

# **COMMENTS – JANUARY 17 & 18, 2007**

**Industry Employees, Concerned Citizens, and  
Small Business Owners**

**Environmental Quality Council Hearings**

**CHAPTER 2 WATER QUALITY RULES AND REGULATIONS**

*Resubmitted by*

PETROLEUM ASSOCIATION OF WYOMING

*August 26, 2008*



January 15, 2007

Wyoming Environmental Quality Council  
Mr. Mark Gordon, Chairman  
122 West 25<sup>th</sup> Street  
Herschler Building  
Cheyenne, WY 82002

**FILED**

**JAN 16 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Powder River Basin Resource Council Petition

Dear Mr. Gordon and members of the Council,

I am writing this letter on behalf of fourteen employees of a business in Byron that relies on work from numerous small oil producers. Our concern is the proposed rule changes proposed by the Powder River Basin Resource Council Petition that is being considered at this time.

Our concern is the economic impact on our employees. If the quantity of water discharge is limited as per the petition recommendation, there will be many wells operated by the small producers that we work for that will be shut in. This would ruin our business!

Our employment depends on service to all wells in the area. We are familiar with the water discharge at most locations. The quantity of water being discharged is acceptable to land owners. Please do not regulate water that is not causing problems and would create big problems for those of us that depend on these wells being produced.

Our Company (NEPECO) has fourteen employees. The average age of these 14 employees is 59½ years and the average length of employment is 17 years! We are very concerned that if you adopt the recommendations of the Powder River Basin Resource Council Petition, wells will be shut in and our employment jeopardized. This would have a devastating effect on our families and the community.

I have attached a copy of 2000 Census Income and Poverty Level Statistics that support our argument that the loss of jobs would have a devastating effect on the community. From this information you can see Byron's Median family income is less than that of Big Horn County, the State of Wyoming and the United States. Similarly, our per capita income is the lowest and the percent of individuals and families in poverty are higher than the county, the state, or the country.

In summary, we request that you deny the Powder River Basin Resource Council Petition because of the economic effect that it would have on the entire community.

Sincerely,  
*Alan J. Bair*  
Alan J. Bair





**Daniel C. Wychgram**  
Exploration Geologist

P.O. Box 469  
Thermopolis, Wyoming 82443

Phone: (307) 864-3811  
FAX: (307) 864-2802  
Cell Phone: (307) 921-9998

January 12, 2007

**FILED**

JAN 16 2007

Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street, Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Proposed rule changes for discharged water

Ladies and Gentlemen:

I am an exploration geologist who has lived in Thermopolis for the past 20 years. I have two very relevant situations to tell you about that may affect your decisions on the proposed rule change.

Shortly after moving to Wyoming, I purchased an old, small field called Kirby Creek Oil Field. I drilled a few shallow wells and was able to make a living from the minor production achieved. The Oil & Gas Commission asked me to plug three very old oil wells that were flowing fresh water into Alkali Creek, an ephemeral drainage. I did as ordered and observed a wild life oasis that had been frequented by ducks, mule deer, antelope, beaver, and game birds literally disappear along with the source of water.

Norman Sanford, the local rancher, had often thanked me for not fencing the 8+ acres that were part of the field and contained discharged water skim ponds. His cattle relied on the available water and spent a large part of their time at the oil field. I am sure that if Norman were still alive, he would be testifying in opposition to any changes that would jeopardize the beneficial use of oilfield discharge waters.

The second situation is related to my discovery in 1991 of Centennial Oil Field four miles NE of Thermopolis. I have been slowly developing this discovery using profits from the small-scale production and now have four producing wells. The discharge water is marginally within current guidelines for a discharge permit and would probably not qualify under more stringent rules. In order for this field to become truly economic, I must initiate a water flood which will result in significantly larger volumes of discharge water. This field is jointly owned with my father and we could not afford to produce and further develop this field without a continuance of our discharge permit.

Besides allowing development of the field, the extra water would be beneficial to Debbie Axtel who has the grazing permit for the State and federal lands involved. Also, the wildlife in this area would be less impacted by the drought conditions that we currently face in the Bighorn Basin.

Sincerely,

Daniel C. Wychgram, Wyoming Certified Geologist #1911



**BLAKE DRILLING, INC.  
P. O. BOX 4038  
GILLETTE, WYOMING 82716**

January 26, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Rm 1714  
Cheyenne, Wyoming 82002

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

**Mr. Gordon:**

My name is Deborah Blake. My husband Mark and I have a small drilling company here in Campbell County.

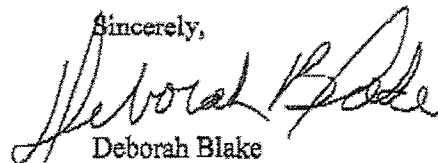
It is our understanding that the EQC is looking at a petition that will have a very big effect if not prohibit most of if not all CBM produced water discharging.

This is just not right this petition only singles out one entity. Mark and I do not agree with this at all. If this should become law it would put a lot of good hard working people out of work. It would cause a trickle down effect on the ranchers, coal mines and also the revenue's for the State of Wyoming.

It is our hope that you will take a long hard look at this petition and understand that there is a better way to take care of this problem.

Thank- You for your time in this matter.

Sincerely,



Deborah Blake



**GREG'S WELDING, INC.**  
**PO BOX 3104**  
**GILLETTE, WY 82717**  
**307-686-6624**  
**Fax 307-682-6363**

**FILED**

**JAN 26 2007**

January 26, 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg. Room 1714  
Cheyenne, WY 82002

Dear Mr. Gordon:

As you are aware the PRBRC has proposed a petition to change Wyoming water quality rules to the EQC. The negative outcome if this proposal were to be accepted would have far reaching effects that would last for many years to come.

In April of 2004, Governor Feudenthal visited our business, and we discussed the energy business and the opportunities in developing new innovations in the energy field. Greg's Welding, Inc. derives 75% of our income from coalbed methane, with 40 employees depending on the continuing development of coalbed methane for their livelihoods.

We cannot afford to have the reduction or elimination of coalbed produced water. Our company along with all of the methane based industry would experience the loss of income and the reduction of our work force. In turn the loss of income and reduction of the work force in the methane industry would effect our whole community.

Please consider other options to the problems of coalbed methane produced water.

Thank you for your consideration.



Greg Dougherty



January 26, 2007  
Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002  
Fax- 307-777-6134

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JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version – WQD Chapter 2.

Mr. Gordon:

My name is Rick Boyce. I was born and raised in Wyoming as were my parents and grandparents. I have lived in Gillette for the past 16 years. I am currently working as a service supervisor for Consolidated Oil Well Services LLC in Gillette. I am writing to you today to voice my opinion against the Citizen Petition for Rulemaking- Powder River Basin Resource Council et al – WQD chapter 2. If this rule passes, my wife, two month old son, and I will be without a steady stable source of income and I will be forced to take a lesser paying job or move to another area away from family and friends- both of which will definitely have a negative impact my family's way of life. I like my job and the money I make by doing good, honest, hard work here in the town of Gillette where I graduated high school and want to continue living.

This proposed rule has the potential to severely limit the production of coal bed methane or halt it completely. You are already aware that to extract the gas from the ground, water must be removed. This water is used and appreciated by the majority of ranchers and landowners. It is clean enough to be used for irrigation and for livestock and wildlife watering. This takes the "need for water" burden off our ranchers that was present before CBM development in our very dry climate. This discharge water, when put into streams and other watersheds, has allowed riverbeds that have been dry for years to once again flow with water. Water is the basis of all life, so the assumption of more water more life is easily drawn. More water to drink, more grasses to eat and a general increase in all flora and fauna native to our area as well as a number of migratory birds.

I understand that the DEQ has looked at the petition and has concluded that as it is written will prohibit most if not all CBM produced water discharges by holding it to extreme standards that none of the other traditional water discharges are held to. This prejudice against CBM water leads me to believe that there is another agenda against the CBM industry and this water proposition is the easiest veiled way to bring our industry as we know it in the Powder River Basin to an abrupt end. This end to our booming industry would have extensive catastrophic impacts at the city, county, and state levels. The impact to our economy would be devastating.

I am still trying to comprehend how is it possible to hold water discharges to a higher level than we deem appropriate and safe for human consumption. The majority of



surface water is detrimental to humans if consumed, but wildlife and livestock can drink from them exclusively with no negative effects. Grasses and trees grow and thrive from this surface water which in many cases has many more and more highly concentrated constituents than this CBM discharge water.

I do understand that some ranchers and landowners do have a problem with this discharge water. We need to do some testing to see if CBM discharge water is the cause of these complaints. If this water is negatively affecting their livelihood there are ways of solving these problems of the few without harming the majority with an umbrella rule. I suspect that these ranchers who are complaining are using the CBM industry as a scapegoat for problems they have incurred which are not at all related to our industry.

There is no precedence for this kind of rule. If CBM discharged water is held to a much higher standard than any other waters, the rule will not stand up. It will cause irreparable damage to our industry and waste the valuable time and money of our state committees and commissions before being inevitably repealed for being arbitrary and capricious.

This industry has created many jobs and boosted our economy significantly in all levels. This rule would devastate our industry. We should not hold one source of discharge water to different and higher standards than other traditional sources. The complaints of the few should not negatively affect the majority who use this water and find it very beneficial. This type of an umbrella rule will hurt many more than it may help. More research should be done on Wyoming soils before deciding what is best for all.

Thank you for your time and consideration

Rick Boyce



Mr. Mark Gordon Chairman  
Wyoming Environmental Quality Council  
122W. 25<sup>th</sup> St.  
Herschler Bldg Room 1714  
Cheyenne WY 82002  
Fax- 1-307-777-6134

FILED

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

My name is Josh Pedersen, I'm a 26 year resident of Gillette Wyoming, and work for Consolidated Oil well LLC. The rulemaking will in not so many words end all activity in the CBM. I personally appose this the change of the of the water ruling. The change in the rule will end many jobs in the Powder River Basin.

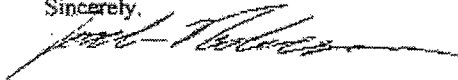
I understand that some individuals have a problem with the water quality but also have helped many landowners with caring for their live stock. This change is not a fix to the problem, and every body will be affected in one way or another.

We as people need to also look at the amount of money that the CBM brings into Wyoming. We can not rely on just one source of income like the coalmines or the oil companies to provide. The people want too many thing for our community for one or two industry's to pay for.

Why would you want to change the water rule if it is already stricter than any other. If we can't discharge the water the reservoirs will dry up then cattle and the wildlife will suffer because of the dry conditions in the state. If you look around look at the numbers in game animals also in the populations of migratory birds. The water is helping them if they were harmed by this then maybe we should do something but it's not.

In closing I thank you for the opportunity to be heard and think if the change is made we all will be impacted hugely as a whole

Sincerely,



Josh Pedersen



January 26, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

FILED

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rule making - Powder Basin Resource Council et al-Revised  
Version - WQD Chapter 2

Mr. Gordon:

My name is Evelyn Hein and I'm employed by Consolidated Oilwell Services in Gillette WY. I have lived in Wyoming for the last 28 years and in Gillette for the last 9 years. And been working in the methane field for the last 7 (seven) years.

I do oppose to the rulemaking of the water that eliminates or reduces the discharge of the coal bed methane water. It is beneficial to the livestock, wildlife and to the ranchers. By changing the rule of EQC it would not be protecting the existing water usage by the ranchers. And, if they do change the ruling there will not be water for the ranchers, livestock and the wildlife. I do understand that there is problems with individuals do exist, but by changing the water quality rule is not the answer to the problems. We can seek other options to resolve the individuals concern. However, I am sure there has to be another way to resolve this issue besides eliminating or reducing the water.

With my job I do get to go on the ranchers land and the federal land and see what is going on out in the field. And in my opinion it is not hurting the land or the wildlife. When I go back into the same area 6 months to a year later and can not even tell that we were out there previously.

Thank you for your time and consideration of this letter.

Sincerely

  
Evelyn Hein



January 26, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler bldg. Rm. 1714  
Cheyenne, Wy. 82002

**FILED**

**JAN 26 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-Revised  
Version- WQD Chapter 2

Dear Mr. Gordon:

After attending an informational meeting sponsored by Yates Petroleum on January 26, 2007, I felt it necessary to write this letter. I am Bill Kern, sales manager and Vice President of Contractors Supply, Inc. in Gillette, Wy. The economical and financial ramifications would be devastating if the petition mentioned would pass. As you know CBM industry not only affects Gillette and Campbell County it affects industries nation wide. If the supply chain would come to a halt the ripple affect would go coast to coast.

I believe this petition is a drastic fix to problems that no longer exist. We all know that the CBM industry had to travel a long learning curve, and there were some early producers that had some issues. We also know as the learning curve has been traveled most of the issues that caused the extreme problems have been eliminated. Since the producers and the regulatory boards have been working together, most of the environmental and safety issues have been addressed. I also believe that your agency in particular has done a better than average job providing regulations that allow both the producer and landowners to work together. The petition that is being filed would set standards that would eliminate the need for anyone to work together in the CBM industry.


At Contractors Supply, Inc., we service a very broad customer base. Ranchers have become a key component to our sales. Most of what we do with the rancher is to provide plastic pipe and fittings for stock water. We have been instrumental in helping to design and to develop water systems that work for ranchers. As you are aware, there are hundreds of stock tanks that are being supplied with CBM water. If this petition would pass and shut down the industry, it would shut off the water to the hundreds of tanks that ranchers are relying on. Would not that be just as unfair to the ranchers relying on the water as what the petitioners are worried about?

Other key customers to Contractors Supply are cities, counties, and developers. There are several projects going on in the area that are based on the continuation of the CBM industry. Campbell County Fire Department, Camplex Multi Event Center, the Town of Wright water main project, are just a few of the major projects that would suffer greatly that many entities are relying on.



Mr. Gordon as you review the petition I hope that you realize the negative affects that the petition would have. I believe that your council can continue to work with the producers to keep the CBM industry growing in a positive way for both the landowner and the producer. Thank you for taking the time to read this letter. If we can ever offer solutions for some of the problems please take time to contact us at Contractors Supply, Inc.

Sincerely,



Bill Kern  
Vice President Contractors Supply, Inc.

cc: Tim Barber, Yates Petroleum

James Burns, SALES/PURCHASING

Rob. Matto President

Wm. [unclear] WAREHOUSE

[unclear] SECRETARY

Tang Thompson SALES

Michael [unclear] SALES

John A. Swyer SALES/PURCHASING



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council

My name is Gary Johnson. I was born in New Castle, Wyoming, and my family moved to Gillette when I was 4. I have lived in Gillette for almost 32 years. I have a family of my own now, a wife and 2 sons. Gillette is our home, and we have no desire to leave.

I work at Consolidated Oil Well Services. We are a service company cementing coal bed methane wells in the Powder River Basin. I wanted to tell you that I am opposed to the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.

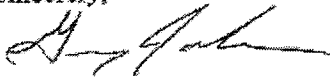
I understand that the DEQ has looked at the petition and that as it is written it will have the effect of prohibiting most, if not all coal bed methane produced water discharges. This would have a tremendous impact on me and my family. If CBM operators don't have the ability to drill new wells, then there is no need for cementers. If there is no need for cementers, then I don't have a job. This would then force me to look for work elsewhere, moving my family, leaving my friends and relatives, and surely leave us in a financial bind. The State too would suffer financially I am sure. I have no idea how much tax revenue is collected from Campbell County due to CBM production, but it must be substantial.

It appears to me as well that this rule is unfairly targeting coal bed methane discharge. As I understand it, it wouldn't affect oil or deep gas discharges. And what about coal mines? The very same water, from absolutely the same source is brought to the surface every day. I would certainly oppose setting standards for water discharge for coal bed produced waters that are more restrictive than for other discharges.

I can see everyday that I go to the field to do a job, some of the benefits of water discharge from CBM as well. There are reserve ponds everywhere. Cattle, sheep, horses, deer, antelope, even water fowl use these ponds every day for water. I would guess that the Canada goose population in Gillette has at least tripled in the last 5 years, probably as a direct result from the increased water availability. As a water fowl hunter in Wyoming, I view this as positive. More water in this part of the country is a good thing.

I understand that problems with some individuals may exist, but I would hope that other options may be pursued to find resolutions to these conflicts. Thank you for the opportunity to comment. You may contact me at 307-660-5270 if you have any questions.

Sincerely,



Gary Johnson

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council



**B & B Roustabout Service, Inc**

PO Box 2227  
Gillette, WY 82717  
307-682-4066

**FILED**

**JAN 26 2007**

January 26, 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council,

Re: Citizen Petition for Rulemaking

To all concerned and appointed parties,

My name is Robert Lawson, my family and I have B & B Roustabout Service, Inc, a service company in the Powder River Basin. I personally have been in this business for 37 years. We employ 35 employees with a 1.2 million dollar payroll. This industry supports our households as well as numerous employees and their families. The CBM development is an essential element in our lives and we have grown along side of this resource development.

We have worked in CBM since the start in the 1980's, have witnessed many improvements by the industry as a whole; as well as understanding it as a community. With the 50 years I personally have in oil and gas industry there have been new concepts, better knowledge in areas such as policy, and showing the conscience that is shown in care for our environment, as everyone in Wyoming is effected by the mineral industries.

We are in support of environmental quality, but by changing the rule the EQC would not be protecting existing use of CBM water by ranchers, livestock and wildlife that ranchers will suffer damage if the rule is passed. We are neighbors with John D. Carter, Chuck Rourke and several others. Their livestock have improved in overall health and grazing and water access has been the major contribution to overall improvements. This water being water discharged from CBM production.

The overall effect of any change in the manner purposed would be felt in economic ways to our fine state, in taxes, scholarships for our young students, companies would be forced to reduce their number of employees, livestock and agricultural growth would be set back in ways felt by all. We do understand that problems with some people might exist, but changing water quality rules will not fix or create a solution to the issues they may have in their areas of Wyoming. As citizens we all would like to see that all avenues of problem solving be addressed before any drastic changes take place in the water quality rules.

Robert W. Lawson  
Owner

*Robert W. Lawson*

*by D McIntosh*  
*Kyle R. Lawson*  
*by D. McIntosh*



January 26, 2007

**FILED**

**JAN 26 2007**

Mr. Mark Gordon – Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – WQD Chapter 2 - PRBRC

Dear Mr. Gordon and those concerned for Wyoming's economy,

My name is Robin Popp. I have been with Marathon Oil Corporation for the past six years. I am proud work with a company who cares about our safety, environment, and welfare of their employees.

I would like to take this opportunity to voice my concern of what will happen to our Ranchers, State, Counties, Cities, and Families of Wyoming if WQD Chapter 2 revision is to pass in its current language.

If this ruling passes, it will bring Coalbed Methane (CBM) to a halt and the ramifications of that will be devastating. The ruling will make it impossible for producers to make a profit considering the cost of alternative water disposal. We all are all in business to make a profit. It would shut down many businesses contracted by the CBM industry.

The majority of the Ranchers rely heavily on the water that is from CBM operations for their cattle and irrigation for their feed. In the current drought we are in, they would have to resort to purchasing feed at much higher prices. The weight of their cattle will lower which could put some Ranchers out of business.

The effect to the State and Counties would be dramatic due to loss in royalties and taxes. The people who work in the CBM industry will be displaced and unable to find gainful employment in State, resulting in higher rates of unemployment or loss of population (another bust).

The City of Gillette, Sheridan, Buffalo, and surrounding towns will see economic ruin. Unable to find jobs, most of those displaced by this ruling will have to file bankruptcy. Housing is at an all time high now, but if CBM goes away, it will plummet as well as the tax revenue. Companies will move out to fuel friendlier States. Consider all the new housing, who will purchase these home? Banks will be extended.



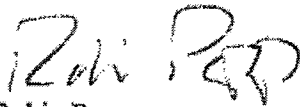
This ruling will devastate families that work hard and contribute to our community. Many will move, depending on the timing and will not be able to sell their home, if they do, it would be at a loss. Many will have to resort to bankruptcy. The higher wages for people in the Non-CBM Industry, created primarily by the CBM Industry, will drop drastically up to half their wages. Many businesses would revert to the minimum wage due to the lack of patronage.

I just do not understand how a privileged few is able to bring this petition up for a ruling. The only ramification to the Petitioners would be lack of water. As I understand it, it is not what is in the water that causes damages. The damage comes from the sodium in the soil. Large amounts of rain and snow would have the same result on the land.

Another issue I do not understand is why this restriction on water disposal is just for CBM and not others who produce and dispose water such as the coalmines and conventional oil. I see this as a way to drive out the CBM industry. We need to be less dependent on foreign oil. President Bush wants us to look for alternative and Methane is just that and is cleaner fuel source.

In closing, I want to thank you for your time and I hope you will seriously consider the ramifications of this petition and rule against it for the sake of Wyoming and its citizens.

Sincerely,



Robin Popp  
Supply Chain Assistant  
Marathon Oil Corporation  
3601 Southern Dr  
Gillette, WY 82718  
307-685-5113

CC:  
Senator Enzi  
Governor Freudenthal  
Governor's Coalbed Task Force



Mr. Mark Gordon  
Chairman Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St  
Herschler Bldg, Rm. 1714  
Cheyenne, Wy 82002

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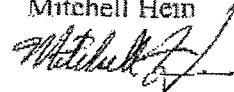
JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

My name is Mitchell Hein, I have lived in Gillette for 33 years, so over the years I have seen Gillette go through many changes not only in industrial but in the way of life. In Gillette not only for the children but for all people, in the great city of Gillette. I have had many jobs in Gillette but I have never seen a industry have such an positive impacted on a town as CBM. As you all know Gillette has been in a drought for many year so the reservoirs and the water being discharged to the river has helped us through this bad time it not only help the wildlife in the county but the 100s of ranches that you have not hear from, over my many year in Gillette I have never seen the wildlife look so healthy I think it is the sole reason of having a abundance of water and vegetation, but for the cattle as well. So in my opinion I cannot see how someone would want to shut it down this would be catastrophic to Campbell county and for the surrounding county, the impacted would be devastating 1000s of people would be out of a job I don't see how someone could consider putting that my people out of work because it inconvenience a few people that have made a lot of money from CBM.

