

**FILED**

**JUL 17 2009**

*Jim Ruby, Executive Secretary  
Environmental Quality Council*

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

IN THE MATTER OF THE NOTICE OF )  
VIOLATION AND ORDER ISSUED TO: )  
Dale Ruby and JM Land & Developing )  
Company, 2901 Four J Road, Gillette, )  
Wyoming 82718 )

**Docket No. 08-3601**

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**STATUS REPORT**

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Dale Ruby and JM Land & Developing Company, Petitioners, by and through their undersigned counsel, do hereby tender their Status Report in accordance with the Order dated the 20<sup>th</sup> day of April, 2009.

The parties have agreed in general to a resolution of this matter which would result in dismissal of the Petitioners' appeal and of the DEQ Notice of Violation. The Petitioners are concurrently in discussions with the EPA regarding a schedule for construction of certain new facilities, followed by splitting the existing water supply system into three separate shared well systems to be owned by the homeowners. The tentative schedule for completing those actions is mid-October, 2009, although some actions may take more time.

The parties request an Order providing that a supplemental Status Report shall be provided to the Council on or before October 20, 2009.

Respectfully submitted this 16<sup>th</sup> day of July, 2009.

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Attorney for Petitioners

CERTIFICATE OF SERVICE

I, Randall T. Cox, hereby certify that on the 16<sup>th</sup> day of July, 2009, I did cause a true and correct copy of the foregoing to be deposited in the U.S. Mail, postage prepaid, addressed to each of the following:

John V. Corra, Director  
Department of Environmental Quality  
122 West 25<sup>th</sup> St., Herschler Bldg. 4<sup>th</sup> Flr. W.  
Cheyenne, WY 82002

Chairman of Environmental Quality Council  
Rm. 1714, Herschler Building, 1<sup>st</sup> Flr. W.  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

Mike Barrash  
Sr. Assistant Attorney General  
123 State Capitol Bldg.  
Cheyenne, WY 82002



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Randall T. Cox