

Jim Ruby
Environmental Quality Council
122W 25th St. Herschler Bldg. Rom 1714
Cheyenne, WY 82002

re: "Docket#11-4502 of Nov. 11, 2011"

March 13, 2012

Dear Mr. Ruby

Pertaining to our phone conversation, March 12, 2012 at 4:45pm, enclosed is my reply letter to the Attorney General in response to his letter dated February 8, 2012 (received on February 16th).

I have also enclosed the Attorney General's reply letter of March 7th, 2012.

During discovery, I made a trip to the DEQ office in Lander and spoke with Mark Moxley. I saw in my file, my contract termination of April 2006, which a reply from either you or the DEQ was not properly delivered, therefore the timeline for your intervention elapsed. I made the request for copies of my entire file. Mark also requested for me to call you and speak with you.

During our ensuing conversation, you suggested that I request an administrative hearing.

I would like to know how an administrative hearing can proceed, when I have valid mining claims duly recorded in the record of deed in the Fremont County Courthouse & posted at the Dubois Post Office and under the mining law all property disputes are determined by a common law jury. I believe that I have the rights under the Fifth amendment of the Constitution: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand jury.....nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation." An administrative hearing does not fit these qualifications.

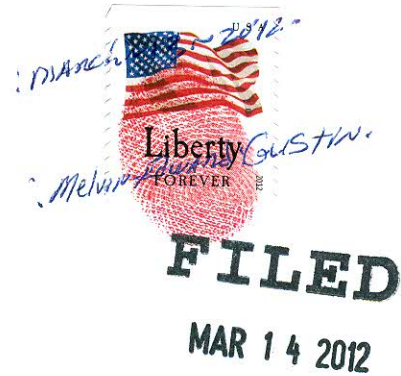
: Melvin-Edward: Gustin.

:Melvin-Edward: Gustin.

P.O. Box ~468.

Riverton, WY.

[82510]



Jim Ruby, Executive Secretary
Environmental Quality Council

: M.E.C.



Office of the Attorney General

Governor
Matthew H. Mead

Attorney General
Gregory A. Phillips

Water and Natural Resources Division
123 State Capitol
Cheyenne, Wyoming 82002
307-777-6946 Telephone
307-777-3542 Fax

Chief Deputy Attorney General
Peter K. Michael

Division Deputy
Jay A. Jerde

February 8, 2012

CERTIFIED MAIL # 7005-3110-0001-8313-5927
RETURN RECEIPT REQUESTED

✓Mr. Melvin E. Gustin
P.O. Box 468
Riverton, WY 82501

Bank of the West
123 East Main Street
Riverton, WY 82501

FILED

MAR 14 2012

Jim Ruby, Executive Secretary
Environmental Quality Council

RE: Notice of Proposed Bond Forfeiture for Small Mine Permit No. 310s; Notice of Violation No. 4908-11

Dear Mr. Gustin:

On October 6, 2011, the Department of Environmental Quality, Land Quality Division (DEQ) issued Notice of Violation (NOV) No. 4908-11 to Mr. Melvin E. Gustin alleging that Mr. Gustin had failed to reclaim his mining operations according to his reclamation plan in violation of the Land Quality Rules and Regulations and Wyo. Stat. Ann. § 35-11-415(b)(ix). On November 17, 2011, DEQ received the Wyoming Environmental Quality Council's (EQC) approval to request that the Attorney General's Office initiate bond forfeiture proceedings pursuant to Wyo. Stat. Ann. § 35-11-421(a).

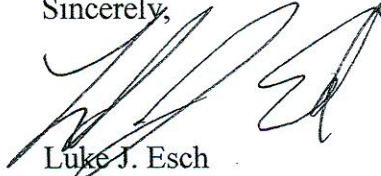
DEQ now seeks an order from the EQC to forfeit Mr. Gustin's reclamation bond, Certificate of Deposit No. 3660, dated August 16, 1973, issued by First National Bank of Lander, now Bank of the West, 123 East Main Street, Riverton, Wyoming 82501, in the amount of \$200.00. If the bond is forfeited, the DEQ will use the proceeds to reclaim the mine site located in Fremont County, Wyoming.

Mr. Melvin Gustin
Feb. 8, 2012
Page 2 of 2

Pursuant to Wyo. Stat. Ann. § 35-11-421(b), the Wyoming Attorney General's Office is hereby notifying you that the EQC will order the bond forfeited unless you make a written demand for a hearing to the EQC within thirty (30) days after receiving this notice.

If you have any questions concerning these proceedings, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Esch', written over a horizontal line.

Luke J. Esch
Senior Assistant Attorney General

cc: Nancy Nuttbrock
file

Attn: Luke J. Esch, Senior Attorney, Attorney General

To: Office of the Attorney General, State of Wyoming
123 State Capital
Cheyenne, WY 82000

February 27, 2012

CERTIFIED MAIL #7002 1000 0005 7827 4678
RETURN RECEIPT REQUESTED

Constructive Notice and Demand

FILED
MAR 14 2012
Jim Ruby, Executive Secretary
Environmental Quality Council

Dear Mr. Esch

RE: Notice of Proposed Bond Forfeiture for the small mine permit No. 310S: Notice of Violation No 4908-11

I, :Melvin-Edward: Gustin., am in receipt of your certified notice of February 8, 2012, which I received on February 16th, 2012.