Holding the water to high standers then are drinking water, drinking water that we put on the ground every day don't make any since to me the CBM though out the year have made every effort to do the right things not only for the people but for the wildlife when a problem comes up we make every effort to fix the problem. So in close I thank you for your time in have the opportunity to voicing my concerns to you

Thanks  
Mitchell Hein





FILED

JAN 26 2007

Mr. Gordon,

Terri A. Lorenzon, Director  
Environmental Quality Council

Thank you for the opportunity to comment on the Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-WQD chapter 2.

My name is Frank Vogel and my wife and children's names are Michelle, Brady, and Quincy Vogel. My wife and I are Wyoming natives of Fremont and Sweetwater Counties.

I am the Regional Manager for Consolidated Oil Well Services, with operations in Gillette and Worland. I have fifteen employees in the state. Of these fifteen employees, twelve of them are also Wyoming natives. We have an average salary per employee of sixty thousand dollars and our annual in state expenses are two million three hundred thousand dollars, on average per year, over the last seven years. In simple terms, our small operation generates three million two hundred seven thousand dollars for the state economy annually.

I oppose the Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-WQD chapter 2 for the following Reasons.

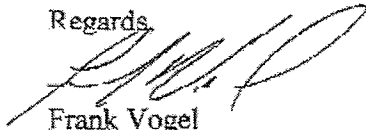
- 1) I do not agree with setting standards for water discharge for combed produced waters that are more restrictive than for other discharges. While I do understand the need to protect our waterways, I do not agree that we are doing any harm by discharging water into them that is cleaner than my own household drinking water. This combed water is fresh water, drinking water for man and wildlife no matter how you look at it. It is my understanding of the petition as it is written that it will have the effect of prohibiting most, if not all CBM produced water discharge.
- 2) I oppose rulemaking that reduces or eliminates the ability for coal bed produced water to be discharged and thus beneficially used. Populations of wildlife have thrived on these water sources. ALL ranchers have benefited from these water sources as drinking water for their cattle, particularly in the last several drought years. Other ranchers outside the PRB are seeking relief for losses incurred due to the lack of water. Waterfowl populations have increased ten fold in the PRB according to research from Ducks Unlimited and Delta Waterfowl.
- 3) I do not agree with the petition from the standpoint that the CBM industry is making every reasonable to "do the right thing." Everyone in the industry relies on making good on its promise to be conscience of the environment. Today's production companies dedicate large sums of money to their environmental departments. Extraordinary efforts are being made to continue responsible stewardship of the lands. Yes, the efforts being put forth are for monetary gain, but the people of Wyoming are gaining wealth right along with industry. This petition proposes to discount the wealth of thousands of Wyoming folks and industry personnel for the benefit of the minority. The petitioners got their money



out of the industry and now want us out. This isn't about fresh water as much as it is about sour grapes.

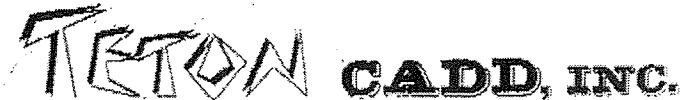
In closing, I would like to thank you again for your time, and urge The Environmental Quality Council to consider the afore mentioned points that are important to my family and I.

Regards,



Frank Vogel  
Region Manager, Consolidated Oil Well Services  
Fourth Generation Wyoming Native





Computer Aided Drafting and Design  
4204 Longhorn Ave.  
Gillette, Wyoming 82718  
Phone (307) 687-3100

**FILED**

**JAN 26 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

My name is Lon Mitchell, I am a company owner in the CBM industry doing Computer Aided Drafting & Design specifically piping design for compressor station hookup. My services are required by Yates Petroleum and Rowdy Pipeline. I am a small company but I contribute lot to the state and the city of Gillette. I am the only employee for Teton CADD, Inc. right now but through this business I have developed another business, It's Your Image Studio a photography studio that employees 3 people and is a service to the community. It is financed by Teton CADD, Inc..

I oppose the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – WQD Chapter 2. I oppose the rulemaking that reduces or eliminates the ability for coal bed produced water to be discharges and thus beneficially used.

I have seen ranchers and livestock benefit from the use of these waters, they are growing bigger and better crops then ever before. Wyoming has been going through a drought in this area, but you wouldn't know it by looking at the crops they have been able to produce from the water they now have. The very same ranchers that are now saying they are against the CBM water rely on this water for irrigation and watering livestock. Their property has been upgraded with reservoirs, access roads and irrigation systems. Wildlife has furished in these areas thanks to the added amount of water livestock is healthier bring higher auction sales to the area.

If this rule is allowed to pass not only will the CBM workers hurt but many business will fail. My photography studio "It's Your Image Studio" will have to close its doors because "Teton CADD, Inc." will have to move somewhere else. Many other business will suffer for the lack of people having to move elsewhere for employment. The real estate sales will fall. Instead of having a housing shortage in the Gillette area there will be many homes put on the market at reduced rates and even foreclosures and bankruptcies will follow. The money the state of Wyoming receives from the Gas will quit.

The state will have to implement a State Tax to survive because with this rule it will KILL the gas industry in the State. Buy changing the rule the EQC would not be protecting existing use CBM water by ranchers, livestock and wildlife and that ranchers will SUFFER greater damage if the rule is passed. The rule CAN NOT stand up by the stricter standards on discharge water imposed on CBM water. May I remind you the EQC that the Attorney General's office has repeatedly cautioned against this petition and the rule it proposes, and that EQC would be wise to heed their attorney's advice. This rule will be struck down as arbitrary and capricious.

Please don't kill my businesses because of some ignorant attorney promising artificial benefits to a few ranchers that already has more money the GOD and could careless one way or the other.



Thanks for taking a minute of your time to listen to a plea from a small business owner who would love to stay in the Gillette area and watch my children and grandchildren grow up here and contribute to the economy in their lives.

Lon Mitchell  
Teton CADD, Inc.  
4204 Longhorn Ave.  
Gillette, WY 82718  
Phone 307-687-3100



It's Your Image Studio  
900 Camel Dr. Ste. H  
Gillette, WY 82716  
Phone 307-682-8700

Cell Phone 307-660-3784



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

1-26-07

RE: Senate File 55 - Please Vote No

Hello,

It is alarming that there is a growing movement within the Legislative Body, which will, or could effectively shut down the development of the State's Coal Bed Methane development. The water produced by the CBM industry is not the great threat, which the anti environmental movement is trying to portray. It is a beneficial and useful by-product in the business ventures of the many CBM companies here in the state of Wyoming.

This water is put to good use as stock and wildlife water, fishing ponds, and irrigation needs. The technology is out there to treat the soils where land application of CBM water has been applied. The protein content of the hay and the yield has increased resulting in more revenue for the landowner and tax revenue for the State. Wildlife has adapted and thrived in and around the areas where water and feed has been made available to them. The sage grouse is not threatened by CBM. It is clear when there is no water, birds will move to where there is water and feed. The increased number of prey birds also affects the level of game birds. The anti movement will use any scare tactic to end an opportunity for the common individual to have and keep a good paying job resulting in the ability to raise a family.

The rules have been in a state of constant change resulting in never being able to plan with certainty the method of handling the CBM water. What is legal today may be a violation of a rule tomorrow passed by an individual who does not understand the science or the technology behind the water handling. It is not economical, to treat the CBM water to the levels, which is in the bill before the Legislation. The water does not harm the wildlife, streams or landscape, like that which the anti environmentalist portray.

Why would the State Legislation want to kill a gift horse and ruin the opportunity for individuals to raise their families and educate their kids in the Great State of Wyoming? CBM development has created jobs and taxes revenue, which in turn has built schools, roads, housing, service industries and job opportunities in and around the CBM play.

As a side note, look at the dramatic decline in the numbers of the Yellowstone Elk Herd. This is a direct result in the reintroduction of the wolf into the Yellowstone area. People who do not understand, or care about, the science and impacts of their actions or the end results pushed this upon the State of Wyoming.

Lets not repeat bad Legislation which cost the State of Wyoming, the opportunity to have and maintain sound businesses which in turn provide jobs and tax revenue for schools, roads, housing and other services to the residences of the state.

Thanks for your consideration,  
Larry W. Bridger  
Sheridan Wyoming





To Whom it may concern:

My name is Tracy Kirk and I am writing you today to express my feelings on issues with the **COAL BED METHANE**. If I am understanding correctly there are some new standards being thrown at the **CBM** Industry regarding water discharge that could cause the Industry to shut down all methane production. I hope the people that support this new standard or ruling fully understand the catastrophic events that will soon follow.

I will paint you a picture of what some of these events could be, from my stand point:

CBM company's will shut down the fields and move on to greener pasture leaving the pastures and meadows being irrigated here dry from lack of water. Those ranchers that have become wealthier since working with the CBM now want to cut ties with it and leave the rest of us to wither up.

Gillette and other area communities will greatly suffer. All this building more homes, apartments, and new business will be for nothing. Who is going to live in or occupy these structures?. Better question. Who will be able to pay for these structures with out jobs that were supported by the methane production. What business will have to close do to not enough people spending money they no longer can make. Can you visualize Gillette, Wright, Moorcroft, Newcastle etc as a ghost town.



What about the money from mineral royalty that all of us want to spend on bettering our community. Do you believe those funds will be affected? No event center, no new schools, no rec center, and no additional funds for anything

Non- Profit organizations will suffer. So once again the less fortunate will be more less fortunate.

Out of State people will suffer also, No new jobs, no revenue from serving the CBM community etc.

Most people I know will be affected by losing their job then their car, then their home, then everything else. When they have nothing else they won't even be able to stay in a shelter as they the non profit will be affected to.

Thank you for your time  
Concerned CBM supporter

Tracy R. Kirk  
44 Edison Ave  
Gillette, WY 82716  
307-682-6165



January 26, 2007

Via Facsimile (307-777-6134) and Regular Mail

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

**JAN 26 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

**RE: Opposing the Petition for Rulemaking - PRBRC et al - WQD Chapter 2**

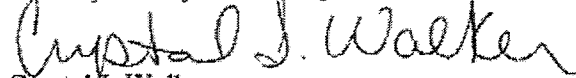
Dear Mr. Gordon:

My name is Crystal I Walker of Gillette, Wyoming. I work for Yates Petroleum Corporation as a Land Technician/Mapper. I oppose rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used. I was born and raised in Gillette, WY. I moved away for 10 years after graduating from high school to attend college and started my career. I moved back to Gillette in 2000 with my husband and child to begin working in the CBM industry. My husband also works in the CBM industry servicing CBM wells. We are doing very well in Gillette and love the community and schools. If this rule is passed, it will be detrimental to me and my family. Not only will it destroy our sole source of income, it will destroy the community! This town has boomed due to the CBM activities and has benefited tremendously from it. The tax revenue that has been generated from the CBM industry has enabled the town of Gillette to improve and develop wonderfully! If this rule is passed I'm afraid that my family and I will have to move from the wonderful state of Wyoming to make a living else where.

Please consider when making your decision that I understand that problems with some individuals might exist, however changing water quality rules is not a fix for those solutions. There are many options available for conflict resolutions that are not being pursued by the petitioners. Remember also, that the Attorney General's office has repeatedly cautioned against this petition and the rule it proposed, and the EQC would be wise to heed their attorney's advice.

Please take my concerns to heart when making your decision. Mine and my family's livelihood depends on it!

Thank you very much for your time.

  
Crystal I. Walker



Mr. Mark Gordon, chairman  
Wyoming Environmental Quality Council  
122 W.25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax 307-777-6134

FILED

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al  
– revised Version – WQD Chapter 2

Dear Mr. Gordon:

My name is Richard Franco, and I am sixty years of age and semi retired. I have lived in the west for most of my life. My career has been in Law Enforcement and since then I have been employed with Consolidated Oil Well Services LLC. Here in Gillette Wyoming.

I myself am "Pollution Conscience", and after a few years of driving on the very ranchland associated with this bill in the Gillette area, I feel that this bill would not be protecting existing use of CBM water by ranches, livestock and wildlife in these areas. Also I feel that the ranches will suffer damage if this rule is passed. I have also spoken to several ranches that I know personally, about the fact that the CBM water is held to a stricter standard than other discharged water and that the rule would not stand up.

Through the years I understand that problems exist with some individuals, however changing water quality rules is not a fix for those solutions. I think the law makers should look at the many options available for conflict resolutions that are not being pursued by these petitioners.

In closing I would like to thank you for the opportunity to comment and provide contact information so they could reach you if they have any further questions.

Sincerely,

Richard Franco





January 26, 2007

Todd Merchen  
6410 Hudson Ave.  
Gillette, Wyoming 82718

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg, Room 1714  
Cheyenne, WY 82002

FILED

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Gordon:

I live with my family in Gillette, Wyoming and am employed as a registered engineer and registered geologist by Lowham Engineering LLC. We design reservoirs and do channel work for the CBM industry. I was raised in Lusk and graduated from Niobrara County High School. I left Wyoming to go to college and to work. In 1995, I moved my family to Gillette. My daughters are 12 and 14. Amy goes to Conestoga Grade School and Anna goes to Twin Spruce Jr. High. They are involved in band, gymnastics, and church youth activities. This is their home, they wouldn't want to live anywhere else. They are the true resource of Wyoming.

I am very concerned about the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al- WQD chapter 2. These rules will severely injure the CBM industry as a whole as well as penalizing ranchers and landowners that have benefited from CBM development. The individuals on the petition may have some reason to complain, whoever, I have talked with ranchers whose operations have benefited from CBM development. They have managed the CBM activity on their ranch as a resource similar to their grass and livestock.

A rancher near Recluse has said that his cattle hold more weight through the cold months because of the warm CBM water. The feed he provides his cattle keep weight on them rather than being burned up as heat calories. He has to feed less in the cold and his cattle and calves do better. More weight on less feed means a higher quality Wyoming produced product with more profit to the producer. This rancher also irrigates hay fields with CBM water. Again, he doesn't have to buy as much hay, a tremendous benefit with the ongoing drought.

The above rule is too general. It does not benefit anyone, it only penalizes the majority with out providing real protection to the environment.

Respectfully,



Todd Merchen PE, PG



**FILED**

JAN 26 2007

January 26, 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Dear Mr. Gordon:

I have been employed by Yates Petroleum Corporation for over 17 years and am currently the Office Manager. I am writing to make sure that my comments are heard regarding the proposed modification of **Chapter 2 of the Wyoming Water Quality Rules and Regulations**. As I understand the petition, CBM discharges would essentially be eliminated in the state. While I understand that some landowners have a history of problems with CBM water discharge, the majority of landowners, including myself actually use the water for their livestock, irrigation, etc. and have no problems with the CBM water. With current drought conditions changing the existing rule would be devastating to area ranchers, livestock and wildlife that currently use the CBM water.

Thank you for taking the time to hear my comments and request that you follow the advice of the Attorney General's office and do not allow this rule to take affect.

Thank you,



Susan James  
307-685-8405 (wk)  
307-686-7271 (hm)



4300 Bertha Avenue  
Gillette, WY 82718  
January 26, 2007

**FILED**

JAN 26 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

I am writing to you in regards to the Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H dated December 7, 2005.

My name is Jan Miller and I do indeed work for Marathon Oil Corporation. I am a life long resident of the state of Wyoming and have worked for both the coal mining and coalbed methane industries of many years.

The petition states that the water produced from the CBM wells is hazardous to families, land and livestock. This water has been used and utilized by ranchers in the Powder Basin area for years. I remember coming to Gillette from the big town of Buffalo in the seventies and how bad the water was. In fact we told everyone not to drink the water. I feel that the water has greatly improved in Gillette.

I understand that the petition wants the quality of CBM water to be better than the drinking water. In all practicality it is better. Many land owners are happy that the water is being pumped to the surface as they can water the land and their cattle. I'm not sure if it is global warming, but we are facing a drought situation here in Wyoming. This water is helping the residents and the environment.

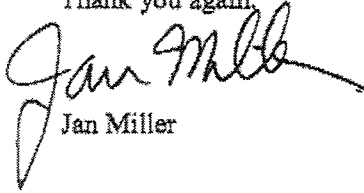
I'll admit that there are some companies that don't care what they do as long as they received a profit from it. Luckily we live in the United States and we have citizens who work for oil and gas companies that care what happens. These environmental people are passionate about their work. They do everything they can to ensure that we are following the rules and suggest new rules that work for Wyoming. I really believe that if they were concerned as to what coalbed methane was doing, they would quit working for the methane companies and join forces with you to see that the land we love is taken care of.

I sincerely appreciate your letting me voice my opinions. There will always be some people that you can't please. This petition only lists a handful of local ranchers who are not happy with what coalbed methane has done for them. There are handfuls of people



everywhere who do not like what government or technology is making them do. But if it was up to these individuals, we wouldn't have automobiles, computers, growth in Wyoming, a place to work for our young people, etc. We really need to look at what is important for Wyoming and it should be heard from the residents of Wyoming, not a small dissatisfied handful.

Thank you again.

A handwritten signature in cursive script, appearing to read "Jan Miller".

Jan Miller



JAN. 26. 2007 2:57PM

13076877111

NO. 250

**BLAKE DRILLING, INC.**  
**P. O. BOX 4038**  
**GILLETTE, WYOMING 82716**

January 26, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Rm 1714  
Cheyenne, Wyoming 82002

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

**Mr. Gordon:**

My name is Deborah Blake. My husband Mark and I have a small drilling company here in Campbell County.

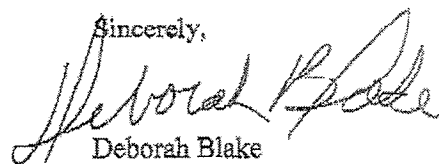
It is our understanding that the EQC is looking at a petition that will have a very big effect if not prohibit most of if not all CBM produced water discharging.

This is just not right this petition only singles out one entity. Mark and I do not agree with this at all. If this should become law it would put a lot of good hard working people out of work. It would cause a trickle down effect on the ranchers, coal mines and also the revenue's for the State of Wyoming.

It is our hope that you will take a long hard look at this petition and understand that there is a better way to take care of this problem.

Thank- You for your time in this matter.

Sincerely,



Deborah Blake



January 26, 2007

Jodi L. Burch  
PO Box 4443  
Gillette, WY 82717

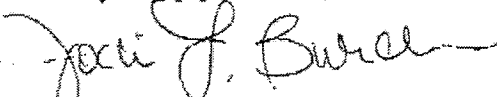
**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Environmental Quality Council,  
I am currently employed by Yates Petroleum Corporation as a Land Technician. I would like to make sure that my opinion is included in the decision regarding the proposed modification of Chapter 2 of the Wyoming Water Quality Rules and Regulations. As a land technician, I am constantly working with landowners and I know firsthand that the majority of landowners benefit from the CBM discharge water that this petition is trying to eliminate. On a more personal note, as a single mother of three-year-old daughter, I rely on this job and the income that is made for my livelihood. If this petition passes, the CBM industry in Wyoming will no longer exist, and as a result, I will be forced to find a job in an already tight job market flooded with now unemployed ex-methane workers. I'm sure you'll agree that the income I currently make will not continue at the same level if the CBM industry no longer exists in this state. I know that you have heard all of the arguments regarding this petition, but I don't think you understand the impact this could make in our state. I would encourage you to listen to the advice given to your organization by the Attorney General's office and stop this petition before valuable people and resources are lost.

Thank you for your time.

  
Jodi L. Burch



# NORTHLAND POWER SERVICE LLC

PO BOX 7171 - 1088 Robertson Circle - Gillette, WY 82717-7171 - Tel: 307-685-0107 - Fax: 307-685-0104

January 25, 2007

FILED

JAN 26 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm 1714  
Cheyenne, WY 82002  
Fax: 307.777.5973

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking - Powder River Basin Resource Council et al

Dear Mr. Gordon,

I have only recently learned of the "Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H" before the Environmental Quality Council. I was shocked on many regards. I know that you have a very difficult job of balancing the interests of the resource producers and the need to protect the environment. Since getting into the oil and gas industry in 2001, I have been frequently impressed by the environmental care shown by the oil and gas community. They are often the last persons who would want for the environment to be harmed.

My concerns with the petition include:

- 1) As far as I know, "Beneficial Use" permits are not easily obtained and are not provided without thorough consideration
- 2) I can remember back to dry years such as 2001, when "Beneficial Use" water saved many crops in the area.
- 3) I believe far more ranchers are purposefully not on the petition than those that are.
- 4) I can't believe that such a small number of people can get such a detrimental petition into the regulatory system.
- 5) Coal bed methane water quality standards are already more strict than drinking water standards (certainly in the case of barium). Hardly a cause in strong need of further restrictions.
- 6) This new proposed rule would significantly negatively affect the economics of the coal-bed methane production in the Powder River Basin. The economics of this area are already marginal compared to other production areas in N. America due to the high gas sales price differential for N.E. WY. This could easily cause operators to reallocate their resources to other areas of our country or continent.
- 7) The economic shock to the state of WY would be needless and tremendous!
- 8) I believe that this is precisely the goal of many of the environmental activist groups. Their 'concern' for the water quality is only a front for their goal of limiting natural resource development wherever and whenever they can and to weaken the US as a country. To that end, amending the rule to conform to their request would only embolden them to use this tactic repeatedly throughout the US!

