

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE APPEAL)
OF THE COPPERLEAF SUBDIVISION WATER)
SUPPLY, TREATMENT, STORAGE, AND) Docket No. 06-3814
BOOSTER PUMPING SYSTEMS,)
Permit No. 06-27-4RR / Reference No. 06-236RR)

**WORTHINGTON GROUP OF WYOMING LLC'S RESPONSE
TO PETITION FOR REVIEW FILED BY NORTHFORK
CITIZENS FOR RESPONSIBLE DEVELOPMENT, ET AL.**

COMES NOW, the Worthington Group of Wyoming, LLC, (hereinafter "Worthington"), by and through its counsel, Bonner Stinson, P.C. and pursuant to the EQC's Participating Order dated November 3, 2006 does hereby file its response to the Petition For Review.

Preliminarily, Worthington notes that the Petition For Review is not a document which contains substantive and specific allegations. Rather, it is a document with general allegations pursuant to notice pleading rules. For this reason, Worthington Group herewith files a Request For Briefing Schedule which will require the Petitioners to more substantively and specifically set forth their allegations for review in this case.

1. In response to Paragraph 1, Worthington denies that Petitioners, Northfork Citizens For Responsible Development are aggrieved parties or have standing to prosecute a Petition For Review. Worthington further denies that Petitioners Jamison or Hoszwa have set forth sufficient facts to demonstrate their standing as aggrieved individuals qualified to prosecute this appeal. Worthington

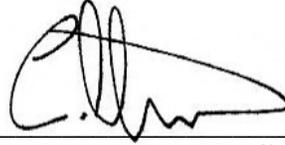
generally denies that any Petitioner is adversely impacted by any final decision of the DEQ.

2. In regards to Paragraph 2, the allegations contained in Paragraph 2 do not appear to call for response from Worthington. To the degree that a response from Worthington is required Worthington admits the allegations contained therein.

3. With regard to Paragraphs 3a and 3b, Worthington admits the allegations contained therein. With regard to Paragraphs 3c, 3d, 3e and all subparagraphs to 3e, 3e(i), 3e(ii), 3e(iii), 3e(iv), 3e(v) and 3e(vi), 3e(vii), 3e(viii), 3e(ix), 3e(x) and 3e(xi), Worthington denies the allegations contained therein. Worthington affirmatively asserts that all required and necessary steps for the issuance of its permit were taken by the DEQ; that the DEQ properly analyzed essential adverse consequences, groundwater quality, quantity and dependability; that DEQ appropriately allowed public comment and considered public comment in the issuance of the permit at issue; and that DEQ appropriately and according to the rule of law issued the permit to Worthington.

4. Worthington denies that Petitioners, or any of them, are entitled to a contested case hearing before the Environmental Quality Council. To the degree Petitioners are entitled to a contested case hearing, Worthington affirmatively asserts that a preliminary step to that hearing is to require Petitioners to more adequately and specifically state their claims of deficiency with regard to the actions of DEQ and to require all parties to this appeal to file a response thereto. Worthington affirmatively asserts that Petitioners' Petition For Review can be adjudicated on briefs and without the need for a contested case.

Dated this 22nd day of November, 2006.



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CERTIFICATE OF SERVICE

I, Laurence W. Stinson, attorney for the Petitioner, hereby certify that on the 22nd day of November, 2006, I served a true and correct copy of the foregoing via facsimile transmission and by placing the same in the United States mail, postage prepaid, and correctly addressed to the following:

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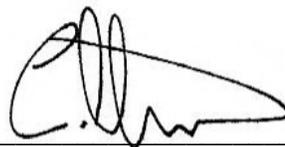
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