

# Exhibit A

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY DIVISION  
PERMIT TO CONSTRUCT

PERMIT NO. 06-274RR

REFERENCE NO. 06-236RR

Copperleaf Subdivision Water Supply, Treatment, Storage, and Booster Pumping Systems

This permit hereby authorizes the applicant:

Robert Kudelski  
Worthington Group of Wyoming, LLC  
P.O. Box 236  
Wapiti, WY 82450

to install a surface water infiltration gallery, raw water pumps and pipeline; three water supply wells, pumps, and transmission lines; raw water treatment including microfiltration; disinfection; three 35,000 gallon finished water storage tanks; a booster pump system; and all specified controls and alarms according to the procedures and conditions of the application number 06-274RR. The facilities are located within the N ½ Section 22, Township 52 North and Range 105 West in the county of Park, in the State of Wyoming. All construction, installation, or modification allowed by this permit shall be completed by October 5, 2011.

The issuance of this permit confirms that the Wyoming Department of Environmental Quality (DEQ) has evaluated the application submitted by the permittee and determined that it meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the engineer's design are the responsibility of the permittee, owner, and operator.

Granting this permit does not imply that DEQ guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements. Compliance with discharge standards remains the responsibility of the permittee.

Nothing in this permit constitutes an endorsement by DEQ of the construction or the design of the facility described herein. This permit verifies only that the submitted application meets the design and construction standards imposed by Wyoming statutes, rules and regulations. The DEQ assumes no liability for, and does not in any way guarantee or warrant the performance or operation of the permitted facility. The permittee, owner and operator are solely responsible for any liability arising from the construction or operation of the permitted facility. By issuing this permit, the State of Wyoming does not waive its sovereign immunity.

The permittee shall allow authorized representatives from DEQ to enter and inspect any property, premise or place on or at which the facility is located or is being constructed or installed for the purpose of investigating actual or potential sources of water pollution, and for determining compliance or non-compliance with any rules, regulations, standards, permits or orders.

Nothing in this permit shall be construed to preclude the institution of any legal action or other proceeding to enforce any applicable provision of law or rules and regulations. It is the duty of the permittee, owner and operator to comply with all applicable federal, state and local laws or regulations in the exercise of its activities authorized by this permit.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.

The permittee shall construct and operate the permitted facility in accordance with the statements, representations, procedures, terms and conditions of the permit application, supporting documents and permit. This permit does not relieve the permittee from any duty to obtain any other permit or authorization that may be required by any provision of federal, state or local laws.



## STATEMENT OF BASIS

1. Permit Number: 06-274RR
2. Application reviewed for compliance with the following regulations:  
Chapters 3 and 12 of the Wyoming Water Quality Rules and Regulations.
3. Does the permit comply with all applicable regulations identified above? yes
4. Facilities include components not specifically covered by regulations and approval is based upon a deviation from applicable regulations in accordance with Section 5 of applicable regulations.

Yes

The microfiltration system and on-site generation of chlorine is not addressed in Chapter 12. As such, a Section 5 review was done to verify that the data obtained from full scale, comparable installations demonstrated the acceptability of the design.

5. Documentation of Statement of Basis: The archive file for this permit includes adequate documentation of all sections of this Statement of Basis.

## CERTIFICATION

The issuance of this permit is based upon a review of the application package submitted in accordance with the requirements of Chapter 3, Section 6, Wyoming Water Quality Rules and Regulations. This review was performed by Jeff Hermansky, jherma@state.wy.us, NW District Engineering Supervisor and completed on October 5, 2006. Permit issuance is recommended based upon statements, representations, and procedures presented in the permit application and supporting documents, permit conditions, and the items identified in this "Statement of Basis."

xc: Debra Wendtland, Wendtland & Wendtland LLP