Specifically, I run a small oil and gas services business based in Gillette which my group purchased in 2/06. When we purchased the business, over \$9M was provided to the local economy. 95% of our business is generated from the coal bed methane operators. We employed 8 persons one year ago and now employ 16. We pride ourselves in being a great employer and provide a full range of employee benefits such as 80% of the employees' health insurance premiums (including family). In addition, to the money provided to the local



Northland Power Services, LLC  
Bank Confirmation  
Page 2

community and the benefit of providing high quality jobs, we invested an additional \$4M in additional equipment purchases and paid an additional \$1.5M in service costs in 2006.

All of these benefits to the local and state economy would go to zero without the economic viability of the coal bed methane production.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Baltzer", with a long horizontal line extending to the right.

Doug Baltzer  
Northland Power Services  
Gillette, WY



**CBM Associates, Inc.**

920 E. Sheridan St. • Laramie, WY 82070 • Office: (307) 742-4991 • Fax: (307) 745-1582

GROUNDWATER &amp; SURFACE WATER HYDROLOGY • WATER RESOURCE MANAGEMENT • ENVIRONMENTAL PERMITTING &amp; COMPLIANCE

January 26, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

Since I joined CBM Associates, Inc on January 2005 as a software developer, mainly I have supported our environmental technicians by maintaining databases and building efficient software. Frankly speaking, I do not know how much it is serious the environmental problem in Wyoming due to CBM industry. However, I know how much our company tries to do our best to save our environment.

Do you know how much analysis data in our database? Over 1.35 million records exist in our database. We are keeping track of all those data and monitoring every point of discharge. As one of members who manage all the information, I am really proud of what I am doing now. If we are living in the world of a decade ago, we may have to seriously consider continuing CBM industry because of technological limitation. However, it is twenty first century, and all kinds of technology have developed significantly compared to a decade before. If you look at how we manage our environment technologically, you would give us more credit.

Since I have moved to Laramie to pursue master of e.Business in the University of Wyoming on June 2003, I was amazed couple of times by the Mother Nature of Wyoming. As a big fan of Wyoming now, I really respect the efforts of PRBRC and EQC to save our wonderful environment. Only one problem of the petition is that it is going to the extreme. Based on the approach, living nobody in Wyoming will be the best way to keep the state clean. Possibly, making whole Wyoming National part like Yellow Stone could be ideal environmental solution.

If it really happens, do residents of Wyoming evacuate right now? You may think it is not going to happen because too many people live in Wyoming already. In the same manner, there are thousands of people who work in the CBM industry already, and do you really think they have to quit their job right now? Some of people in CBM industry may think of only money rather than our environment. However, most of them follow the regulation of WDEQ very thoroughly. If you think the current regulation is not enough, we can gradually make the regulation stricter.

Thank you for giving us opportunity to comment, and please feel free to contact me anytime if you want more information.

Sincerely,



CBM Associates, Inc.  
Soonkoo Jung  
Software Development Coordinator  
920 E. Sheridan St.  
Laramie, WY 82070  
Phone (307) 742 4991

CBM ASSOCIATES, INC. ADDITIONAL OFFICES:

345 Sinclair Street  
Gillette, WY 82715  
307.686.6664

500 W. Lott Street  
Buffalo, WY 82834  
307.684.0262

743 Horizon Court, Suite 255  
Grand Junction, CO 81505  
970.420.2224

3036 South Flower Court  
Lakewood, CO 80227  
303.973.2302



**FILED**

January 26, 2007

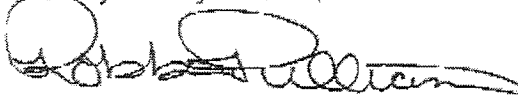
JAN 26 2007

Robbin Pulliam  
300 W Laurel  
Gillette, WY 82718

Terri A. Lorenzon, Director  
Environmental Quality Council

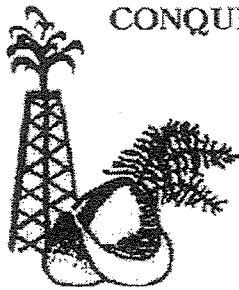
Dear Environmental Quality Council,  
I am currently employed by Yates Petroleum Corporation as a Production Technician. I am writing to include my decision regarding the proposed modification of Chapter 2 of the Wyoming Water Quality Rules and Regulations. Born and raised in Gillette, I know from experience the positive impact that the CBM industry has had on my community and the state. I was able to go to a school that had a computer in every classroom, purchased in part with funds the state has received as a result of the CBM industry. Now, as a single mother, this industry and my current job in particular has enabled me to be an independent woman in Gillette, not relying on any help or support of the federal or state government. As a result of this independence and my current career, I have purchased a house. There aren't many single parents in this situation elsewhere in the nation. But, the CBM industry has provided good, well-paying jobs that are enabling single parents to live on their own without any help from state or federal aid. If this petition does go through, you will not only be affecting the people currently employed in the CBM industry, you will also be affecting their families. Think about the impact that will be made on these people's lives. A single mom will no longer be able to spend evenings with her children; she will instead have to get an additional job in order to make ends meet. I would encourage you to listen to the advice given to your organization by the Attorney General's office and stop this petition before valuable people and resources are lost.

Thank you for your time,



Robbin Pulliam





CONQUEST ENERGY SERVICES, LLC

3105 East 2nd Street  
P.O. Box 1581  
Gillette, Wyoming 82717-1581  
Phone (307) 685-4210  
Fax (307) 685-4211

Email conquest@vcn.com

1/26/2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

FILED

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

My name is Bob Hockert and I am writing in regards to the proposed rule change to WQD Chapter 2. I am 49 years of age, resident of Campbell County, Wyoming (17 years) and landowner in Crook Cook County, Wyoming. I am an Eagle Scout, earned a degree from the University of Colorado in Chemistry, am a recreational scuba diver, recreational pilot, married for 27 years and raised two children in Wyoming. I am a local business owner and have provided livelihood to 20-40 employees yearly since 1997. I consider myself of solid constitution and sound judgment.

I attended a meeting concerning the proposed rule change and I am alarmed at the ability of small interest groups to potentially mold business parameters affecting the business environment of my industry. The way I understand this proposal, CBM discharge waters would be classified as a pollutant if the chemistry is different than the receiving waters which would effectively eliminate all CBM surface water discharge permits. Furthermore, it is not proposed to change existing conventional oil and gas water discharge rules. I believe this is a flagrant attempt to target the CBM industry with unreasonable regulatory burden in an attempt to shut-down operations.

In addition, the Barium levels are currently 1800 PPB which is more stringent than drinking water standards of 2000 PPB. There is a proposal to further reduce (for CBM only) this level to 200 PPB making the standard five times more restrictive than drinking water. This again seems to be a clear strategy to target the CBM industry.

When considering these types of rule changes you must weigh financial impacts to the communities versus the potential benefit to the environment. I cannot believe the weighing of the issues could in any way support the rule changes. Approval of the rule change would only drive industry to more economical areas of the country and reduce available water to this arid region. In my case I would be forced to move 4 drilling rigs and crews to New Mexico. Last year we billed and paid taxes on over 4.0 million in revenues and supported 25 families in the Gillette area.

I hope clear and reasonable evaluations guide your decision.

Bob Hockert  
Owner and Operations Manager  
Conquest Energy Services, LLC  
Gillette, Wyoming



FILED

JAN 26 2007

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Gentlemen,

On behalf of myself as a Wilson Supply employee I would like to express my concerns about the water discharge in the Powder River Basin from coal bed methane production.

Myself along with numerous others could see drastic changes in our employment, wages, and livelihood if this discharge were to be shut down or altered. Having lived in Campbell County since the 1960's I can tell you the water being discharged today comes from the same formation as our drinking water in the 1960, in fact most is better than the water we used for day to day use at that time.

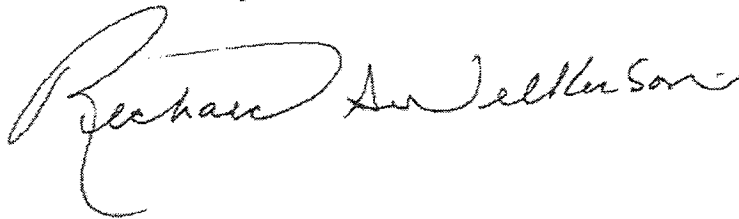
The ranchers enjoying the benefit of this water should pray it never stops instead of fighting some discharge. In the Big Horn Basin ranchers are elated to have discharge water for their use. Twenty years of CBM discharge would barely fill a good Lake Desmit and what rancher or farmer in his right mind would not like to have a body of water like that to access. We probably ship more water than that out of the state on coal trains headed east.

This plan to shut water discharge down would affect numerous jobs, businesses, and taxes in the state, if not devastate us altogether. CBM energy is a great addition to our Wyoming economy and future. We should do everything in our power to work with these producers while watching our environment as these CBM producers have done. Wyoming is the Equality State lets keep it that way.

Sincerely,

Richard Wilkerson

PS: I am available for questions or further discussion at 302-687-3171

A handwritten signature in cursive script, appearing to read "Richard Wilkerson", written in dark ink.



01/26/2007 11:13

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YATES PETROLEUM CORP

PAGE 02

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JAN 26 2007

January 26, 2007

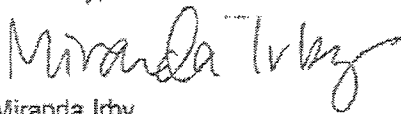
Miranda Irby  
1007 Santee Drive  
Gillette, WY 82716

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Environmental Quality Council,

I am currently employed by Agave Energy Company (a Yates Petroleum Company) as the SCADA/Measurement Administrator. I am writing to make sure that my comments are heard and included regarding the proposed modification of Chapter 2 of the Wyoming Water Quality Rules and Regulations. As I understand the petition, CBM discharges would essentially be eliminated in the state. With my limited understanding of CBM production, I do know that water discharge is essential in the production of CBM gas. Without the production of CBM gas in Wyoming, my employers would not continue to operate in Wyoming, and I would be left competing for non-existent jobs with most of the residents of Gillette. I think that this petition is unnecessarily restrictive and shows an underappreciation of the CBM industry in this state. While I understand that some landowners have a history of problems with CBM water discharge, the majority of landowners actually use the water for their livestock, to irrigate, etc. and have no problems with the CBM water. CBM water is rigorously tested and analyzed to make sure that it meets very specific criteria. I know that the state of Wyoming receives a great deal of financing from the result of CBM gas and the producers of that gas. My request is that you follow the advice of the Attorney General's office and do not allow this rule to take effect. Thank you for the opportunity to have my comments heard.

Sincerely,



Miranda Irby



January 26, 2007

Brenda Meece  
P.O. Box 2560  
Gillette, WY 82717

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Environmental Quality Council,

I have been employed at Yates Petroleum for over 5 years. My salary has allowed me as a single mother to raise and support 2 children without state aid or child support payments that I do not receive on a regular basis. I would not be able to do this working at a retail store or fast food restaurant even with Gillette's above average wages. I want to express my concern with the proposed modification of **Chapter 2 of the Wyoming Water Quality Rules and Regulations**. This would be detrimental to so many people, businesses, our city and state! I do not understand why CBM discharged water needs to meet a severely higher standard than the water we drink. I do understand that out of all the happy landowners we serve and work with every day that there are small percentages that have issues that need to be resolved. I am proud of the CBM industry and my company and feel we could successfully resolve these issues by talking and working together as we have in the past. The CBM industry puts so much money back into the state and is a positive force in our local economy. This petition would destroy that. Please consider how devastating this would be to our businesses and families and follow the advice of the Attorney General's office and do not allow this rule to take effect.

Sincerely,



Brenda Meece  
Accts Payable  
307-660-9373



January 26, 2007

Wyoming Environmental Quality Council  
122. W. 25<sup>th</sup> St.  
Herschler Building, room 1714  
Cheyenne, WY 82002

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

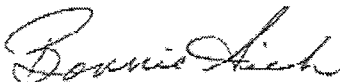
To Whom It May Concern:

I have lived and made my home in Gillette, Wyoming since 1967 (40 years). My children were raised here and graduated from Gillette. It has come to my attention that the EQC and the area ranchers are attempting to shut down the discharging of all coal bed methane water. The current law states that drinking water should be 2,000 parts per billion, currently the methane discharge water is 1,800 parts per billion. This is purer water than we are drinking. Now the petition, as I am understanding this, is stating that the methane discharge water is to be at 200 parts per billion. Don't you think this is a little unreasonable?

If this petition goes through, my job and quality of life will be gone. I have worked for a company that manufactures buildings for the coal bed methane fields for seven years. In this company alone all of sudden 50 people will be out of a job! So a question to the ranchers and the EQC. Who is going to feed their families and provide them with the necessary items to survive? To the ranchers who have petitioned the coal bed methane, you have made your millions of dollars, so I guess to hell with the little people of Gillette.

Therefore in conclusion, Gillette will be non-existing, and I as a citizen of Gillette oppose every aspect of this change. Thank you for letting me state my opinion and please take time to think over this letter.

Sincerely,



Bonnie Sieh  
921 E 9<sup>th</sup> St.  
Gillette, WY 82716  
csieh@brcsnan.net



FILED

JAN 26 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, WY 82002  
By Fax and Hard Copy

Terri A. Lorenzon, Director  
Environmental Quality Council

My name is Cassidy Westbrook. I was born in Laramie, Wyoming in 1977. I lived on the Miller Ranch outside of Laramie and then moved to the 91 ranch, a 36000 acre ranch, outside of Meeteetse, Wyoming, where my father managed the ranch. I know first hand what it is like to need water in the ranching industry. I watched my father struggle to keep water open during the winters for his cattle. I see the fields and stock tanks currently filled with CBM water and the livestock and wildlife that drink it. I imagine the benefit my father would have seen from CBM. The flow and temperature of CBM water keeps it from freezing in the winter, and landowners have a new ability to get water to remote locations, reservoirs and stock tanks due to the ability of CBM operators to discharge water.

I was raised and continue to live in the state of Wyoming. I currently live in Gillette with my wife Shanna and two children, Payton, age 5, and Hailey, age 1. I have lived and worked in Gillette for nearly four years. I am very grateful for the opportunities that the Coal Bed Methane Industry has brought to my family. I have been lucky enough to be able to have a job that has allowed my family to buy a home and have a high quality of living. I work in the industry in regulatory compliance and I deal first hand with the waters that are produced by CBM fields and the regulatory compliance that we as an industry are currently required to meet.

I also know there is a need to regulate the industry, and to discharge water in an intelligent and moral manner. I feel that there are regulations that require industry to do this already and I have seen these discharges in action. I have also talked with happy and sometimes grateful landowners with these discharges. I am not so blind as to think that there are not problems in an industry like this. These problems need to be addressed, but not by effectively shutting down the entire industry. Cooperation between landowners, government and industry are required to be successful. Regulations and rules are without a doubt necessary to land owners and to industry for them to co-exist.

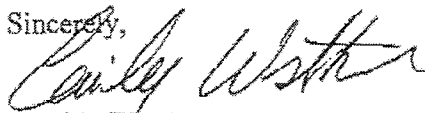
As I drove home from work last night, I tried to find a business or person that was not directly influenced by the financial impact of CBM. I was not able to find a single business or think of a single person that does not partially or wholly depend on CBM. I thought about the people that do not work in the industry that will be affected. I thought of the many friends that I have met since moving here four years ago, who have become a part of our life. I have friends in the real estate industry and I think about the impact a rule change such as brought by the Powder River Business Resource Council would have on their livelihood. Without the industry, the housing market would drop and suddenly there would be too many apartments not enough demand. I have friends in the insurance business that have stated that approximately 85% of their business is driven by workers and businesses in the CBM industry. I also have a friend who runs an auto dealership in Gillette. I know that the workers and fields in this area keep his business running, from



purchasing new vehicles for companies and workers buying personal vehicles with the salaries they make in the industry. I see company vehicles with dealer tags from places like Casper, showing me that Gillette is not the only community that will be affected. This rule change would have a statewide affect. Not only will this affect business opportunities, this will also affect recreation. The Bell knob golf course in Gillette is where I like to spend my summer weekends, as much as possible. Bell Knob Golf Course has a pond filled with a discharge from a nearby CBM well. This pond is a beautiful feature of the golf course and is filled with birds, muskrats and countless numbers of my golf balls. I can live without losing my golf balls, but would sorely miss the recreational beauty of the water on the golf course. I have many other friends in all walks of life in Gillette and the surrounding area that will be impacted negatively by this rule change.

This proposed rule change would undoubtedly require the company I work for to shut down a very large majority (up to 99%) of our discharges, resulting in shutting down the wells. Without these wells there is no revenue and the operating companies will pull up their stakes and look to other areas and states where producing the gas is economical and possible. The financial impact of these companies leaving our communities and our state would be enormous and personally catastrophic. While the PRBRC may think that a rule change like this is good for the state and the land owners, I doubt that they have thought past the industry themselves and into the lives of those who don't work in the industry, but rely upon it. Please consider these people and businesses when deciding on a rule such as this.

Sincerely,



Cassidy Westbrook  
1215 Middle Fork Drive  
Gillette, Wyoming 82718  
Email: cswestbrook@hotmail.com



ATT Mr. Mark Gordon, Wyo. Environmental Quality Council

I Tracy J. Sessom I was born in Wyo. in 1956, I have made it my home and have witnessed many changes. Some good and some not so good. The reason for writing to you is to let you know what a great change in the wildlife habitat. I work and hunt, fish all over the state. The wildlife has improved greatly due to the extra water. I see antelope, Deer, Elk and even coyotes drinking the water from tire tanks, gutballs & reservoirs. Not forgetting the Ducks, Geese and other birds. The water is a very positive thing. I own my own filtration business along with working in the methane industry. It has been a blessing for so many of us, including the land owners, school system, and all phases of our economy. Look at the tax revenues, they are spectacular.

Please Help us all by  
Not listening to the negative  
that simply are not correct.

Tracy J. Sessom

1-26-07

Gillette Wyo. 82717

P.O. Box 2336

Thank You

FILED

JAN 26 2007

Tom A. Lorenzon, Director  
Environmental Quality Council



## **PENNACO ENERGY**

A Wholly Owned Subsidiary Of Marathon Oil Company

**FILED**

January 26, 2006

JAN 26 2007

Wyoming Environmental Quality Council  
Mr. Mark Gordon, Chairman  
122 W. 25<sup>th</sup> Street  
Herschler Building, Rm 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

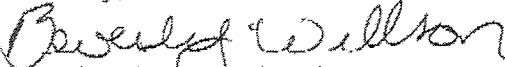
**RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Proposed Revised Version – WQD Chapter 2**

Dear Mr. Gordon:

The Powder River Basin Resource Council (PRBRC) has proposed a petition to change Wyoming water quality rules to the Environmental Quality Council. This petition is aimed at produced water from coalbed methane wells and may impact traditional produced waters. This letter is a formal response against the proposed petition. I have put substantial analysis into determining the negative impacts of this petition. It is my understanding that the WYDEQ has looked at the petition and that as written it will have the effect of prohibiting most if not all CBM produced water discharges. By changing WQD, Chapter 2, EQC would not be protecting existing use of CBM water by ranchers, livestock and wildlife. I oppose rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and beneficially used. Finally, I oppose setting standards for water discharge for coalbed produced waters that are more restrictive than for any other discharges. I understand that problems with some individuals may exist; however, changing water quality rules is not a fix for those solutions. The Attorney General's office has repeatedly cautioned against this petition. The EQC would be wise to heed their attorney's advice. This rule will be struck down as arbitrary and capricious.

Thank you for giving me the opportunity to comment on this important issue. Please contact me at my email address: [bwillson@marathonoil.com](mailto:bwillson@marathonoil.com) if you have any questions regarding this letter.

Sincerely,



Beverly Willson, Engineering Tech

Marathon Oil Company

cc: Governor; State Legislative Body



FILED

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon  
Chairman Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

Ref: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Revised Version – WQD Chapter 2

Dear Mr. Gordon:

I am Branch Manager for Wilson Supply in Gillette Wyoming. We are a supplier to the oil and gas industry. The opinions in this letter may and may not represent the opinions of Wilson but are my opinions as a citizen of Wyoming and worker in this state.

As manager I see the distribution of business for our branch and know that without the business of the CBM producers we will not need a store in Gillette. I also see the customers that are picking up the material for the CBM producers and there are roustabout crews, drillers, truckers, fabricators, etc. that are affected by what affects the CBM producers. The selling price of gas has taken a severe downturn in recent months causing many of the producers to significantly reduce the number of wells they plane to drill this year. Anything that increases their cost of production increases the chance that production is not profitable or that the margin of profit is not enough to continue producing in this state. Without the CBM Producers the State of Wyoming losses a tremendous source of tax revenue and the direct and indirect employer of thousands of workers. The service industry of non-CBM producing counties such as Natrona will also be affected since fabricated products, equipment, and supplies are coming from these areas.

The regulation change as I understand it is directed only to the CBM production while ignoring the discharge that is taking place from oil and natural gas production as well as coal mining and other sources. It would seem that all produced water would have to be judged in the same manner not singling out one type of production. I am not an attorney but it seems like the type of regulation that would be challenged in court because it is arbitrarily directed toward one industry. I understand the State Attorney General's office has cautioned against this petition and the rule it proposes.

