clerk-Treasurer, \$33,845.73; James Folsom, Mechanic, \$45,260.88 & \$2,264.89; Steven Francis, Equipment Operator I, \$38,892.48 & \$1,824.22; John Gardner, Police Officer, \$45,451.76 & \$5,195.25; Joseph Hill, Equipment Operator II, \$40,980.48 & \$2,269.20; James Howe, Equipment Operator I, \$30,982.60 & \$2,012.48; Melanie Kress, Dispatcher, \$13,888.68 & \$2,385.39; Laura Leseberg, Office Assistant, Dispatcher, \$37,474.04 & \$9,596.74; Heather LoveayH Dispatcher, \$9,238.32 & 406.08; Alisa Lowder, Dispatcher, \$1,353.60 & \$206.04; Michael Mascorro, Police Officer, \$43,524.72 & \$11,190.81; Julie Mathews, Police Chief, \$57,256.32; Travis Morgan, Equipment Operator I, \$8,334.00 & \$263.91; Judy Randall, Dispatcher, \$37,753.80 & 10,120.51; Melody Robinson, Chief, \$49,854.48 & \$4,124.12; Daniel Ross, Equipment Operator I, \$39,188.80 & \$1,217.69; Taylor Russell, Water Operator II, \$31,848.48 & 221.48; Christopher Seilaff, Chief Water Operator III, \$51,748.72 & \$12,816.27; Ernest Slagle, Public Works Director, \$54,552.24; Kenneth Smith II, Police Officer, \$42,193.04 & \$4,356.29; Tammy Snyder, Dispatcher, \$39,544.32 & \$14,036.68; Basil Sorensen, Streets/Sanitation/Landfill Supervisor, \$48,346.03 & \$1,576.88; James Van Heule, Water Operator III, \$47,504.79 & \$10,500.33; Tracey Van Heule, Town Clerk/Treasurer, \$54,136.32; John Webber, Equipment Operator II, \$40,981.48 & \$3,264.72.

Pub. July 22, 2021 No. 9006