

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

AUG 10 2009

Jim Ruby, Executive Secretary  
Environmental Quality Council

IN THE MATTER OF THE APPEAL OF )  
POWDER RIVER BASIN RESOURCE )  
COUNCIL, AND WILLIAM F. WEST )  
RANCH, LLC., FROM WYPDES )  
PERMIT NO. WY0094056 )

Docket No. 09-3807

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S  
RESPONSE TO PRBRC/WEST PETITION

Respondent Wyoming Department of Environmental Quality (DEQ), pursuant to the Wyoming Environmental Quality Council's (EQC) July 8, 2009 Response Order in the above-captioned matter, responds as follows to the allegations of fact in Petitioners' Petition.

3.a. DEQ admits that Petitioner Powder River Basin Resource Council (PRBRC) is an association of ranchers and citizens, but DEQ does not have knowledge or information sufficient to form a belief as to the truth of the remaining averments in paragraph 3.a.

3.b. DEQ admits that portions of the William F. West Ranch (West Ranch) lie on Spotted Horse Creek downstream from the permitted discharges, but DEQ does not have knowledge or information sufficient to form a belief as to the truth of the remaining averments in paragraph 3.b.

3.c. DEQ does not have knowledge or information sufficient to form a belief as to the truth of the averment in paragraph 3.c.

3.d. DEQ admits the averment in paragraph 3.d.

3.e. DEQ admits the averment in paragraph 3.e.

- 3.f. DEQ denies the averment in paragraph 3.f.
- 3.g. DEQ denies the averment in paragraph 3.g.
- 3.h. DEQ admits the averment in paragraph 3.h.
- 3.i. DEQ admits the averment in paragraph 3.i.
- 3.j. DEQ admits the averment in paragraph 3.j.
- 3.k. DEQ admits the averment in paragraph 3.k.
- 3.l. DEQ denies the averment in paragraph 3.l.
- 3.m. DEQ denies the averment in paragraph 3.m.
- 3.n. DEQ denies the averment in paragraph 3.n.
- 3.o. DEQ denies the averment in paragraph 3.o.
- 3.p. DEQ denies the averment in paragraph 3.p.
- 3.q. DEQ denies the averment in paragraph 3.q.
- 3.r. DEQ denies the averment in paragraph 3.r.
- 3.s. DEQ denies the averment in paragraph 3.s.

DEQ generally denies any other averments in Petitioners' Petition.

DATED this 10th day of August, 2009.



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**CERTIFICATE OF SERVICE**

This certifies that true and correct copies of the foregoing WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S RESPONSE TO PRBRC/WEST PETITION was served this 10th day of August, 2009 by United States mail, postage prepaid or by hand delivery and also by e-mail or facsimile transmission, addressed as follows:

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