I am not directly involved in ranching but understand that not all ranchers are opposed to CBM production or the water produced. Many of the ranchers in Campbell County are on record as supporting the CBM Producers and enjoy a benefit from the water produced. My brother-in-laws farm and ranch in the Big Horn Basin and have needed more water than as been available for the last several years. The quantity of water referenced by the petitioners could be described as a God send if put to proper use. I am not an engineer or a chemist so I do not pretend to address water quality and how it affects the land and soil. I do see some places where produced water is on the surface in Campbell County and the grass is greener there and deer and antelope are feeding and appear to be thriving. In an



arid state like Wyoming maybe we should look at using some of the revenue generated by the CBM production to find a way to utilize the produced water to our benefit.

I understand there is a study being performed by Dr. Raisbeck at the University of Wyoming for the DEQ and that this study is due to be completed by July 1, 2007. I also understand there is legislation before the current state legislature ( Senate File 55 ) that attempts to address the discharge quantity issue. With these processes taking place and the results eminent it would seem the prudent thing to get those results before progressing to a final decision.

I know the members of the Wyoming Environmental Quality Council have looked at volumes of information and heard numerous testimonies and have far more information than I pretend to possess. Nothing I say in this letter is new to you it is only a new person expressing an opinion on the matter. I believe in protecting the environment and the interest of the people in the State of Wyoming and this great nation. I can only speak as an interested party who believes there is a grave danger of over burdening an industry that provides a great benefit to the state by providing jobs, revenue, and a needed product. I thank you for taking my opinions into consideration and leave it to you to weigh the information you have and make the best decision for the State of Wyoming.

If you desire further comment or explanation please contact me at:

P.O. Box 127

Casper, WY 82602

Phone: (307) 262-4838

Sincerely



Clinton A. Rock III



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg, Room 1714  
Cheyenne, Wyoming 82002

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

1-26-07

Dear Mr. Gordon,

I recently became aware of, and have reviewed a Petition to amend the Wyoming Water Quality Rule by setting produced water standards for the Coal Bed Methane industry. If this rule change is accepted as written it will have an adverse effect on all Coal Bed Methane activities in the state, and more than likely will also affect conventional oil and gas development and production. I see limits proposed for produced waters that are even more stringent than the water I drink every day.

I am presently employed by the Marathon Oil Company as a facility engineer here in Gillette and have been involved in the development of CBM since 1999. I oppose any rulemaking that reduces or eliminates the ability of coal bed produced water to be discharged and/or beneficially used. At the present time there are a lot of ranchers we work with on a daily basis to keep stock watered and to supply irrigation for. These waters have also been a blessing to the wildlife here in the Powder River Basin. Please consider the large effect this rule will have over a thriving industry in Wyoming and here alone in the Powder River Basin. I fear that the rule if allowed to take affect will place our CBM and oil & gas industry in jeopardy as a whole.

I Oppose the Citizen Petition for Rulemaking -- Powder River Basin Resource Council et al -- WQD chapter 2

Thanks for this opportunity to comment on this proposed rule. If you have any questions please feel free to contact me at the following address and/or phone number.



William Pritchard  
Box 668  
307-660-1328  
Evansville, Wyo. 82636



January 26, 2007

**FILED**

**JAN 26 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

Erin Slattery  
400 Sunlight Drive  
Gillette, WY 82716

Dear Mr. Gordon,

My name is Erin Slattery. I am an insurance agent in Gillette, WY. I would like to let you know that I oppose the rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used. I have seen the benefit that it has provided me with a job and I have seen good effects that it has given ranchers, livestock and wildlife in this area.

I would really hate to see this rulemaking pass, because I know that myself and others would probably loose our employment and this would effect the whole State of Wyoming if gas production should be reduced.

I understand that problems with some ranchers/individuals do exist, but changing the water quality rules is not a fix for those solutions. There are many options available for this conflict that are not being pursued by these ranchers/individuals (petitioners).

I would like to thank you for giving me this opportunity to comment and if you have any questions I can be contacted at 307-680-4558.

Sincerely,

  
Erin Slattery



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, Wyoming 82002

January 27, 2007

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Wyoming Environmental Quality Council

RE: Opposition to Citizen Petition for Rulemaking – Powder River Resource Council  
et al –WQD Chapter 2

Dear Mr. Gordon:

For the record, I would like to state my position in opposition of this petition.

I believe that I have some qualifications in regards to understanding the petition, the CBM industry, water management in the production of CBM and stewardship of the land.

I personally know the Barlow's (Eric and his mother Bernadette) and they are fine people that are genuinely concerned about their property that has been in the family for four generations. Like the Barlows, my grandfather homesteaded in the Yellowstone River valley of Eastern Montana at the turn of the century 100 years ago. Like Gillette, that area is in the middle of an energy boom. I have watched my family and advised them on land easements, minerals leases and production issues on their lands in an environmentally sensible way.

I was the first in my family to go to college. I received a Bachelor of Science degree in Electrical Engineering from Montana State University in 1974. I was hired out of school by Schlumberger Well Services and worked for them in various positions for 25 years before I retired. During that time I was a resident of Wyoming on three different occasions (1976-78 in Gillette) (1979 – 1980 in Evanston) and (1982-85 in Casper). For 33 years I have primarily worked as a Petroleum Engineer in the oil and gas fields of Montana, Wyoming and California. I am currently a resident of the State of Alaska but as you see have many ties to the states of Montana and Wyoming.

In 2005, Marathon Oil Company located here in Gillette lured me out of retirement to help them produce CBM gas and the associated water in an environmentally responsible manner. I believe that Marathon is at the forefront of water management from the CBM production using approved disposal methods that are environmentally responsible. Through Marathon, I am working with the Barlow's to develop their BLM and fee mineral leases underlying the Barlow's property by using 5C5 Underground Injection Wells. We are poised to begin this project and I believe that we can achieve a balance between Marathons' development and environmental stewardship of the Barlow's land.

The existing rules of the DEQ appear to be more than adequate to protect surface owners and allow mineral owners to develop their resources in their current format. If the petition is adopted it would eliminate this industry and unfairly protect a small minority

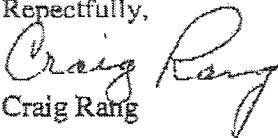


of surface owners presenting this petition. There is a larger percentage of surface owners that benefit from this industry and would be hurt both physically (lack of water during our drought) and financially if the petition is adopted.

Environmental stewardship is vital to me as a person that I carry over to my job with Marathon Oil Company. I personally own property located on the Kenai National Wildlife Refuge near Soldotna, Alaska. The Kenai River is world famous for its salmon stocks and sizes that are not matched anywhere else in the world. Unless we are good stewards of the environment, these can be lost forever and must be protected.

Thank you for allowing my input.

Respectfully,

  
Craig Rang



January 26, 2007

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

FILED

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

To Whom It May Concern:

It has come to my attention that the EQC and area ranchers have filed a petition that is going to attempt to shut down all coal bed methane water discharge. It is to my understanding that the current law states that drinking water regulates 2,000 parts per billion and that methane discharge water is regulating even more by 1,800 parts per billion. This new petition is striving to make methane discharge water at 200 parts per billion, an unreasonable, unobtainable amount.

I was born and raised on a small ranch outside of Gillette, Wyoming. I do not believe that coal bed methane is that damaging to area ranches. These ranchers who have petitioned coal bed methane waited until they made millions of dollars off of the mineral rights before fighting the drilling of their land. It is of my opinion that the discharge water is keeping many cattle herds hydrated during this extreme time of drought.

I do not believe that shutting down coal bed methane for a few ranchers is beneficial to this town, this county or this state. Currently, I work for a company that provides and manufactures products for the coal bed methane industry. The discontinuation of coal bed methane production will directly effect this company and my job. Not to mention the town I was born and raised in will be practically non-existent if this industry is shut down. The natural resources and agricultural productions are what have kept this state running. It is not fair to shut one down just to supposedly save the other. They have to co-exist, and shutting coal bed methane down is not the answer. There has to be a compromise that can me met, and these ranchers need to be more flexible and willing to negotiate instead of demanding their way or no way. The EQC and the ranchers who are pushing them have not taken into consideration the effect this petition will have on the economy or the quality of life in the state of Wyoming.

Therefore in conclusion, I am very perturbed by this petition and am officially stating that I oppose it. I thank you for allowing me to state my opinion and I hope that you take it into consideration.

Sincerely,



Darcy Roush  
4201 Dakota Court  
Gillette, WY 82718  
dmroush@hotmail.com



**E & S CONSTRUCTION, LLC.**

P. O. Box 3859  
Gillette, Wyoming 82717  
Earl (307) 680-2586  
Earl II (307) 680-3462

January 29, 2007

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Dear Sir,

I am writing to voice my concerns and opposition to the Citizen Petition for Rulemaking – Powder River Basin Resource Council revisions for WQD Chapter 2.

I think this rule is unduly strict. It is stricter than our (Gillette) drinking water. I guess if it is truly needed for the discharge of CBM water it should be the standard for all discharged water including drinking water. However it appears that it is only targeting one discharge area.

We have a small company. We do work to improve the quality of CBM discharged water. We have rebuilt hundreds of outfalls all over this area of the state and have never had a landowner say they were upset about the water. Many have asked for more water.

Each day we see the benefits of CBM water. Through the last six years we have seen an increase in wildlife and vegetation surrounding outfalls. We believe the water has greatly helped during the current dry spell in this part of the state.

We from five to twelve employees who will not have a job if this measure passes. The economy in the surrounding area would be as if hit by Katrina, devastating. Layoffs and unemployment would rise. Businesses would close and declare bankruptcy. The housing market would be at a stand still with many families unable to pay their payments. It would be hard to find a family or business that would not be impacted by this measure.

Please consider this petition with prayer and thoughtful consideration.  
Owners and employees of:

E & S Construction, LLC

Earl Shaw  
Earl Shaw II

Tara Hill  
Tracy Martin

Meryl Bieber  
Sandy Shaw

Hope Cervantes



1/29/07

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg , Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

My name is Kim Brown. I guess you might call me a newcomer to Wyoming. I have only been in Wyoming for 10 years. I live and work in Gillette. I am the claims and bonds specialist for BW Insurance.

I understand there is a Petition against the methane industry. I am writing this to you to let it be known, I am totally opposed to this petition. I am sure that you will hear from many of the people in the methane business, but I am just a regular person here in Wyoming with an opinion.

Texas is my home originally, 40 years worth, I am used to oil, gas, etc. The methane in Wyoming to me seems to be a huge boost for the economy. I see that right here at BW Insurance, as we insure many in the methane industry. Our city has grown by leaps and bounds due to methane. My own two sons are employed by the methane. They have been able to buy houses, and raise their own little families due to the methane. If we lose methane in Wyoming, in my opinion, we will lose Wyoming.

I would like to see Wyoming grow to its capacity. Wyoming is no longer living in the 1800's. This is 2007, and not everyone who lives in the state is a rancher. Yes, ranching is also a huge part of the state and is well needed. But that land has been in families for hundred's of years, and someone new will never get to own it. Other people need to make a living as well.

I also know how dry Wyoming is. This winter is a perfect example of what I am speaking of. Very mild, not much snow, and unless we get ample spring wet snows, what will happen to Wyoming come the summer time?

Well, gee, what about the water from the methane wells....

With Wyoming being so dry, you would think everyone would be delighted with extra water. Ok, let me address the problem....water that is contaminated.....I fully understand where the ranches are concerned with this, as well as citizens concerns for the wildlife. I never once saw an elk in Texas. That is one of the most sacred things to me ...that I can see elk in this state....I would not want contaminated water to harm anything in this state. So, why can't there be filters, or something else worked out between everyone, instead of just calling to basically "shut the state down"?



Please, please don't consider this proposal from the Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-WQD Chapter 2. This would absolutely devastate this Gillette area, not to speak of the whole state. We need to work together on this, everyone in this state, and not just one section of people.

Thank you very much for consideration of this letter.

Sincerely,



Kim Brown



10 Mr Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
182 West 25th St  
Cheyenne Building Room 1714  
Cheyenne WY 82002

FROM Charles Petty  
6904 Greensburg  
Gillette WY 82718  
Phone 307 686 8072  
Email [cpetty@newwaveis.com](mailto:cpetty@newwaveis.com)

**FILED**

JAN 29 2007

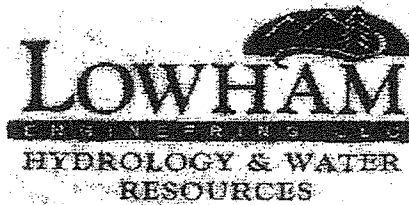
Terri A. Lorenzon, Director  
Environmental Quality Council

I work as a compression mechanical supervisor in the Gillette area, if the restrictive rules you are proposing are approved it would put me and a lot of other people out of work. It would also have a severe effect on royalties and taxes paid to the state of Wyoming. According to the department of environmental quality [ items in appendix 1 item <a>this language would have the effect of prohibiting most, if not all coal bed methane [CBM] discharge to the surface. ] which in my belief is your ultimate goal. I understand some problems with some individuals do exist however changing rule to effect the whole industry is not the solution to the existing problems. Holding cbm water to a higher standard than other discharged water as an arbitrary standard has been warned against by the attorney general's office.

Thank you for accepting my comments  
Charles Petty  
Contact information at top of comments

Charles Petty





**FILED**  
JAN 29 2007  
Terri A. Lorenzon, Director  
Environmental Quality Council

P.O. Box 536  
Gillette, WY 82717  
(307) 685-3137  
Fax (307) 685-0175

205 South 3<sup>rd</sup> Street  
Lander, WY 82520  
(307) 335-8466  
Fax (307) 335-7343

January 29, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg, Rm 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Revised Version – WQD Chapter 2

Dear Mr. Gordon:

I am a registered professional engineer in Wyoming (P.E. 1469). My company has offices in Lander and Gillette, and employs about 20 persons, including engineers, geologists, and surveyors. I have been involved with the Coal-Bed Natural Gas industry since 1998. I have a ranching background, and attended the University of Wyoming.

I am very concerned about the subject petition. Based on my experience and observations of the CBNG industry, the great majority of water management operations are working well under the current regulations. Given the size and scope of the industry, a few problems have occurred; however they are problems that can be mitigated or resolved. I have worked with dozens of ranchers who are extremely pleased with being able to use the CBNG waters. Many of the ranchers for whom we have developed water supplies have been able to greatly increase their livestock production, resulting in a much greater profit from their ranching operations.

I would like to highlight several of my observations:

- **Small Ranches** -The benefits of water supplies from CBNG operations have especially benefited small ranchers, who formerly did not have the finances to develop wells and stock tanks on remote areas of their ranches. I have worked with numerous ranches that had only one or two water wells and a few stock

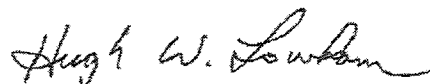


reservoirs. If these ranches had water wells, they generally were located in the bottom of draws where inexpensive, shallow wells could be installed. The ridges and hills were underutilized for grazing due to no available water. The livestock could not fully graze the remote areas, and the ranchers often had to sell their livestock early due to insufficient pasture areas with water. The small ranchers often had to have other employment in order to make ends meet, and owners of the larger ranches have been buying the small ranches that became uneconomical to operate. The CBNG industry has provided water supplies to numerous ranches, resulting in much more efficient grazing operations. (See attached example photographs).

- **Erosion** - Opponents of livestock grazing often use examples of overgrazing and erosion to support their claims of damage to public lands. When only a few water supplies are available on a ranch, the livestock typically trail once or twice a day along the same path to water. These trails develop into new deep channels, which accelerate erosion. Additionally, the pastures close to the few available water sources become overgrazed and subject to erosion. The effects of livestock being concentrated along the stream valleys where the few shallow water wells are located also has an impact on the water quality of runoff, as the manure and disturbed soils become concentrated and are easily washed into the stream.
- **Water Quality** - During my career, I have been involved in the collection of streamflow and water-quality data from numerous streams in the Powder River Basin. Runoff events for the tributary streams in the plains typically occur only occasionally and are of short duration. Because runoff occurs only periodically, organic (manure, woody debris, leaves) and inorganic (salts) materials accumulate on the basin surface and in the channels, and are subsequently washed downstream when rainfall or snowmelt occur. In general, the water quality of plains streams is relatively poor.
- **Solutions** - I obtained a degree in Agricultural Engineering from the University of Wyoming in 1965. That engineering program was subsequently abolished. The economy of Wyoming couldn't justify the need for the program. The economy has since improved, and numerous positions are available for trained and knowledgeable persons. Solutions are possible for most of the problems facing the CBNG industry. Good science associated with agriculture and engineering can help solve many of the water-related problems. Support for good science is needed from the legislature, the University of Wyoming, and the regulatory agencies. My experience is that the CBNG companies are very willing to work with them and the landowners to develop solutions.

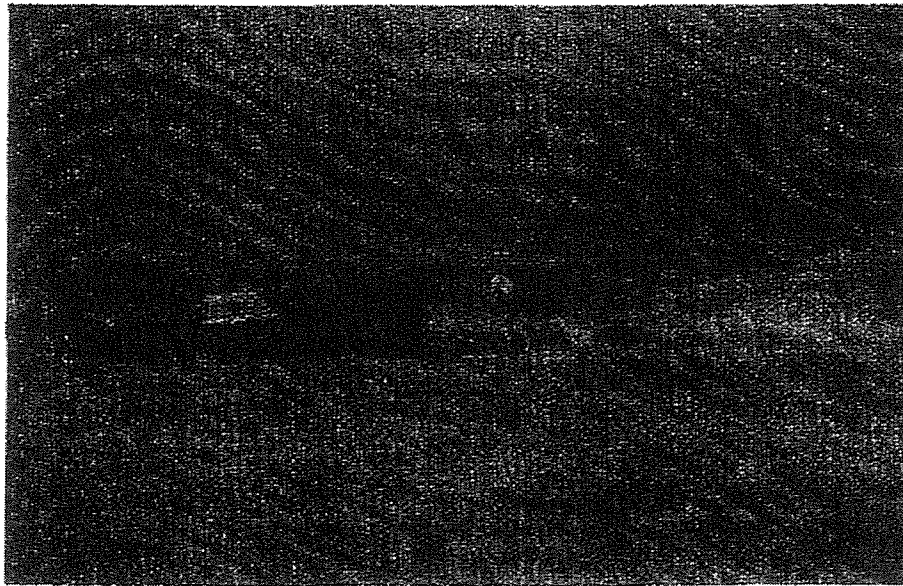
Thank you for this opportunity to voice my concerns. If you have any questions, or if I could provide additional information that could assist, please let me know.

Sincerely yours,

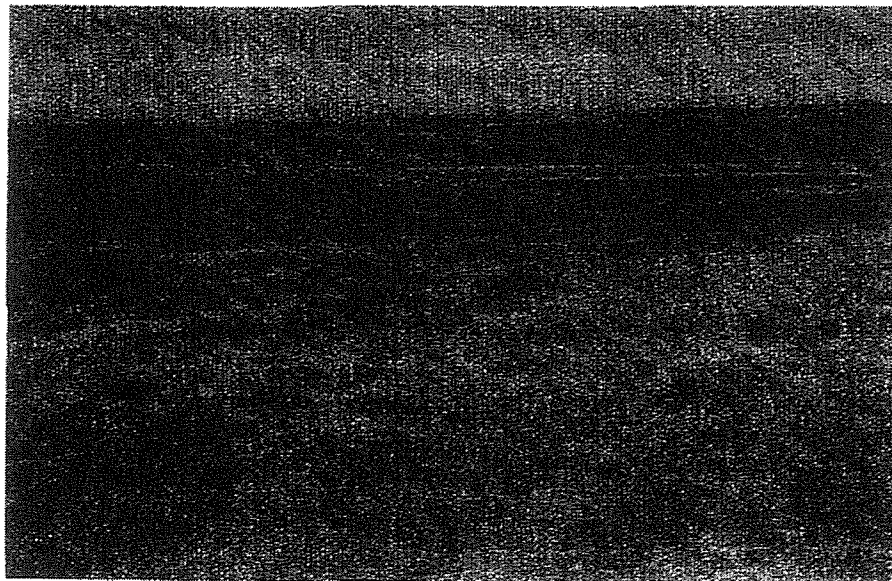


Hugh W. Lowham, P.E.





Deer watering at CBNG tank on ridge west of Gillette, Wyoming, August 3, 2006



Livestock on hillside near CBNG stock tank and reservoir, August 12, 2006.



January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Council:

I am a degreed petroleum engineer that has been employed in the Wyoming oil and gas business for over 30 years. Currently I am involved in the coalbed natural gas industry in Gillette. I am concerned about the affect of the petition by PRBRC which will further reduce the coalbed water discharge. Companies I have worked for have provided discharge water to many areas of Wyoming's dry rangeland including the Big Horn Basin, Wind River Basin/Casper Arch, and Powder River Basin. Water was not available for watering grazing animals, nor wildlife prior to these discharges though some have occurred for 50 to 60 years. There is a large portion of the state that uses water from these discharges, and if discharge is limited these users will suffer as a result. Gillette is now home to several flocks of geese. Having moved between Casper and Gillette twice I insist that geese have not always flocked in this part of the state. Water must be the reason. There was not enough water near Gillette prior to coalbed operations to accommodate geese. Many other animals are benefiting from the water as well. Ranchers have been using the coalbed water for a hundred years for drinking and watering purposes. That in itself could be in the reasoning of the petitioners; to preserve it for themselves even though it is property of the State of Wyoming and available for appropriation as is done for coalbed operations.