In an attempt to clarify and resolve this issue and adequately protect my valid property right interest and;

To acquire documents which will properly disclose the lack of violation of the Wyoming Statute 4908-11;

To ensure there is no occurrence of the tortious interference of my vested property right interest, and prior to scheduling a hearing, I demand the opportunity to acquire the documentation which discloses why the Department of Environmental Quality is seeking an order from the Environmental Quality Commission to forfeit the aforementioned bond.

Therefore I demand the following:

Provide all documents and correspondence between the Wyoming Department of Environmental Quality and any other parties, entities, and persons where any activity or alleged violation on subject property may have been discussed, written about or alluded to during the period of 1970 to present.

These documents and correspondence would include any and all documents, memos, and correspondence whether verbal or written with the U.S.Fish and Wildlife agency, Bureau of Land Management agency, Wyoming Game and Fish Department or any other bureau, agency, person, entity or parties.

Additionally, I demand documents which disclose why my formal notice to the Wyoming Department of Environmental Quality of April 6th, 2006 was never properly responded or addressed. The documents dated April 6th, 2006, was a notification of the tortious interference of my property right interest by the Wyoming Department of Environmental Quality and a formal rescinding of my obligation under the mining bond in question.

Additionally, I demand documents in Wyoming Department of Environmental Quality's possession which clarify their position relevant to management and oversight regarding mineral rights on property currently claimed by U.S. Forest Service, Department of Interior, Bureau of Indian Affairs, and state of Wyoming., which would include any and all Memorandums of Understanding, treaties, administrative agreements, contracts and trusts which would exercise jurisdiction over my established and long held property right interest which is duly recorded in Fremont County: Record of Deeds.

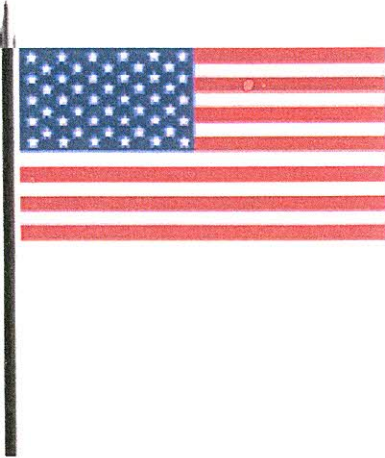
I demand all documents be provided which discloses I, :Melvin-Edward: Gustin., ever formally, as a matter of law, notified the Wyoming Department of Environmental Quality of the abandonment or the lack of an on-going mining operation and that the final reclamation would be required or the property right interests are not being actively developed and will not continue into the future.

Therefore, until my demands for documentation are complied with, I request a delay in any scheduled review hearing and in the interim, I demand the Wyoming Environmental Quality Council issue a cease and desist order to prevent the Wyoming Department Environmental Quality from any infringement or interference against me or my property right interest.

Cordially,

:Melvin-Edward: Gustin.
PO Box 468
Riverton, WY 82501

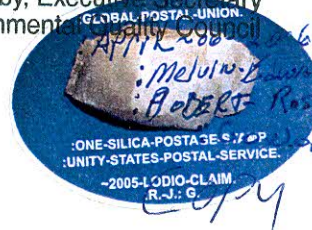
cc: Governor Matthew H. Mead



FILED

MAR 14 2012

Jim Ruby, Executive Secretary
Environmental Quality Council



:AUTOGRAPHS:

:COPY-AUTHORITY/LODIO-AUTHORITY:

:RED-LIGHT:

:GREEN-LIGHT:

:GLOBAL-POSTAL-UNION-TREATY:

:TERRITORY OF THE WYOMING:

STATE OF WYOMING

DEPARTMENT OF ENVIRONMENTAL QUALITY

510 MEADOWVIEW DRIVE

LANDER, WYOMING 82520

:FACT-COVERIES:

~1 FOR THIS WITNESS/POSTMASTER: Melvin-Edward: Gustin's-KNOWLEDGE/AUTHORITY OF THIS 3-DAY-TRUST-PUBLICATION IS WITH THIS CLAIM OF THIS VACANCY WITH THE FACTS BY THE NON PAYEE: MELVIN GUSTIN ACCOUNT NUMBER: 814-000-850517: BANK OF THE WEST AND DEPARTMENT OF ENVIRONMENTAL QUALITY, STATE OF WYOMING.

~2 FOR THIS WITNESS/POSTMASTER: Melvin-Edward: Gustin's-KNOWLEDGE/AUTHORITY OF THIS 3-DAY-TRUST-PUBLICATION IS WITH THIS CLAIM OF THIS VACANCY WITH THE FACTS OF THE ACCOUNT NUMBER: 55036670-FIRST NATIONAL BANK ACCOUNT WITH THE FILING ON THE DATE~16~AUGUST~1973 BY THE MELVIN EDWARD GUSTIN/Melvin Edward Gustin, FIRST NATIONAL BANK AND DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY, STATE OF WYOMING.