Most of the discharged water was of much poorer quality than the coalbed water currently being debated for restrictive rules. Most of these discharges were permitted under the EPA's guidelines for the National Pollutant Discharge Elimination System (NPDES) for which Wyoming has primacy and is now referred to as the WYPDES. Oil and grease are permitted for discharge up to a quantity of 10 ppm regardless of the volume. Coalbed water contains no oil or grease and is fit for human and animal consumption. Regulations are already in effect to limit water that does not meet the standards. Coalbed water is restricted in many instances to 20% of the drinking water standard and further restriction is unwarranted. It is also unwarranted to reduce limits on one particular industry's water (coalbed) while permitting another industry's water (coal and oil and gas) to have poorer quality. Limiting coalbed water to a small percentage of the drinking water standard will effectively eliminate that discharge. Eliminating that discharge will limit the industry's ability to produce the wells. I have observed articles in the news media stating the Governor and Attorney General have declared the rulemaking is without basis. Wyoming's DEQ has also recommended against action on the petition to reduce standards as proposed by PRBRC.



Eliminating coalbed well production will reduce the State of Wyoming's surplus budget and send it back to the shortfall situation of only a few years ago. Many cities including Gillette count heavily on the tax burden of industry to pay for their city and county facilities. Gillette is funding many new projects based upon projections of incoming tax-based revenues. Among them are county fire facilities, an all events center, and recreation center which will cost millions of dollars. Wyoming enjoys generous wages afforded by industry such as the coalbed natural gas industry. Many of these citizens are able to remain in Wyoming due to the jobs available to them from industry.

Thanks for the opportunity to comment on the petition for rulemaking by PRBRC. I urge you to consider the petition of PRBRC as unfounded and unnecessary.

Sincerely,



Stan Smith  
2901 Knollwood Drive  
Gillette, WY 82718



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax 307-777-6134

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Gordon,

My name is Annette Hoffman. I moved to Gillette one year ago. I love this community. I have a job in the CBM industry. I am 45 years old, and I have worked since I was 13 years old. The job I have now is the first one I have ever held that paid more than 30K a year. I have struggled as a single parent for over 20 years. I went back to college in 2002 to earn my Bachelors Degree in Environmental Studies. My job in the CBM industry allows me to live fairly comfortable, help my daughter go to college, pay my bills, and STILL have something to put away for retirement.

I am very concerned about the environment. Not just here in NE Wyoming, but in all areas. CBM water is not the enemy. Water management, or lack of, is the true culprit. Please do not label all CBM operators as careless, irresponsible or money-grubbers looking to make a fast buck and get out. I work with some of the finest, most ethical individuals in the CBM industry I have ever met in my life.

To cut off all the water output from CBM development is not a feasible solution. I oppose the Citizen Petition for Rulemaking, Powder River Basin Resource Council et al. I have seen the beneficial uses for this discharge water. I have been in CBM fields and the benefits have far out-weighed any detriments to the land. There are many, many more ranchers who will suffer consequences from stopping CBM discharges than the few ranchers and landowners who are supporting this petition.

I believe the Wyoming Attorney General's office is opposed to this petition and for good reason. This rule will be struck down as arbitrary and capricious.

NE Wyoming needs CBM development. Stopping discharge waters is not the solution. I understand there are problems with some individuals; however, changing the WDEQ rules is not a fix for those solutions. There are options.

Thank you for the opportunity to comment on this petition.

Annette Hoffman  
[aghoffman61@msn.com](mailto:aghoffman61@msn.com)  
406-281-2885  
307-299-6381



P.O. Box 2560  
Gillette, WY 82717  
(307) 682-4638



408 Frontage Road  
Gillette, WY 82716  
(307) 682-4641 FAX

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Revised Version – WQD Chapters 2

Dear Mr. Gordon,

On behalf of Rowdy Pipeline Company (RPL), a subsidiary of Yates Petroleum Company, an independent oil and gas company operating within the Powder River Basin, opposes the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised Version – WQD Chapters 2. In a letter from John Wagner, DEQ Administrator, dated January 5, 2007, states two concerns regarding the petition: (1) the language would have the effect of prohibiting most, if not all coal bed methane discharges to the to the surface; and (2) no operator can discharge effluent which meets the definition of “pollution” or would cause “pollution” in the receiving stream. RPL opposes any rulemaking that requires a stricter standard for CBM water surface discharge and opposes rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used by cattle, wildlife and agriculture.

RPL and its parent company know to be successful, they must strive to be a steward of the land and environment, and must strive with land-owner relations to benefit ranching operations and in most cases, landowners welcome and appreciate the water and development. RPL feels CBM development and surface disposal has a positive impact with the current surface discharge permit limits. This is obvious with the increase sightings of deer, antelope, eagles, hawks, rabbits, fox, bobcats, and all other wildlife species in the Powder River Basin. RPL respects the petitioners concerns and feel they have had a negative experience with CBM developers willing to “rape and pillage” the land for short-term company gains. RPL feels this is an exception and not the rule.



RPL opposes setting unique standards on CBM surface discharge permits resulting in elimination of surface discharges. The economical and financial factors would have a detrimental effect on all CBM Producers and associated Service Companies, would impact State and Local Agencies tax bases, would impact indirect services from real estate to the family-owned businesses. The standards could eliminate over 30 full-time company employees paid competitive wages with insurance, and retirement packages, could eliminate 60 to 70 contract employees to install pipelines, compressors stations, and maintain daily operations, would force the company to liquidate company assets in an attempt to recover capital expenditures of over a hundred million dollars.

RPL projects the life of Powder River CBM play will require an additional five years of development with peak gas rate obtained in 2010 and will approach an economical limit by the year 2020. RPL is experiencing questionable economics due to the high capital costs associated with CBM development, due to the over pricing of materials and labor associated with boom-bust cycles, due to the general cost of doing business associated with land relations, and State and Federal regulations, and the major factor is due to the changing market conditions in a supply-demand environment. Therefore with current conditions, the life of the project is limited and the total impact is going to be much less than initial estimates.

In summary, the beneficial use of CBM water is obvious with the increase sighting of wildlife throughout the Powder River Basin and in most cases, landowners' welcome CBM development, especially during severe drought conditions in the area. RPL strongly supports maintaining current discharge limits for all the waters of the State for beneficial use to ranchers, wildlife and agricultural. Thank you and the Environmental Quality Council for your efforts to protect the environment in Wyoming and for considering RPL's opposition towards the Citizens Petition for Rulemaking. If I can be of any assistance to the EQC, please call (307)682-4638 and ask for Roy Bellew.

Sincerely,



Roy Bellew  
Rowdy Pipeline Company  
Operations Manager



# 5L DRILLING, LLC

PO Box 626 ~ 1302 Arlyn Court, Suite B ~ Gillette, WY 82717-0626  
Phone (307) 682-0240 ~ Fax (307) 682-7261  
Pete Luthy Cell (307) 660-5040 ~ Barb Luthy Cell (307) 299-8148

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - Revised Version - WQD Chapter 2

Mr. Gordon,

First, allow me to introduce myself and my company. My name is Pete Luthy and my wife is Barb Luthy. We are both residents of Gillette, Wyoming and are the principals of 5L Drilling, LLC. In October 2005, we purchased the Skytop Brewster Drilling Rig and the related equipment used in the drilling operation. The investment was significant and required us to use all resources available to us, including borrowing money from family. 5L Drilling, LLC focuses its drilling services on coalbed methane wells that are 1000' to 3400' in depth. We strive to provide reliable well-maintained equipment, and a professional, safe and drug free work environment. Last year, we infused into the local and state economy over \$400,000 in payroll, employee benefits and payroll taxes and over \$12,000 in sales taxes paid on purchases of parts and supplies. All of this would be lost if we were not able to remain in business.

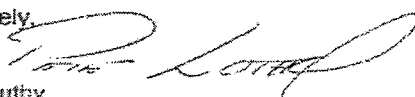
It has come to my attention that the above referenced petition has been submitted and has the potential to eliminate coal bed methane drilling. I am opposed to the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - Revised Version - WQD Chapter 2. I oppose rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used. I have seen or heard about ranchers in Campbell County, and in other areas of the state, that have come to rely on CBM and oil well discharged water to water their livestock and irrigate their fields.

It is my understanding that DEQ has looked at the petition and that as it is written it will have the effect of prohibiting most, if not all CBM produced water discharges. I do not feel that any specific industry should be held to a different set of standards. This petition would set stricter standards for CBM discharged water than for other discharges. I understand that problems with some individuals might exist, however, changing water quality rules is not a fix for those solutions. There are many options available for conflict resolution that are not being pursued by the petitioners.

The individual petitioners listed represent approximately 50,000 acres which is .1% of the 62.6 million acres in Wyoming. I oppose changing rules to suit the few, but could ultimately adversely affect so many.

Thank you for the opportunity to comment on this petition. Please feel free to contact me if you have any questions (307) 660-5040

Sincerely,

  
Pete Luthy  
Managing Member  
5L Drilling, LLC



January 29, 2007

Brent Sobotka  
SWCA Environmental Consultants  
1043 Coffeen Ave. Suite D  
Sheridan, WY 82801

**FILED**

**JAN 29 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

I am a hydrologist consultant with SWCA Environmental Consultants (SWCA) out of Sheridan, WY. Prior to my employment with SWCA, I was a hydrologist with the Buffalo, WY Field Office (BFO) of the Bureau of Land Management (BLM). While with the BLM my primary responsibility was to review water management plans for federal coal-bed methane (CBM) projects in the Powder River Basin (PRB) to ensure compliance with the National Environmental Policy Act. In that capacity, I reviewed many water management plans, from many different CBM operators. I have watched, and helped the water handling methodology evolve in response to ever changing environmental concerns and regulations. I began working with SWCA two years ago, and now write water management plans and applications for permits with the BLM, Department of Environmental Quality (DEQ), and State Engineers Office. Over the last two years, SWCA has hired a complete staff to permit CBM projects out of Sheridan, and we look forward to continued growth.

In the petition, the Powder River Basin Resource Council (PRBRC) has done a good job of identifying many of the issues and concerns associated with the development of CBM in the PRB of Wyoming. However, the petition neglects to consider the many advances that have been made in the handling CBM produced water since the inception of CBM development in the PRB. Nobody with experience in PRB CBM will contest that adverse environmental impacts have occurred as a result. Those same people will confirm that responsible CBM operators have modified their water management procedures to minimize those impacts. In most cases, operators who have not adapted their procedures are no longer in business. The PRBRC states in their petition that since 95% of the Wyoming CBM resource remains to be developed, there is still time to get it right. These statements, combined with subsequent statements in the petition, insinuate that Wyoming CBM operators have not gotten it right. Although there will always be room for improvement, PRB CBM operators, in conjunction with federal and state regulators, and in cooperation with landowners, have made great strides toward getting it right.



Nearly every statement made in the petition can be discussed from multiple viewpoints to get multiple results. The PRBRC has carefully worded the petition in such a way to illicit a perspective favorable to their goals. A few specific alternative views are as follows.

On page 8 of the petition, PRBRC states "The DEQ has recently instituted "policies" for requiring groundwater monitoring, which is a recognition of the potential for adverse groundwater impacts. However, these "policies" are of questionable efficacy, as they lack the force and effect of law of rules promulgated under the WAPA". This is a common tactic of the PRBRC. They argue the efficacy of a "policy" relative to its position in law. However, they disregard its effectiveness on the ground. In the case of DEQ's groundwater monitoring program, every CBM operator in the PRB regards this directive as absolute, and complies with it as if it were law. Therefore, the policy would have no greater effect as law than it currently has, which renders the PRBRC comment as irrelevant.

On page 10 of the petition, the PRBRC discusses the U.S. Supreme Court decision in regards to *PUD No. 1 of Jefferson County and City of Tacoma, Petitioners v. Washington Department of Ecology, et al.* 511 U.S. 700; 114 S. Ct. 1900; 128 L. Ed. 2d 716 (1994), where water quality concerns were related to water quantity concerns. However, one must question whether this decision would apply in the case of CBM in the PRB. The Washington case was relevant to a reduction in water quantity, which would cause a concentration of pollutants, and poorer water quality. In the PRBRC petition, we are discussing an increase of water quantity, which would most likely cause a dilution of pollutants, and quite often an improvement in water quality. In the same paragraph, the PRBRC references three additional court cases that discuss water quality vs. quantity, however, they do not provide enough detail to ascertain their relevance to the PRB.

The petition goes on to discuss CBM produced water and irrigation, quoting several respected scientists. However, the petition makes several significant generalities and omissions that will have the effect of misleading an uninformed public. The PRBRC states "CBM water quality has been of particular concern because it is salty, measured by total dissolved solids and specific conductance". This statement may be true in some places, but most definitely is not true in others. The PRB is not homogenous in terms of soils or water quality, and should not be treated as such. Descriptions of the effect of salt laden water with a high Sodium Adsorption Ratio (SAR) on soils are well presented. However, the authors of the petition have chosen to omit information on the relative nature of the processes. In the early days of the PRB CBM play, several operators experimented with using CBM produced water for irrigation, sometimes with less than satisfactory outcomes. However, as a result of these experiments, a great deal was learned about how to, or how not to irrigate with CBM produced water. Today, CBM operators know where managed irrigation will work, and won't work, in terms of soil, water, topography, and politics. The petition invests a great deal of space to the discussion of irrigation and land application, however an argument can be made that this is an unjustifiable investment. To date, and contrary to a statement later in the petition, relatively little irrigation, or land application is taking place using CBM produced water. However, some operators are having good success with it. In every instance where



irrigation is being used, the landowner has given informed consent on its use. There is no irrigation with CBM produced water in the PRB that has not been approved by the landowner. In most cases, the irrigation is being guided by well qualified soil scientists and agronomists. To ensure no adverse impacts occur to the soils, a variety of water and soil treatments are regularly being used. Often, the landowners who supervise the irrigation have seen large increases in their forage production on the irrigated lands. On page 17 of the petition, the PRBRC continues to argue that land application is a favored water disposal method and "has adverse impacts on the environment". As stated above, land application is a fairly uncommon water handling method, and CBM operators have learned how to avoid adverse impacts.

On page 14 of the petition, a quote from a letter from the EPA states: "large quantities of produced water discharged to small tributaries with erosive soils and geology can have unanticipated adverse impacts on wildlife habitat and/or agriculture" and, "the many potential environmental impacts from CBM operations are diverse. Possible impacts include: reduced flow or loss of domestic water wells, mortality and reduced growth and vigor of vegetation, erosion, soil compaction, and loss of topsoil. One of the major concerns associated with CBM production in the Powder River Basin is disposal of the produced water. The surface disposal of CBM-produced water may result in erosion or damage to drainages and associated vegetation within the area. Even though CBM discharge is essentially sediment-free, discharge to streams and creeks can increase sediment loading due to increased erosion." As the letter states, and all operators and regulators are aware, these are possible impacts. A more relevant discussion would be; what is being done to minimize these impacts from being realized.

Impacts to domestic water wells can, and have occurred. Operators regularly work with water well owners to replace or enhance water wells. Occasionally, CBM production is blamed for impacts to wells that are in fact, not due to CBM development. Most CBM wells are drilled into aquifers that are separated from aquifers used for domestic wells by a confining layer. In these cases, domestic well water production loss can often be traced back to drought or well deterioration. Sometimes, in cases such as these, CBM operators will assist the owners of the domestic wells in correcting the problem in the interest of good landowner relations.

Vegetation loss, or more accurately, vegetation change, does often occur in stream channels that are subjected to CBM produced water. However, this loss can be offset by placement of stock tanks filled with CBM water in areas that have never had water before. These stock tanks will draw cattle to more remote locations, allowing the use of pastures that may have historically been under used.

Erosion is of great concern in the PRB, and because of this, many operators work diligently to minimize it. When planning a CBM project, careful surveys of the project area are usually undertaken. Areas that are susceptible to erosion are normally mitigated, monitored or avoided. Although some instances of accelerated erosion have occurred due to CBM development, they are uncommon, and are usually mitigated once discovered. Additionally, grass growth in stream channels tend to increase once they



regularly have water available. These grasses usually improve the stability of the stream channels and hold the soils in place. The grasses will also serve to capture much of the entrained sediment, and prevent it from being moved very far. Therefore, as a result of the CBM operator's erosion control efforts, and improved vegetation, sediment loading of streams is not often seen.

Soil compaction and loss of topsoil is of great concern, and most operators work to minimize their occurrence, however, these issues are not within the purview of water quality rules and regulations, and don't belong in this discussion.

On page 15 of the petition, PRBRC begins to discuss on and off-channel impoundments. The petition discusses seepage from reservoirs into surface water, which does occasionally occur. However, these seeps are usually low in volume and rarely travel very far. Several violations issued by DEQ are referenced that include impoundment failures. Undoubtedly, if DEQ had more enforcement personnel, the number of violation notices would increase. However, if we keep the scale of the CBM development in mind, the number of serious problems is remarkably small. There have only been a few impoundment failures, which have actually caused very little damage. The petition goes on to state: "The primary purpose of constructing on-channel reservoirs for storage of CBM water is to take advantage of the dilution provided by natural flows...". This is not a true statement. Produced water is impounded to allow it to infiltrate, evaporate, and be used by livestock and wildlife. Dilution is rarely a consideration.

On page 16, the PRBRC discusses impoundment bonding, and states: The "guidance" is of doubtful utility, since it lacks the force and effect of law that rules promulgated under the Administrative Procedures Act have; and further, the bonding guidance addresses only potential damage to surface soils, and does not address degradation of the shallow aquifers or return flows into water sources. This statement is speculative and has no basis in fact. There have been no instances of an operator walking away from a bond in the PRB, leaving an impoundment unreclaimed. Granted, there have been very few impoundments that have been reclaimed as yet, but most of the operators in the basin hope to get future bonds. The likelihood that any operator would risk their future ability to get bonds is minimal. The accusation that the bonding "guidance is of doubtful utility because it lacks the force and effect of law" is unsubstantiated. Furthermore, the fact that the guidance addresses only "potential damage to surface soils, and does not address degradation of the shallow aquifers or return flows into water sources", is irrelevant. Those concerns are addressed elsewhere, and were not the intent of the bonding program.

The petition recommends the adoption of water quality standards that are unprecedented. Nowhere in the country are barium limits anywhere near the PRBRC's proposed limits for stock water. In fact, very few references to barium limits for stock water can be found. Wyoming's Total Dissolved Solids limits appear to be on par with most other western states, as are sulfates limits. If it is the PRBRC's intention to protect cattle, their proposed changes will in actuality have the opposite effect. Cattle will be forced to drink from fewer water sources that will have increased pollutant concentrations. Everyone has seen cattle wading in muddy bogs with very little water in them. These bogs will end up



being one of the primary sources of stock water once CBM water production is stopped. Overall cattle health will diminish, and ranchers will most likely be forced to reduce their herds.

Therefore, I respectfully request that you do not approve the Citizen Petition for Rulemaking as proposed by the Powder River Basin Resource Council, et al, for WQD Chapter 2. The petition as written, addresses the concerns of a small minority of people in the PRB, and although their concerns are of great value, the larger concern of what is good for the State of Wyoming as a whole must be considered. The CBM industry is contributing to an economy in Wyoming that is the envy of most of the other states in the country. It is also helping the U.S. meet its growing energy needs in a time that continued energy support is necessary for the national security. Approval of the petition will in all likelihood cause an economic depression to north eastern Wyoming that will be difficult to overcome. Hundreds of people will be forced to move from Wyoming, leaving homes that were bought when prices were high, and sold when prices will be low. This will cause an economic hardship that many will never recover from. Energy prices throughout the nation will increase as the market attempts to recover from the loss of a major natural gas supply.

These are only a few of the major concerns that I see with the petition, but these alone, should be enough to illustrate the need to disapprove the petition. If I can help in any way, or you have any questions, please feel free to contact me at:

SWCA Environmental Consultants  
1043 Coffeen Ave, Suite D  
Sheridan, WY 82801  
Office (307)673-4303  
Cell (307)217-2430  
Fax (307)673-4303

Sincerely,

Brent Sobotka



3515 Foothills Blvd

Gillette, WY 82716

January 28, 2007

**FILED**

**JAN 29 2007**

Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

It has come to my attention that the Citizen Petition for Rulemaking, Powder River Basin Resource Council, is proposing that water from coalbed methane wells be prohibited. I am concerned about the effects this would have on my employment, my employers, my community and my state.

My husband and I adopted Gillette, WY as our home over 25 years ago. We have raised our children here and now our grandchildren are growing up in our chosen community. I have been employed by the coalbed methane industry since 2003. I began as an employee of Western Gas Resources and now am an employee of Anadarko Petroleum Company. I am the administrative assistant for the drilling department.

My employment provides income and benefits for my husband and myself that we have not had before. We have struggled over the years to afford a modest home and transportation. We are approaching the time in our lives when we must plan for retirement. My employment in the CBM industry has provided insurance and enough money to begin saving for retirement. I was diagnosed with cancer last year and was able to have the treatment necessary for recovery and remission. This would not have been possible without the insurance provided by the company.

The coalbed methane industry provides employment for many families in the community and the benefits that might not be available otherwise. Many people have come to our community from other parts of the country where employment is depressed. We have watched our city grow and change through the years of energy development. The coalbed methane development boom has brought challenges for the school system, medical care, businesses and housing but it is all a part of the future for Gillette. This growth brings the need for the expansion of the hospital, the fire department, the Park & Recreation Department and the Campus. Gillette's growth is certainly beneficial to the region and the state. If this proposal were to proceed it would virtually eliminate the need for more doctors, the expansions of the various departments and the influx of future residents.

As I understand it, the petition the PRBRC is proposing is to change Wyoming water quality rules in regard to coalbed methane water. The restrictions of WQD chapter 2 would prohibit the discharge of the water to the surface. Prohibiting the production of water from wells would mean there would be no production of gas and ultimately no revenue. This would effectively



shut down the industry leaving hundreds unemployed, causing loss of homes and benefits. An exodus of workers leaving the state would be an economic hardship for Wyoming.

Water management and government regulation by the Department of Environmental Quality and the industry is not disregarded. There are clearly sets solutions and they are followed in order to meet standards. Landowners are a part of the decision making process and enjoy the benefits of the water for livestock and wildlife.

I understand that there are problems that some individuals have regarding industry development but changing water quality rules will not fix these problems. There are options that can resolve issues that arise. It is not beneficial to the whole of the region for a few to have precedence.

I am opposed to this petition for the obvious reasons of the effect it will have on my life and my community.

Thank you for allowing me to share with you my concerns and for your careful consideration of this issue.

Sincerely,

Judith Van Zee



**FILED**

JAN 29 2007

Mr. Mark Gordon  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002  
Fax: 307.777.6134

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

I am writing this letter to you regarding the petition, submitted by the Powder River Basin Council, to amend Wyoming Water Quality Rule, Chapter 2, Appendix H. To summarize my position clearly in this first paragraph --- I do not agree that the rule should be amended.

This petition is unfair to the CBM industry, its operators/consultants, and landowners that benefit from current regulations that allow water to be discharged with beneficial use. It is my understanding that this is also the position of the WYDERQ, and that they further believe this will limit the operators so severely as to stop the CBM industry completely. I do not agree with setting standards for water quality discharge related to CBM that are more stringent than those for other types of discharge. I think there are alternate ways to handle isolated conflicts between operators and landowners than through blanket changes in policy.

I am working for Lowham Engineering LLC (a 20+-person firm of engineers, hydrologists, geologists, surveyors, and technically-skilled employees), and have consulted on water management plans in the Powder River Basin for seven years. I was raised in Cody, educated as a geologist at the University of Wyoming (two Bachelors and a Masters Degree), and am now managing a branch office of this firm in Lander. My wife currently attends law school at the University of Wyoming, and my job affords me the opportunity to pay for that education. When she has completed her study, we plan to reside in this state, pursue our careers, and raise a family.

My job has involved the survey, design, and permitting of thousands of reservoirs in the Powder River Basin. We have analyzed the streamcourses and been involved with continuous water sampling efforts for almost a decade. I see firsthand (and on the ground) the effect of the CBM discharge and find it to be much less disastrous than has been reported in our state's newspapers. In fact, ninety-five percent of the landowners we interact with have reported successful dealings and beneficial use of the water associated with CBM activity and want that discharge to continue indefinitely if possible. Our firm enjoys constant positive communication with the landowners, many of whom request our services specifically on projects involving their land. We also have much positive interaction with regulators at the State Engineer's Office, BLM, and Army Corps of Engineers. My reputation, career, and lifestyle depend on the CBM industry in the Powder River Basin at this time, as do the coffers of this State that are overflowing with funding for roads, schools, investments, additional research, etc. Do not allow the shouting voices of a few to overshadow the calm, rational, productive majority. I would welcome the chance to provide more comments and clarification should any be requested by your committee.

Thank you sincerely for the opportunity to comment,



Andrew Strike  
Project Hydrogeologist  
Lowham Engineering LLC  
307.335-8466 (Lander office)  
307.349-4269 (cell)



January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
112 W. 25<sup>th</sup> St.  
Herschler Bldg, Room 1714  
Cheyenne Wy 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Water Quality Rules

Mr. Gordon I would like to take moment and add my comments to the proposed water quality rule change.

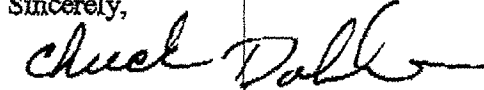
First - I'm a 42 yr old Wyoming Resident raised on a Ranch outside of Hanna Wy, and I currently reside in Gillette. I'm also a Graduate from ASU with a degree in Chemistry, and I currently sit on the Wy OSHA Commission representing all industries across this state.

After reading through the presentation from the meeting held in Gillette on the Jan. 25<sup>th</sup>. I have concern with the deception that is being presenting. The proposed restrictions to water quality is discriminating at best. Natural drinking water limits should be the minimum requirements, not the maximum. Live stock, wild life and vegetative growth benefit from discharges of water. By setting these standards EQC is jeopardizing these factors.

I would also like to remind EQC if the CBM industry is not able to discharge water the CBM industry will go away. The CBM industry in the state of Wyoming employ's over 4000 + people and contributes to success of the communities who are impacted. If this passes those communities will feel the negative impacts of that decision.

In summation I oppose the Citizen Petition for rulemaking.

Sincerely,



Chuck Dobkins  
Wyoming Native



*Barbara J. Underwood  
1412 High Court  
Gillette, WY 82718*

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January 29, 2007

**FILED**

**JAN 29 2007**

Wyoming Environmental Quality Council  
Attn: Mark Gordon  
122 W. 25<sup>th</sup> St.  
Herschler Bldg. Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

I am a 27 year resident of Campbell County and currently work at Yates Petroleum Corporation as a Regulatory Technician.

As I understand Chapter 2 of the Wyoming Water Quality Rules and Regulations, CBM discharges would be almost entirely eliminated in Wyoming. You will be restricting the CBM industry far more than city water requirements for Barium. There is a huge gap in your requirements.

If you allow this rule to take affect, you will be doing more harm than good to the state of Wyoming. Many employers would be forced to end their production in Wyoming if this rule were to pass. It also seems that when the federal government leased the minerals, they expected them to be produced. What happens to those lease payments if we are unable to produce – are the companies going to be continually penalized for NOT producing???

There is also a larger picture here – the State of Wyoming economics. The methane industry pays enormous taxes to the state and the county. Our tax base helps our schools keep up-to-date classrooms and quality teachers – not only in Campbell County, but all counties.

Campbell County is in the process of adding a much-needed addition to our regional hospital and ground-breaking for a new multi-event center is in process. However, if the methane industry leaves, so will much of the population.

Of course, I am also concerned about my own employment. I have worked in Campbell County for 27 years and plan to retire in the near future. But if my employer

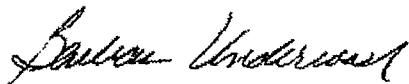


leaves Gillette, I would need to compete for non-existent jobs with the majority of residents here.

A bigger concern is the young people. They have many years to work and they have young children they need to care for, to feed, cloth and educate.

Allowing this rule to take affect would bring hard times in Wyoming and I respectfully request that you deny this rule.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Underwood".

Barbara Underwood



**FILED**

January 29, 2007

JAN 29 2007

Mr. Mark Gordon  
Chairman, EQC  
Herschler Building RM 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: CBM Petition

Chairman and EQC Members;

My name is Jake Strohman, P.E. I have been a resident of Wyoming for my entire life. I was raised on a farm/ranch operation and started out working for industry out of College. I spent 25 years as an employee of DEQ/WQD of which all except two years was as a Program Manager. I worked 6 years as a water management consultant and now am back working for industry. This background has provided a great knowledge of water quality and management providing the ability to find objective solutions to water management issues.

Item 1.

The first part of the petition deals with trying to combine water quality and water quantity. The A.G. has already provided a determination that the EQC has no authority to get involved with water quantity. This whole issue should not be heard by the EQC. We elect Legislators to make the laws of this state. I respectfully would like to point out that none of the EQC members are elected by any Wyoming voter to make any law or change any law.

Item 2.

An issue is made of the barium limit. The barium limit in permits is arbitrary as DEQ utilizes 1800 ug/L. This limit is too low pursuant to W.S. 35-11-302 (a) (vi) requiring evaluation of a parameter considering all "facts and circumstances bearing on the reasonableness of the pollution involved—". Objective consideration of this issue should cause the EQC to raise this standard and not lower it.

In looking at the source of barium from CBM produced water, sulfates is usually not found in any concentration above 10 mg/L. Barium sulfate is fairly insoluble and precipitates out easy. All waters in the Powder River Basin pick up sulfates as the natural clay soils contain a large amounts of sulfates. Thus whenever CBM produced barium enters a drainage or reservoir, the water will quickly pick up sulfates and the barium precipitates out. Most barium concentrations are just slightly over the limit and precipitation occurs very quickly.



In Summary of the barium issue, it is suggested that the EQC look at the total picture and not just an end of the pipe requirement. It makes no sense to treat water that is going to meet the limits from natural attenuation in a short distance. This section of the Act was placed in for the very issue discussed herein. Make the limit higher.

(vi) (A) & (C) & (D)

Humans: No known use of water right out of a CBM outfall

Animals: Limits for animal use are provided quickly due to natural attenuation with sulfates.

Wildlife: Same as previous

Aquatic life: Again precipitation occurs rapidly making concern only for a minute small portion of a stream. Should be a very small concern.

Plant life: Soils expert says barium on any soils is not an issue with plants.

#### Sulfates:

The EQC needs to consider the agricultural standard for sulfates is 200 mg/L. Most of the tributaries in the Powder River Basin cannot meet this standard and the water is not fit for agricultural use. Wildcat Creek has been shown to have sulfates between 3000-6000 mg/L. Paul Rourke, a rancher on Rawhide and the Little Powder River breached his reservoirs because they had sulfates so high it was affecting the health of his livestock. If a tributary cannot meet agricultural or livestock standards, why are the standards trying to protect agricultural use?

Summary: Deny the petition and let the Legislature consider any changes or the development of new laws.

Thanks for allowing and considering input from the public.



Jake Strohmman, P.E.



**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

January 29, 2007

Mr. Mark Gordon - Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, Wyoming 82002

Dear Mr. Gordon,

*This evening at 5:00 p.m. marks the close of a brief 10 day public comment period regarding the Citizen's Petition to amend Wyoming Water Quality Rule, Chapter 2, Appendix H.*

*It is with regards to this petition, that I feel obligated I must write this letter to oppose such an amendment. In my estimation, the proposed amendments are far too restrictive, are, for the most part, groundless, and will have devastating consequences on the oil and gas industry, the citizens of Campbell County, and for all of our citizens in this great State.*

*I have lived in Wyoming since 1979, and I have been associated with the Oil and Gas Industry all of my life. I have seen the good times and I have seen the bad. I remember the not too distant past when we as citizens wondered if we were going to make it through to the next pay check. I knew a lot of fine folks that didn't, and had to move on.*

*This Citizen's petition is nothing short of "the squeaky wheel gets the grease", a classic example of a disconcerted few unable to, or unwilling to, grasp the whole picture. And most distressing to me personally, was the unwillingness of the Environmental Quality Council to hear the comments of the multitude of landowners who ventured down to Cheyenne two weeks ago to have their comments heard. These are citizens who want the water, and depend on it!*

*I am an employee of the energy industry, a steward of the land, a sportsman, a family man, and a very concerned citizen. I go home at night feeling good about what I do, knowing that my efforts contribute to a robust Wyoming economy. We are a strong nation - a nation dependent on energy. It would be a sad day in my life should I ever have to lay off my 50 employees and turn off the light on the way out!*

*Thank you for the opportunity to express my concerns in this matter.*

*Respectfully,*

Kevin R. McAulay  
Gillette



To: Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – WQD Chapter 2  
By: The Powder River Basin Resource Council

Dear Mr. Gordon:

This letter is in regards to the Citizen Petition for Rulemaking Filed 1-05-07.

I make my “living” in the methane play around Sheridan WY and Decker MT.

I strongly oppose this petition as the DEQ states it will shut in 99% of all surface discharges. This would put thousands of people, hundreds of businesses out of work and hundreds of mineral royalty owners without a check.

The standards already in place are below Human drinking water standards for many of the limits. The standards do not need lowered for livestock or wildlife.

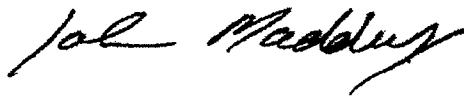
The State Engineers Office (SEO) issues the UW5 – appropriation permits with the beneficial use listed of pumping the water to surface to get the gas out of the coal. Livestock and wildlife uses are secondary beneficial uses.

I see many fields of irrigation using methane water producing two cuttings of alfalfa each summer.

I know of many ranchers that would be devastated in Sheridan County without the water in ponds, tanks for livestock and on hay fields to support their operation in this 20 plus yearlong drought.

Thank you for reading my comments and I strongly urge you to vote NO on this petition filed to circumvent the SEO and the WOGCC. This petition is not for the better good of the people or the land.

Cordially,





January 29, 2007

**FILED**

JAN 29 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY. 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised  
Version – WQD Chapter 2

Dear Mr. Gordon:

My name is Jim Kor. I am a subcontractor who inspects the construction of CBM water storage reservoirs. My function is to assure that the construction is done in accordance with the permit requirements, the best engineering principles available and to assure that there will not be a failure of the structure when it is filled with water. I consider this a very important part of the water storage function and feel that the work I do is very important in maintaining the water quality in Wyoming's streams and rivers.


The rules change proposed to WQD Chapter 2 by the Powder River Basin Resource Council et al would have the effect of shutting down the coal bed methane industry in the Powder River Basin and perhaps all of Wyoming.

If the proposed rules are adopted it will set a precedent in Wyoming of adopting rules that are aimed at a specific industry. If Powder River Basin Resource Council et al gets their petition accepted as a rule, they, and other groups, with similar agendas, will move forward with the aim of targeting specific industries in the State one by one until all mineral development has been halted. This would have the effect stopping all growth in the state and would have a large negative impact on the State's income and budget.

I respectfully request that you do not adopt the Powder River Basin Resource Council et al proposal as a DEQ rule.

Thank you for your consideration of my comments.

Sincerely,

  
Jim Kor  
3032 Forest Drive  
Cheyenne, WY 82001  
Cell phone 307-631-0417



To: Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

RE: Citizen Petition for Rulemaking – WQD Chapter 2  
By: The Powder River Basin Resource Council

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

This letter is in regards to the Citizen Petition for Rulemaking Filed 1-05-07.

I make my "living" in the methane play around Sheridan WY and Decker MT.

I strongly oppose this petition as the DEQ states it will shut in 99% of all surface discharges. This would put thousands of people, hundreds of businesses out of work and hundreds of mineral royalty owners without a check.

The standards already in place are below Human drinking water standards for many of the limits. The standards do not need lowered for livestock or wildlife.

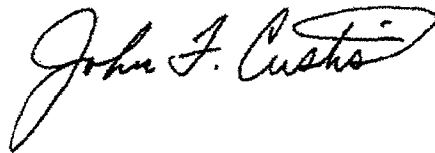
The State Engineers Office (SEO) issues the UW5 – appropriation permits with the beneficial use listed of pumping the water to surface to get the gas out of the coal. Livestock and wildlife uses are secondary beneficial uses.

I see many fields of irrigation using methane water producing two cuttings of alfalfa each summer.

I know of many ranchers that would be devastated in Sheridan County without the water in ponds, tanks for livestock and on hay fields to support their operation in this 20 plus yearlong drought.

Thank you for reading my comments and I strongly urge you to vote NO on this petition filed to circumvent the SEO and the WOGCC. This petition is not for the better good of the people or the land.

Cordially, John F. Custis





January 26, 2007

**FILED**

**JAN 29 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Revised Version – WQD Chapters 2

Dear Mr. Gordon,

As citizens of the State of Wyoming for over twenty-three years, Roy and Rita Bellew oppose the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised Version – WQD Chapters 2. It is our understanding the petition would eliminate CBM water discharges. We strongly oppose any rulemaking of this sort. We continue to enjoy being invited to CBM-private ponds to monitor the stocked fish. The ponds adequate life appears productive with fish growth rate of six to eight inches four years ago to over eighteen inches with small heads and football shape bodies. This is a resource the State needs to take full advantage of.

We are fly-fisherman that practice catch and release. We enjoy Wyoming outdoors, and encourage sound environmental practices to protect what Wyoming has to offer. We have lived in the Powder River Basin for the last six years and encounters with wildlife are becoming more frequent. Example was this last weekend we took a joy-ride north of Gillette and counted over 200 deer and traveled less than thirty miles, seen numerous hawks and eagles, and encountered coyote and fox. Note, we did not mention antelope for there are too many to count. Another example is in the town of Gillette, last year the city put up "Goose Crossing" signs on Warlow Drive. It is quite an ordeal watching geese crossing the road with all their chicks, one of those special moments. Yes, we are very fortunate to live in Wyoming!

Thank you and the Environmental Quality Council for your work to protect the environment in Wyoming and for considering our opposition towards the Citizens Petition for Rulemaking. If we can be of any help to the EQC, please call (307)685-1240.

Sincerely,

*Roy & Rita Bellew*

Roy & Rita Bellew  
3201 Echeta Rd #26  
Gillette, Wyoming 82717  
(307)685-1240



FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

1-27-07

*To Whom it may Concern,*

Hello! My name is Jeremy Onsgard, I am currently employed by PSN inc. which contracts to Marathon O.I Co. The reason for this letter is to let you know that we strongly oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD Chapter 2. I believe that any rule making that reduces or eliminates the ability for Coalbed produced water to be discharged will greatly reflect negatively on the local economy. There are many local business and Ranches that rely on the methane industry being here and without them they would be shut down. Many area Ranchers use the discharged water beneficially for watering livestock and wildlife. If this water was taken from them the livestock and wildlife as well as the Rancher would suffer damages. I have recently moved my family and all of our belongings here from Janesville, WI, where we owned a house which we have now sold and had jobs that decent but not paying enough to support our family. So we decided to move here where my wife is originally from because we had heard about all of the great job opportunities that were here. If this rule is passed and put into effect which would require all discharged methane water to be more restrictive than for other discharge waters. And cleaner or more pure than even that of our city drinking water my family and thousands of other just like ours will be without jobs and unable to afford to live here in Wyoming. Because if this Rule is passed it will ultimately shut the Methane Industry down here in Wyoming.

Sincerely

Jeremy J. Onsgard  
To TAC



January 29, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

Re: Wyoming Quality Council

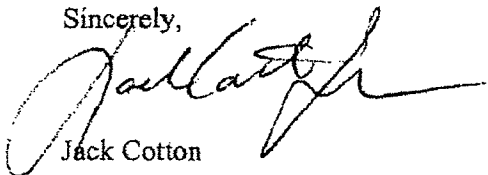
To Mr. Gordon:

My name is Jack Cotton Jr. I am 47 years old and have lived in Campbell County for all of my life and have worked in the Oil and Gas Industry for 30 years. I am a proud family man who has been married 25 years and has raised two children who have both finished college.

First off, I would like to say the rules shouldn't be changed due to a select few ranchers or one group's negative opinion. The negative will never out way the Benefits. Not only will this hurt the economic development of Campbell County and other surrounding counties but many companies, businesses, and families as well.

Thank you for taking the time to hear my concerns on this issue.

Sincerely,



Jack Cotton



January 29, 2007

Mr. Mark Gordon  
Wyoming Environmental Quality Council  
Chairman  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**  
JAN 29 2007  
Terri A. Lorenzon, Director  
Environmental Quality Council

**RE: Citizen Petition for Rulemaking – PRBRC Revised Version WQD Chapter 2**

Dear Mr. Gordon:

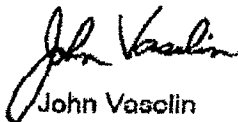
I am writing to voice my concern with the recent petition by the PRBRC to amend Chapter 2 of the Wyoming Water Quality Rules and Regulations. This proposed amendment, if adopted, would basically halt CBM development in the Powder River Basin. The negative result would be staggering to the local and state economy, and is unjustified.

The proposal is a very one-sided. The majority of surface owners with whom I have worked with over the past 4 years, while permitting federal (split estate) leases, are grateful for the CBNG produced water and the opportunities it offers them. I agree with the John Wagner's (DEQ-Administrator) January 5, 2007 comments and recommendation "that the proposed petition not be approved."

I've included an article by the Sheridan Press (May 25, 2006) about the Taylor Reservoir near Sheridan, which is used to store CBNG produced water. Through a joint effort with J.M. Huber Corporation (lease holder), the BLM (surface owner) and the Wyoming Game & Fish Department, the reservoir was stocked with rainbow trout and opened to the public for fishing. Also included is the BLM brochure about the reservoir and how to access it. This is a unique benefit to the public, which will cease if the new Barium discharge limit of .2 mg/l is adopted.

Thank you for considering my concerns to this petition.

Sincerely

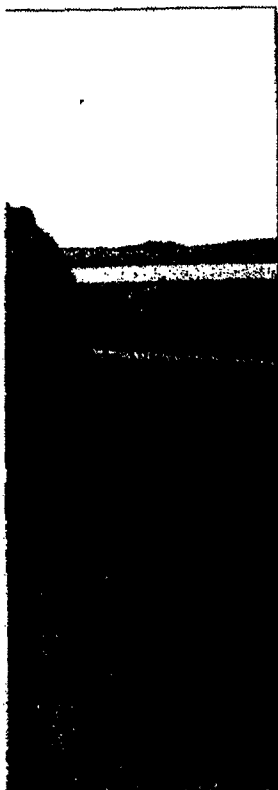


John Vasolin  
211 McKinney  
Buffalo, WY 82834

**ENCLOSURES (2)**



## in Netted eSmet



Courtesy photo

A 9-pound, 27-inch brown trout caught by a fisherman using a net at the lake. Lake Schumacher said, "I have never in the past and not any other I have seen in a couple

# Reservoir northeast of Sheridan a joint effort

By **Bill E. Wambecke**

Staff reporter

A new reservoir 10 miles northeast of Sheridan near Lower Prairie Dog Road is the result of teamwork from several entities.