~3 FOR THIS WITNESS/POSTMASTER: Melvin-Edward: Gustin's-KNOWLEDGE/AUTHORITY OF THIS 3-DAY-TRUST-PUBLICATION IS WITH THIS CLAIM OF THIS VACANCY WITH THE FACTS BY THE STATE OF WYOMING SMALL MINING PERMIT NUMBER 310C(s) AND MELVIN EDWARD GUSTIN/Melvin Edward Gustin WITH THIS CONTRACT-DUTY BY THE MELVIN EDWARD GUSTIN/Melvin Edward Gustin, DEPARTMENT OF ENVIRONMENTAL QUALITY, STATE OF WYOMING.

~4 FOR THESE WITNESSES AND POSTMASTERS OF THIS VESSEL-CONTRACT ARE WITH THESE AUTHORITIES OF THIS TRANSPORTATION WITH THIS BILL OF THIS LADING WITH THIS LOCATION: 510 MEADOWVIEW DRIVE, DEPARTMENT OF ENVIRONMENTAL QUALITY, EMPLOYEE: Mark Moxley, STATE OF WYOMING OF THIS DATE~6~APRIL~2006 WITH THESE WITNESSINGS BY THESE POSTMASTER'S/WITNESSES-AUTOGRAPHS.

:DATE~APRIL~6~2006

:SEAL

:SEAL

:ROBERT-ROSS: HADDENHAM

:Gordon-James: Gunsch

:Robert-Ross: Haddenham's-KNOWLEDGE

:Gordon-James: Gunsch's-KNOWLEDGE

:WITNESS/POSTMASTER

:WITNESS/POSTMASTER

:Melvin-Edward: GUSTIN

:SEAL

:Melvin-Edward: Gustin: POSTAL-STATION[OFFICE]-BOX~468

:CITY: RIVERTON, TERRITORY: WYOMING

FOR THIS LODIO-AUTHORITY AND COPY-AUTHORITY OF THIS VESSEL-CONTRACT ARE WITH THESE ~1 AUTHORITIES OF THIS DATE~5~APRIL~2006 WITH THIS POSTMASTER: Melvin-Edward: Gustin's-KNOWLEDGE OF THIS CHIEF: Russell-Jay: Gould's-QUANTUM-MATH-WORDS-COMMUNICATION-METHODS WITH THESE UNITY-STATES OF OUR WORLD-CORPORATION.

: M. E. G.

FILED

MAY 19 1934

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ROBERT-ROSS: HODDENTHAUS.

London-James: Gausch.

: Melvin-Edward: GUSTIN.



Office of the Attorney General

Governor
Matthew H. Mead

Attorney General
Gregory A. Phillips

Water and Natural Resources Division
123 State Capitol
Cheyenne, Wyoming 82002
307-777-6946 Telephone
307-777-3542 Fax

Chief Deputy Attorney General
Peter K. Michael

Division Deputy
Jay A. Jerde

March 7, 2012

FILED

MAR 14 2012

Jim Ruby, Executive Secretary
Environmental Quality Council

Mr. Melvin E. Gustin
P.O. Box 468
Riverton, WY 82501

RE: Proposed Bond Forfeiture for Small Mine Permit No. 310s; Notice of Violation No. 4908-11

Dear Mr. Gustin:

I am in receipt of your letter dated February 27, 2012, requesting documentation relating to the Department of Environmental Quality, Land Quality Division's (DEQ) involvement with Small Mine Permit No. 310S.

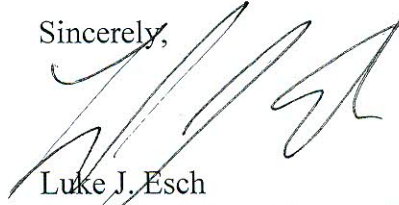
In regard to your request for documentation involving Small Mine Permit No. 310S, DEQ would encourage you to visit the DEQ offices either in Lander or Cheyenne to review the file at your convenience. The files are public documents and you have the right to review the documents and make copies subject to certain limitations. Given your voluminous request, DEQ believes that you will be better served by reviewing the files and determining which documents you would like copied.

However, with regard to your request that the bond forfeiture hearing be delayed, DEQ is without authority to agree to such a request. Pursuant to Wyo. Stat. Ann. § 35-11-421(b), the Environmental Quality Council (Council), a separate operating agency, will order the bond forfeited unless you make a written demand for a hearing to the Council within thirty (30) days after receiving my previous notice of bond forfeiture. If the Council receives your request for a hearing within that timeframe, Wyo. Stat. Ann. § 35-11-421(c) requires that the hearing be conducted within thirty (30) days after the Council receives your request for a hearing. Therefore, DEQ is unable to agree to your request that the hearing be delayed.

Mr. Melvin Gustin
Mar. 7, 2012
Page 2 of 2

If you wish to contest the forfeiture of the bond for Small Mine Permit 310S, I would recommend that you contact the Council as soon as possible to preserve your right to a hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Esch', written in a cursive style.

Luke J. Esch
Senior Assistant Attorney General

cc: Nancy Nuttbrock
file