Taylor Reservoir, the result of a joint effort by J.M. Huber Corp., Baker Energy, the Bureau of Land Management and the Wyoming Game and Fish Department, was stocked with around 250 rainbow trout Wednesday by the G&F.

"People are excited about it," said Huber Operations Manager Bill DeLapp.

Huber and Baker, in their five-year development plans, called for making a public fishery, fed with water from coal-bed methane wells they operate. The land that was selected for the reservoir fit Huber and Baker's plans and could be kept as public access lands. The land the reservoir sits on remains BLM land.

"There's not a lot of public access lands," said John Vaselein, environmental specialist for Baker.

The plan for the reservoir was approved in 2003 after Baker and Huber had been in contact with the BLM about creating the reservoir. The 20-foot-deep reservoir was finished last fall and filled with water at that point. Water comes directly from CBM wells in the area and runoff.

"It was a win-win situation," said Chris Hanson, field manager

for the Buffalo Field Office of the BLM.

As the trout swam around their new home, those involved with the project took pride in their accomplishments.

"The project flowed very well," DeLapp said.

While the reservoir has spartan settings, Hanson said that signage would be put up soon letting people know the reservoir is there. He also added that more grass and shrubs would be planted to give the reservoir a more natural surrounding. He added that as the BLM and the Game and Fish monitor how the original rainbow trout do, they might add other species of fish. Brad Hughes, fish culturist for the Sheridan Game and Fish office, who helped stock the fish, said the reservoir will be stocked once a year. He added that the stocked fish were from the Story Fish Hatchery and most of the 6- to 8-inch fish were a little over a year old.

Bud Stewart, Game and Fish coalbed natural gas fish and wildlife resources coordinator for northeast Wyoming, asked that fishermen and others who use the new reservoir treat it with respect and clean up after themselves.

"These different entities worked together for the benefit of the public," Stewart said.

For more information on the reservoir, contact the Sheridan Game and Fish office at 672-7418.



Courtesy photo

Bill DeLapp, operations manager for J.M. Huber Corp., releases rainbow trout into Taylor Reservoir on Wednesday afternoon. Around 250 trout were stocked in the new reservoir.

## Water levels remain low

is, combined with below normal flows due to cool spring

Memorial Day weekend should be adequate to safely launch

## Area bird count tallies 108 species

From staff and reports

released in the Bahamas in the 1970s, found its way to Florida in the 1980s, and has been



# Taylor Fishing Pond

## TAYLOR FISHING POND

The Taylor fishing pond is a cooperative recreational fishing area developed by the Buffalo Field Office of the Bureau of Land Management, Huber - Natural Resources and the Wyoming Game and Fish Department.

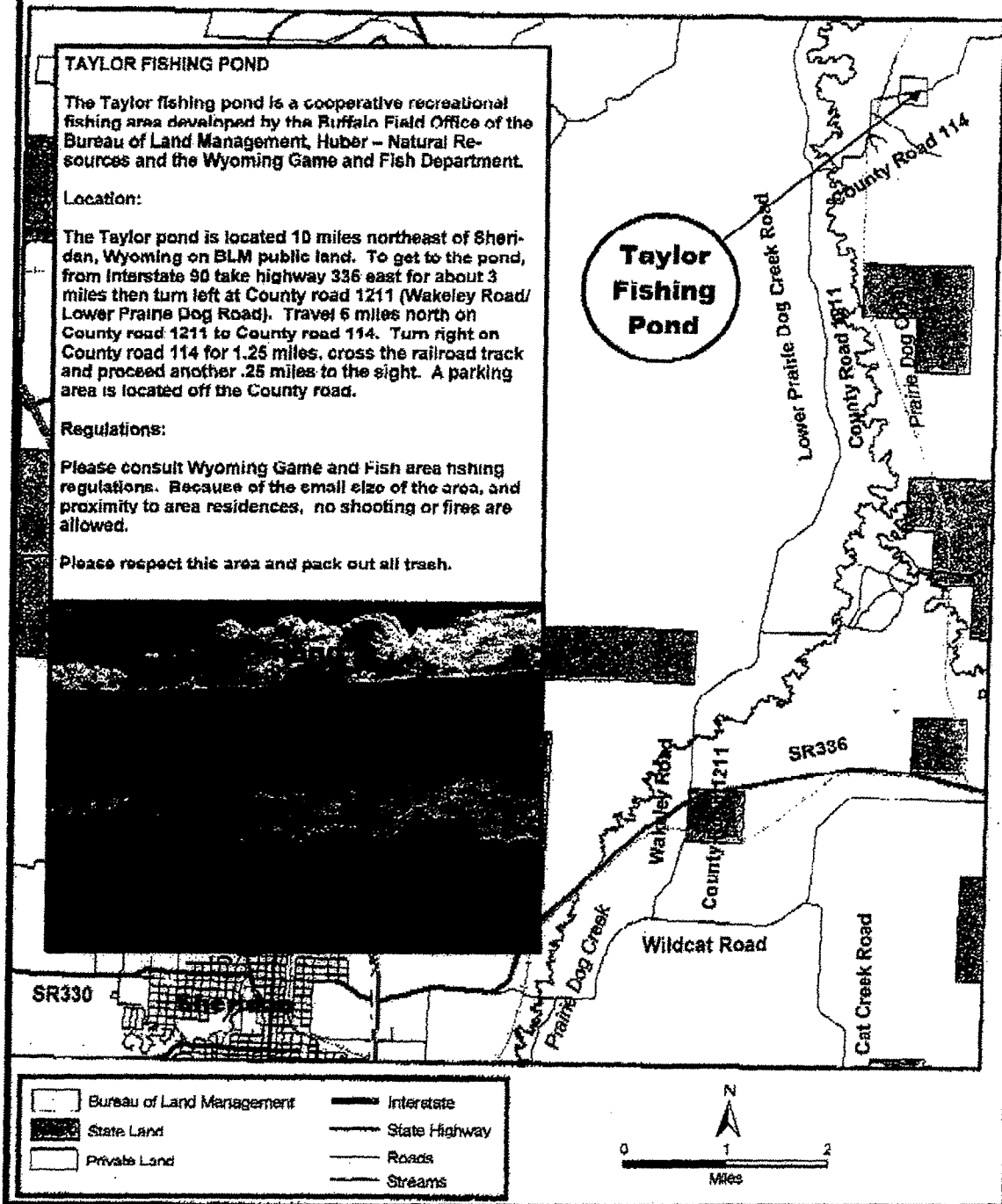
### Location:

The Taylor pond is located 10 miles northeast of Sheridan, Wyoming on BLM public land. To get to the pond, from Interstate 90 take highway 336 east for about 3 miles then turn left at County road 1211 (Wakeley Road/ Lower Prairie Dog Road). Travel 6 miles north on County road 1211 to County road 114. Turn right on County road 114 for 1.25 miles, cross the railroad track and proceed another .25 miles to the sight. A parking area is located off the County road.

### Regulations:

Please consult Wyoming Game and Fish area fishing regulations. Because of the small size of the area, and proximity to area residences, no shooting or fires are allowed.

Please respect this area and pack out all trash.





January 29, 2007

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY. 82002

**FILED**  
JAN 29 2007  
Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

We are a collective group of employees of Hettinger Welding LLC. For the most part we all have relocated here in the Powder River Basin to make a living for our families. The schools here are excellent, the cost of living is bearable, the community is beautiful, the leisure time activities are plentiful, and our jobs are great. Most of us have become first time parents, homeowners, and concerned citizens.

We are writing to inform you of our opposition to the petition before you entitled **Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H**. This potential rulemaking has the ability to effectively shut down the entire CBM industry. We would all be out of work, our homes would be foreclosed on, local businesses would fail, the tax base would dwindle, and we would be relocating to find new jobs.

Please understand that we are a crew of pipe liners. It is our job to put the pipe in the ground to transport the water and the gas to various destinations. We have completed jobs on most every area of the basin. We are not scientists so we really do not understand water constituents but we do understand the terms "majority" and "reclamation". We know that the energy industry makes up the "majority" when it comes to hundreds of jobs versus nineteen landowners. "Reclamation" means that those areas that may have been destroyed by what may be excessive discharge of CBM water can be repaired.

In summary we are opposed to any petition that not only threatens our way of life but also informs us that the water we are currently drinking, provided to us by the City of Gillette would not even pass the stringent, strangling, guidelines the petition is purposing.

Thank you for your careful consideration to this letter and please remember your job could be indirectly affected also.

Sincerely,

*Amanda Hoffman*

Amanda Hoffman

Mike Conrad

Jim Allen

Duane Cebulski

*Boyd Abelsath*



January 29, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St.  
Herschler Bldg., R. 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Revised Version – WQD Chapter 2

Dear Mr. Gordon:

My name is Leonard Payne and I am the owner of Sinks Canyon Consulting LLC, located in Lander, Wyoming. Today, I was made aware of the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised Version – WQD Chapter 2 and find that I must state my opposition to same. As the CBM (Coalbed Methane) industry is the sole source of my company business and income, I am opposed to the restrictions that would be imposed by this petition. If the provisions of this petition are approved, CBM production may well cease, or be severely curtailed, and my business and income will cease as well.

In my opinion, if approved, the impact on the State of Wyoming will be severe and long lasting. Consider the percentage of the population of the State of Wyoming employed in the oil and gas industry – specifically CBM production. Not only will many lose their source of income, but, the State of Wyoming will suffer with the associated increase in un-employment.

I am opposed to rulemaking that reduces, or eliminates, the discharge and use of CBM produced water. I am opposed to rulemaking that holds different standards for discharge of sub-surface water, regardless of the methods of production.

It is my understanding that the Department of Environmental Quality has reviewed this petition and, as written, will have the effect of prohibiting most, if not all, CBM produced water discharges. It is also my understanding that the Attorney General's office has repeatedly cautioned against this petition and its proposed rule.


I understand that there may be problems with certain individuals and CBM produced discharge. However, these problems need to be dealt with on an issue-by-issue basis, not by blanket changes to policy.

Any rules associated with discharge of sub-surface waters, whatever the method of production, need be well founded on solid scientific (geologic, hydrologic, etc.) principles. I do know that in my work within the CBM industry every effort is made to reduce or eliminate potential adverse effects to the environment and to repair damages that have previously occurred.

Considering the stance of the Attorney General's office, the Department of Environmental Quality; the financial impact upon myself, my associates, and the overall impact this petition would have on the State of Wyoming, I feel I must recommend against this petition.

Please feel free to contact me should you have any questions,

Thank You,

  
Leonard Payne  
Sinks Canyon Consulting LLC  
393 Washakie Street  
Lander, WY 82520  
[sinkscanyon@qwest.net](mailto:sinkscanyon@qwest.net)  
307-335-8741



## Trinity Exploration, LLP

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January 29, 2007

FILED

JAN 29 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking - Powder River Basin Resource Council et al -  
Revised Version - WQD Chapter 2

Dear Mr. Gordon:

Trinity Exploration, LLP's (Trinity) is a locally owned and operated drilling company. As Trinity's General Manager, I have over 35 years of experience in the oil and gas industry, both domestic and overseas markets. Our focus is on expanding Trinity's capabilities to provide a turnkey operation featuring fast/mobile rigs that minimize environmental impacts.

Near-term our goal is meeting the immediate needs for drilling and exploration of CBM wells in the Powder River Basin, the state and surrounding areas. Long term, Trinity will be a company that reaches beyond today's needs by providing larger, deeper depth-capacity mobile drilling rigs that will be required for future CBM exploration and production.

In providing this equipment to the industry, Trinity has invested approximately \$4M in capital. We currently employ 17 people with an average annual payroll of \$1.4M. The projected growth of Trinity over the next three years is estimated at approximately \$24M in capital investment with an average annual payroll of \$8.4M.

Trinity opposes any rulemaking that reduces or eliminates the ability for CBM produced water to be discharged and thus beneficially used. As a landowner, who is also involved in the agricultural business arena, I have become dependent on CBM produced water for livestock watering and irrigation of hay fields. Therefore, not only would Trinity suffer business revenue and growth opportunities, but my family's ranch would suffer due to a lack of adequate water supply.

It is my understanding that DEQ has looked at the petition and that as it is written it will have the effect of prohibiting most, if not all CBM produced water discharges. I strongly oppose the setting of standards for water discharges for CBM produced waters that are more restrictive than for other discharges. This rule would be arbitrary if adopted as proposed.

---

P.O. Box 1688 - Gillette, Wyoming 82717  
Phone: 307.682.1153  
Fax: 307.682.2745



I understand that problems with some individuals and ranches do exist through the mismanagement of CBM produced water. I also realize that some of these problems are due to an uncooperative attitude toward their neighbors as well as CBM operators. However, changing water quality rules will not correct those problems. There are many options to resolve individual conflicts that have not been pursued by the petitioners.

To secure a strong financial future for the state of Wyoming and its residents, the DEQ should respond to the needs of the majority and not heed the voice of the very vocal minority.

Sincerely,



Dennis Geiss  
Owner / General Manager

DB/bfc



January 29, 2007  
Via Facsimile (307-777-6134) and regular Mail

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Opposing the Petition for Rulemaking- PRBRC et al - WQD Chapter 2

Dear Mr. Gordon

My name is Boyd Abelseth and I have recently been employed in the Coal bed natural gas industry. I am a 15 year State of Wyoming certified water operator (City of Gillette). I was hired into the natural gas industry to work with property owners, regulatory agents, engineers, contractors, geologists, hydrologists, chemists, and laboratory technicians to assist with the management of the produced water.

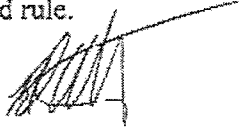
I can tell you that the company I work for spends a lot of time and resources to evaluate the way the water will be managed in the coal bed natural gas fields. The company works closely with the property owners to do their best in meeting the property owner's needs, however because of overly restrictive regulations we are often placed in a position that we can not assist the property owners in a way they would benefit from the water.

I strongly believe that the proposed rule making is not backed up with good science and should not be considered by the Wyoming Environmental Quality Council for approval.

The Environmental Protection Agency (EPA) has established water quality standards that are continually being evaluated and researched by the best qualified laboratory technicians using state of the art instruments. With this said the EPA has established a maximum contaminant level for Barium at 2 mg/l VS. the proposed of .2 mg/l. EPA established this standard because of the fact that present technology and resources indicate that 2 mg/l is the lowest level to which this element can be economically required to be removed from water.

Thank you for the opportunity to express my comments and provide facts for insight to the proposed rule.

Sincerely,

  
Boyd Abelseth  
503 E Laramie  
Gillette, WY 82716



Bob and Roni Irwin  
4 Fawn Court  
Gillette, WY 82718  
(307) 686-8660  
[brirwin@vcn.com](mailto:brirwin@vcn.com)

FILED

January 28, 2007

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Oppose Petition before EQC for Rulemaking by PRBRC to modify WQD Ch. 2.

Dear Mr. Gordon:

For introduction, I write to you from dual perspectives: (1) as a family man that is nearly an 8 year citizen of Gillette, proud of the growth, development, and prosperity that I've witnessed the City, County, and State enjoy and come to expect over that timeframe that in a large part (~1/3) is directly attributable to a healthy and economically sound methane component of localized businesses and (2) as ~~a professional tax-paying citizen, whose future of gainful employment in Wyoming is highly dependent on the continued viability of the CBM industry here in the Powder River Basin. Changes to the WQD~~ Ch. 2, as proposed in the PRBRC's Petition, will no doubt, gravely impact me and my wife's currently, until now, optimistic of desire of raising our only child in the fine CCSD system (supported by CBM taxes) & my seeking to attain retirement via a continued rewarding career within the methane business of the PRB; I am currently 45 years old. If the CBM industry can remain strong, without obstructionist-biased over regulation, another 20 years of foreseeable employment is well within expectational reason.

I generally don't discuss business at home, but when my wife asked why was I getting nervous about future employment, by making an off-the-cuff remark: "hope for the best, expect the worst", regarding the Petition's implications, all I had to do was read for her excerpts and interpret facts pointed out in the Jan. 5, 2007 letter written to your attention from John F. Wagner - DEQ, Administrator, where he keenly states: *"This language (of the Petition) would have the effect of prohibiting most, if not all CBM discharges to the surface."* and *"...that no CBM operator can discharge effluent which meets the definition of 'pollution' or would cause 'pollution' in the receiving stream."* Hence, my family: wife, daughter, and live-in father-in-law - all voice a silent yet similar opposition to PRBRC Petition in that they too have come to love their interactions within the small town, community feel of Gillette - and don't want to see it change in a way that passing of this Petition will affect not only our direct lives, but the community as a whole, should the CBM industry's economic viability (i.e., surface discharge) be removed, under an "unwritten" mandate implying continued development opportunity using only extremely costly operational injection or treatment systems, as discharge alternatives.

We came to Gillette from Houston, TX, as the CBM 'boom' was in full swing (1999), when most methane development was on Fee surface and before regulations became onerous in many areas. I have a MS in Geology and began working here for two jointly-owned companies: a local drilling contractor, Conquest Energy Services, LLC, and a small independent Operator, Big Basin Petroleum, LLC. My assigned tasks in the 3.5 years under their employment began: correlating from E-logs the expected coal depths and in the field picking the coal tops to secure an optimal casing set depth. Being



Bob and Roni Irwin  
4 Fawn Court  
Gillette, WY 82718  
(307) 686-8660  
[brirwin@ycn.com](mailto:brirwin@ycn.com)

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

small companies, this quickly migrated to a multitude of tasks and I wore many hats, giving me exposure to CBM's broad spectrum of necessitated activities for successful development. I was not only a geologist, but also the land/relations man for CES & BBP to the ranch owners, hired crews, and public meetings; a RRP permit agent - responsible for all WOGCC, SEO, DEQ, BLM permit acquisitions and compliance, etc.; and safety coordinator - designing and instigating a first-rate safety program for CES. For the last 3.5 years, I've enjoyed employment with the largest independent Operator in the PRB: Yates Petroleum Corporation, as Federal Regulatory Agent, liaison for the company to the BLM and landowners of surface containing Federal minerals. I produce the plan of development (POD) application packages and work with BLM and landowners to meet mutual objectives to acquire APDs and then see to it that each project's development is constructed and maintained as the POD plan prescribed. In the 8 years I've been living in Gillette and working the PRB CBM Play, I've seen every applicable agency alter and modify "Rules" under their guidance and each time it puts one more layer of industry expense or accountability in the name of some protection, deemed necessary generally as a result of rogue independent's action or to satisfy a begrudged landowner.

I've also seen the industry mature. Industries responsible operators and their sub-contractors have had success conforming to most of the "Rule" changes within economic reasonableness and utilized an industry driven "peer pressure" to modify practices to accommodate most all landowner voiced complaints, primarily related to constructional surface disturbance excess. Migration of developments onto Federal minerals (78% of the PRB), all under BLM regulational guidance, has made all companies aware and forced them to address rectification of these past (early play, Fee minerals dominantly) practice grievances to where: now, the known modus operandi of "minimize disturbance" is the norm, irregardless of mineral status (Fee, Federal, or State). The DEQ has already severely restricted surface discharge to meet limits via Whole Effluent Toxicity (WET) Testing in a large sector, in the heart of the play, that the local community drinking water supply's (Gillette & Buffalo) could not meet. WQD Ch. 20 already protects downstream users, so I take a moment here to also voice opposition to WYDEQ's proposal for rule change to have future and (retrofit) existing reservoirs to be built to contain the 50 yr/24 hr event in addition to produced water. It would protect against all waters, methane generated included, migration across lands, but how could it still allow usage of upstream runoff-derived waters, when they are all held back, or meet companies dual mandates of "minimize disturbance" and "retain economic viability" in creation of these mammoth structures that nobody wants for posterity?

My point is that the CBM industry is under enough governmental regulation, NOW! Implementation of the Ch. 2 Petition will kill the play as we know it. Water has always ruled the West. We've been in a drought for over 7 years, with CBM waters being the only source providing "life's blood" to the majority of landowners that want the waters. Don't cut off the hand that delivers.

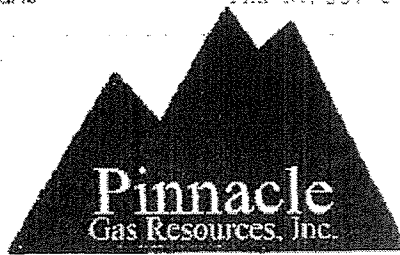
Respectfully and very concerned,



Bob Irwin



1 East Alger Street, Suite 206  
Sheridan, Wyoming 82801



307-673-9710 (Office)  
307-673-9711 (Fax)

FILED

JAN 29 2007

January 26, 2006

Terr A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking - WQD Chapter 2

Dear Mr. Gordon,

It is our understanding that DEQ has reviewed a petition proposing to modify Chapter 2 of the Wyoming Water Quality Rules. Pinnacle Gas strongly opposes the Citizen Petition for Rulemaking because it will reduce or eliminate the ability for coalbed produced water to be discharged and thus beneficially used. By changing the rule the EQC will not be protecting existing use of CBM water by ranchers, livestock and wildlife.



Alternative options such as subsurface injection have been attempted in the past by Pinnacle but have failed because of the low and limited water disposal rates, unreasonable costs, and more surface disturbance. Both citizens of Wyoming and the Oil/Gas industry will suffer from economic impairment and regretful financial consequences if the rule is passed.

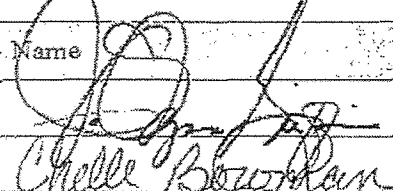





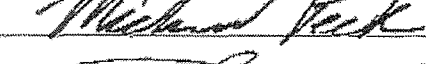



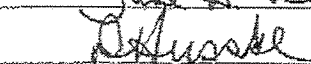

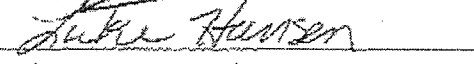
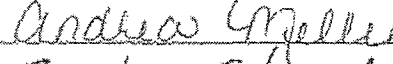

Respectfully,  
Pinnacle Gas Resources, Inc.

A handwritten signature in dark ink, appearing to read "Pete Schoonmaker", is written over a horizontal line.

Pete Schoonmaker  
President/CEO



	We the undersigned oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD Chapter 2	
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Name	Date
	1/29/07
Chelle Bowman	1/29/07
	1-29-07
Brian E. Dwyer	
Donna Vanev	
	1-29-07
Allen Luboff	
	1-29-07
Larry Luboff	
	1-29-07
Mike Jule	
	1-29-07
Angela Davidson	
	1-29-07
Michael Peck	
	1-29-07
Eric Brown	
	1-29-07
David Brown	
	1-29-07
Zane H. Wink	
	1/29/07
D. Huske	
	1/29/07
Luke Hansen	
	1-29-07
Andrew Mellenger	
	1-29-07
Scott M. Stenzel	
	1/29/07
Peter G. Schwaninger	



**FILED**

**JAN 29 2007**

January 29, 2007  
Mr. Mark Gordon  
Wyoming Environmental Quality Council  
122 W.25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82992

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

I would like to express my opposition to the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al (WQD chapter 2).

I am a graduate from Montana State University with an agronomy degree and have many years experience in production agriculture in Montana. My husband and I and our two children moved to Campbell County Wyoming in 2004 from Montana. We continue to raise livestock and I am an environmental specialist with Lance Oil & Gas Company a subsidiary of Anadarko Petroleum Corporation. Being a part of both the agriculture industry as well as the oil and gas industry in Wyoming has been a refreshing change for our family. I am able to participate daily with both industries (production agriculture and coal bed natural gas production) and have the greatest respect for both. It is such a pleasure to see the success of these agricultural producers which is greatly enhanced by the coal bed natural gas industry, a privilege most Montana agricultural producers do not enjoy. In my day to day work which involves a large amount of interaction with landowners I am able to appreciate and enjoy the hard work and commitment the coal bed natural gas industry puts into its land stewardship including water management. I also see the great benefit to these agricultural producers in much better land management through the use of coal bed natural gas produced water. I personally hear stories of thousands of previously unproductive/unused lands that are now able to be used for livestock and also enhance wildlife through water produced by coal bed natural gas development. I could write of the many other benefits I personally see in the use of coal bed natural gas produced water, but want to emphasize that this petition, if approved in any form, would eliminate all these benefits and in return negatively affect and possibly destroy the livelihoods of many people, including agricultural producers. There are many ways for these few folks who are unable to come to an understanding over their personal issues with coal bed natural gas development to resolve these problems without involving the thousands of people that will be affected by their petition.

It is with great concern for two industries that have created a win, win for each other that I write in opposition to a petition that would make everyone a loser.

Thank You,



Colleen Faber  
Environmental Specialist  
Lance Oil & Gas Company  
An Anadarko Company  
1400 E. Lincoln  
Gillette, WY 82716



VIA FACSIMILE

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

- I am a Materials Administrative Specialist working for PSN, Inc. contracted with Pennaco/Marathon Oil Company in Gillette, WY. I am a Wyoming Native and have lived in this State for the majority of my life. I am 51 years old and a recent Widow trying to make a living for myself. I have always been very supportive of conserving our Natural Resources and taking care of our environment for the benefit of all Wyoming Citizens. For the following reasons I **CANNOT** support this **Citizen Petition for Rulemaking**.
- If this rule is passed, in any form, the financial ramifications to me, my fellow employees, my company and everyone in this whole area will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.
- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. In my opinion, their view of rights they are owed is skewed beyond all reasonableness.



- There are workable solutions to address all their concerns and many options are available and have been offered for conflict resolutions concerning the petitioners. These offers always seem to fall on deaf ears. The petitioners seem opposed to anything but a fight. Changing water quality rules is not a fix for those issues.
- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus available for beneficial use to ranchers, livestock, and wildlife. Water has to be in the stream and constantly available if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- I am in full agreement with Mr. John Wagner when he states in his letter that it is premature for the Council to change effluent limits when a rigorous and thorough evaluation of this issue is only six months away.
- This ruling could have a very huge, severe economic impact on the majority of Powder River Basin residents and virtually state wide. Any changes need to be derived from complete and thorough information collected from studies that are conducted in Wyoming, with Wyoming soil.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-685-1112 if you have any questions regarding my opinion. I love Wyoming and want to see it grow and be developed responsibly for all of it's residents. Not just a select few. It is a wonderful state!

Sincerely,



Kathy L. Spear





# BIG BASIN PETROLEUM, LLC

3105 EAST 2ND STREET • P.O. BOX 1581 • GILLETTE, WY 82717-1581 • (307) 685-4210 • Fax (307) 685-4211

January 26, 2006

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Wyoming Quality Council

To Mr. Gordon:

My name is Natalie Sisti, I am 25 years old and have been a resident of Campbell County Wyoming for the past eight years. I have worked in the oil and gas industry for Big Basin Petroleum, LLC since December of 2001. Not only has this industry supported my life and my family of six it has been a building ground for my education and career.

Unfortunately, I was unable to attend the meeting concerning the proposed rule changed. However I have followed closely and read many articles pertaining to this issue. From my understanding, there are ten families and one resource council petitioning to amend the water quality rules by trying to create regulations making it impossible for any Coal Bed Methane water discharge to pass guidelines. In effect these guidelines are intended to force CBM operators to shut down.

This impact would greatly damage several communities that have thrived from the financial boom due to this industry. As for my company, in the past year Big Basin has paid over \$225,000 in severance tax, \$4,055 in conservation taxes, and \$100,000 in county taxes. When it comes to landowners, our company has paid over \$200,000 to annual road rentals and surface damages.

When you take into consideration the thousands if not ten's of thousands of lives that this industry positively impacts, it simply does not make sense to try to shut it down because ten families do not feel as though they were compensated enough.

Sincerely,

Natalie Sisti  
Bookkeeper/Regulatory Specialist  
Big Basin Petroleum, LLC



**NORTHLAND  
INDUSTRIAL  
SPECIALTIES L.L.C.**

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

PO Box 1886 - 1088 Robertson Circle - Gillette, WY 82718 • Tel: 307-682-2063 Fax: 307-682-0977  
E-mail • info@nisprocess.com

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax: 307-777-5973

RE: Powder River Basin Resource Council Citizen Petition for Rulemaking on WQD Ch. 2

To: The Chairman of the WEQC,

We, the members of Northland Industrial Specialties, LLC a welding/fabrication and field construction/services Company are writing to express our opposition in regards to the Powder River Basin Resource Councils' Citizen Petition for Rulemaking on WQD Chapter 2.

Our company has served the Powder River Basin area for over 10 years in various aspects of the industries that have supported the Wyoming economy. We pride ourselves on being a local representative and supporter of our local economy as well as a diplomat to Wyoming's development in all respects of the word.

Our company currently employs 28 Campbell County residents that range in ages of 18 - 61 years. We are capable of providing health care benefits as well as competitive wages due to our success in the industries served, thus providing viable benefits to our state and local entities.

It our understanding that the DEQ has reviewed the proposed petition and that as it is written will have the effect of prohibiting most, if not all CBM produced water discharge. It is also our understanding that the Attorney General's office has repeatedly cautioned against the petition and the rule that is proposed. We would oppose setting standards on water discharge for coalbed produced waters that are more restrictive than for other industry discharges. We also feel that this ruling would be arbitrary as it is proposed.

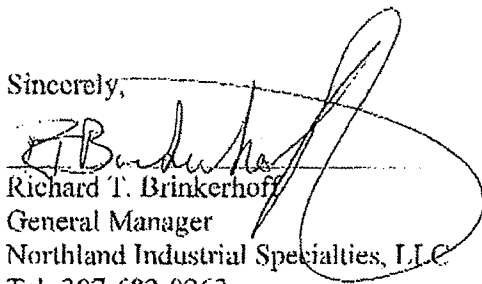
Should the PRBRC Citizen Petition for Rulemaking pass, our work load and revenue would diminish by 90%, which would result in 20 plus lost jobs. It is mind boggling as to the negative economic impact this rulemaking could have. There are numerous benefits in which our community receives from CBM industries.



While it is understood that there have been isolated problems with some land owners/ranchers, there is a vast majority that have benefited from the use of the CBM discharged water for irrigation, livestock and wildlife drinking water in locations that had little or none due to current weather conditions.

In summary we oppose the petition to stop discharge of CBM produced water and the negative impact on the economy locally and statewide. We thank you for the opportunity to comment on the ruling and respectfully ask that our comments be submitted into the records.

Sincerely,



Richard T. Brinkerhoff  
General Manager  
Northland Industrial Specialties, LLC

Tel: 307-682-0263

Fax: 307-682-0977



Brian M. Norstegaard  
Field Construction Supervisor / Owner  
Northland Industrial Specialties, LLC

Cc: NIS, LLC Owners  
NPS, LLC  
Ridge Runners Investments, LLC



**FILED**

JAN 29 2007

**MC Drilling, Inc.****PO Box 476****Gillette, WY 82717****(307) 680-0896**Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> ST.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

January 29, 2007

Dear Mr. Gordon,

My name is Joel Hjorth, I am the president of MC Drilling, Inc. We are a drilling company in the Powder River Basin stationed out of Gillette, WY. We currently employ 15 people and operate 3 drilling rigs, which are solely dependent on CBM.

I am also a rancher in Southern Campbell County, along the Belle Fourche River, and run approximately 150 head of cow/calf operation. CBM development began occurring there 7 or 8 years ago. In that period of time the benefits of CBM development to my cow/calf operation and the wildlife that reside on my ranch have far outweighed any inconveniences brought about by CBM. Over the past few years having made my living in both the CBM development and ranching industries, I strongly believe that these two industries can peacefully coexist.

The ramifications of the Citizen Petition for Rulemaking could be devastating to my employees, their families, myself, my business partner and our families. We rely solely on the coalbed methane for the livelihood of our company. We oppose the rulemaking that would reduce or eliminate the ability for coalbed produced water to be discharged and used beneficially. The benefits of coalbed produced water for ranchers, livestock, and wildlife are immeasurable.

If the Citizen Petition for Rulemaking passes it could be devastating to many aspects of the boom that is occurring in Gillette. Not only would I and my business partner be in financial ruin, it could also be devastating to my employees and their families. I also

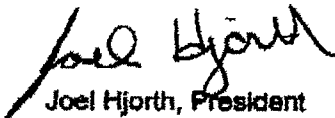


know several other business owners throughout the community that rely on the money from the CBM industry.

It is my understanding that the DEQ has looked at this petition and the way that it is written could potentially prohibit most if not all CBM produced water discharges. I understand that some problems may exist with the current discharge procedures. However, just changing the water quality rules is not a fix for the problem. There are many other options for the discharged water that are not being looked at by the petitioners. I feel that CBM water should not be held to a higher standard than other industries.

In closing, as both a business man and rancher in the area I am strongly opposed to the Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H. This could have devastating ramifications for both the Powder River Basin and the entire State of Wyoming. Thank you for the opportunity to comment on this important issue. If you have any questions or comments please contact me at (307) 680-0896.

Sincerely,



Joel Hjorth, President  
MC Drilling, Inc.  
(307) 680-0896



**WAPITI PUMPING AND ROUSTABOUT SRV., INC**  
**PO BOX 1881**  
**GILLETT, WY 82717**  
**307-660-9001**

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

January 28, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Rm 1714  
Cheyenne, WY 82002

RE: Citizen Petition for rulemaking-Powder River Basin Resource Council et al - Revised  
Version - WQD Chapter 2

Dear Mr. Gordon,

My name is Ferlin Harris. I am an owner of Wapiti Pumping and Roustabout serv, Inc. I understand that the PRBRC has a revised petition to the EQC and if passed it would be devastating to my company. It would shut down any or all water enhancing jobs because the company would not be able to discharge water from wells.

I would be forced to lay off my employees and to try to sell all my equipment, but more likely would end up filing for bankruptcy because the investment I have made in this equipment is so great. My equipment has been specially built to work in the coalbed methane to water enhance the cbm wells. There wouldn't be a demand in the market to sell this equipment.

I own 4 semi's, 3 pickup trucks, and am partners on the 4 enhancement pumps.

- 1) 16U 400 Detroit motor 3000 hrp. 4 stage pump capable of moving 3000 gallons per minute at 1000 psi.
- 2) 16U 149 2000 hrp 3 stage pump capable of moving 2200 gpm at 1000 psi.
- 3) 2 trailers with 2- 60 series Detroit motors in line capable of moving 2000 gpm at 500 psi.

these units were built for the coalbed methane wells. Total cost of these pumps are around 2 to 2.5 million dollars. So, if this proposal passed it would cause myself and a lot of other companies to lay off hands and bankrupt ourselves. This would be devastating to the local community!

Thank you for taking the time to read and consider what would happen if this is passed.

Sincerely,

  
Ferlin L. Harris-President

Wapiti Pumping and Roustabout Serv, Inc  
307-660-9001



**TAMMY HARRIS**  
**145 TAYLOR RD**  
**PO BOX 1881**  
**GILLETTE, WY 82717**  
**307-682-4110**

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

January 28, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Rm 1714  
Cheyenne, WY 82002

RE: Citizen Petition for rulemaking-Powder River Basin Resource Council et al - Revised  
Version - WQD Chapter 2

Dear Mr. Gordon,

My name is Tammy Harris. I am a landowner -rancher in Campbell County. My property has the Wildcat drainage inside the boundaries. I have been made aware of the PRBRC's attempt to change rules for discharge of methane water and find this to be a terrible change and it could also be called discrimination.

I use the methane water that is discharged for my livestock to drink. Without the water (especially in the last few drought years), there would be No water in my pastures. If I am not allowed to continue to use the methane water in the fashion I have grown accustomed to I may as well try to sell my livestock. It will financially devastate me and my family. My family will lose their way of life. I know of many ranchers who would be in the same situation. How can the ideas of a few ruin the livelihood of all the rest of us?

I have a trout pond (which is also the pond the livestock drink from) in the pasture out back. I planted trout in this pond about 6 years ago. They are getting huge!! If this water is so terrible, how is it a delicate creature like trout can survive?

Most of the people out here have been drinking this "methane" water most if their lives. They're still here!! When I fill my sink with water to do dishes or use the water to cook it releases methane in my house. We are still here!!

I do not know how a person can discriminate between methane discharge and other water discharges. If the drinking water is held at a lower standard than the methane water discharge where is the fairness in that? Standards should be the same no matter what kind of industry you are talking about. I know the coal mines have discharged methane water for years. What is difference now? I feel the PRBRC has picked out the coalbed methane people as a target to harass. We live in a land of "equality", and I hope you will keep this in mind while considering this proposal.



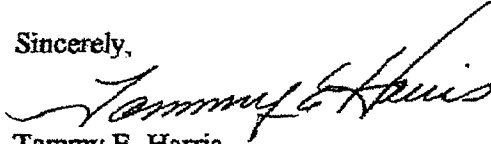
**TAMMY HARRIS  
145 TAYLOR RD  
PO BOX 1881  
GILLETTE, WY 82717  
307-682-4110**

I believe we should work together to solve problems we all have. I do not however, believe that the views of a "few" who have chosen to bully the methane companies, other land owners, and water users to get their way, should have the only say!!

If this rule is passed many peoples way of life will be ruined. There will be men, women, and children without any form of income. Gillette itself will dwindle. Please take into consideration what you could do to many, many people if PRBRC has its way.

Thank you for your time and the opportunity to comment!! Please feel free to contact me with any questions at any time. I am hopeful all views will be carefully looked into.

Sincerely,



Tammy E. Harris  
PO Box 1881  
Gillette, WY 82717  
307-682-4110



**PRIME POWER & COMMUNICATIONS, LLC.**

&

**PPC ELECTRICAL SERVICES**

**Box 1187 - Powell, Wyoming 82435 - 300 Hastings Horseshoe**

**Phone # 307-754-4725 - Fax # 307-754-2898**

**ppc@wir.net**

**FILED**

**JAN 29 2007**

29 January 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

**Mr. Mark Gordon, chairman**  
Wyoming Environmental Quality Council  
122 2. 25<sup>th</sup> St.  
Herschler Bldg. Room 1714  
Cheyenne, Wyoming 82002

Re: **Land Use Petition**

We have been recently advised of the petition regarding surface water discharge and would like to present our comments and concerns as a Wyoming Contractor's business of over 30 years duration. Further, the owner of this business is a Wyoming Native and does look to the future of this State with regards to proper environmental rules and regulations, since none of us wish to see our state become a dumping ground rather than a viable working environment for it's business. We understand the importance of sound environmental laws and regulations to guide business and industry. Not one of us wants to look out of our window and see a simulation of Pittsburgh.

*But we also see danger unrelated to sensible environmental policy looming in the petition documents we are reading.*

The word "environment" must work both ways in order for a state to thrive. Business "environment" must be considered closely related to "eco environment". *Both sides seem to have lost the basic concept of the need to balance payrolls for the people against the quality of life all of us seek.* Without a paycheck in today's world, it is a grim outlook indeed, and we believe that needs to be kept firmly in mind when addressing these kinds of petitions.

**Tax Revenues** - I wonder if anyone really appreciates how much tax revenue oil and gas bring to the state for our schools, highways, etc. It's a matter of record that they contribute the lion's share of it, especially to our school systems. *We must balance our priorities.*

The economy of the state is "not" totally dependent upon agriculture, but shares that spotlight with industry as well, such as oil and gas production. We are concerned that the petition addresses only one concept. *One assertion in particular catches the eye immediately upon reading the petition - page 1 - "causing foot rot in cattle". This statement cannot be declared accurate as foot rot is generally associated with highly manured areas and to blame it even in part on water quality is one of the points we could argue as needing forensics before that kind of comment should be considered in a petition to the DEQ.*

Upon reading over the petition, it would seem that much of the complaint is being addressed in the current permitting process, with the exception of the *quantity* which seems to be the main focus. *It would seem that the permitting process itself could be modified on a case-by-case*



basis depending upon "expected use" and then reassessed on "actual use" in a review. This might be accomplished by meters at specific sites.

But the assertion/revision in the petition - page 7 - that "actual use by livestock" must somehow be measured is preposterous. How in the world would you attempt to measure that?

It would seem, also from the documents themselves, that the water quality is currently meeting standards set forth and extreme caution should be used when raising the standards to the tune of 5 - 10 times what they are now. This is hysteria, not management. Throwing the baby out with the bath water seems reckless to us - a stranglehold against business is folly.

Marathon Oil, in particular - and we use this as our example because we have been familiar with some of their landowner projects in the Gillette area - have been good neighbors. When I was in Gillette last, I personally observed blueprints on their walls that looked like huge circles overlapping. The question was mine; and they explained that they were giant irrigation pipe pivots that had been supplied to the landowners at Marathon expense to distribute the recycled waste water in a rain-type application rather than the older ditch and ground pipe irrigation method all of us who were raised here are familiar with. Is that not an improvement? Open ditch lends to evaporation of the precious water, and with regards to "erosion" we have all seen what the open ditch and ground gated pipe method can do in that regard.

*In closing, I can't help but wonder how these same landowners would react on another, more stringent "petition for the revocation of multiple use" and/or grazing rights on the National Forests. We in Wyoming are all aware of what has happened there - and not all of it has been good.*

We implore of you in our request for representation that common sense be used foremost when coming up with your next plan. We have become a nation of "special interests" rather than moving forward in a rational way.

Sincerely,

  
Margaret Arross  
Clay Miller - owner  
Prime Power & Communications, LLC



**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman.  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St  
Herschler Bldg., Rm 1714  
Cheyenne, WY 82002

January 25, 2007

RE: Citizens Petition to Amend Water Quality Rules, PRB Resource Counsel et al.

Dear Mr. Gordon,

I am also a citizen of Wyoming and employed by the CBM industry. I understand the concerns of the petition written by Ranching land owners, most of which have also benefited richly from CBM industry in royalties from gas and water produced and have agreed to the surface use of the land fully knowing and understanding the processes of obtaining methane from the ground. I believe we can target water quality issues in areas that seem to have the most problem with the ground water. I believe there has to be efforts to work with both sides of this matter and not strictly focused on driving out and damaging the CBM industry by forcing them to stop and or fix all existing in use wells prior to this petition. Ranching landowners benefit there is no "guise" as they state in the Petition, they benefit from CBM wells financially and often complain when a well isn't producing as it had in the past - even taking matters into their own hands, when they notice royalty checks drop and they also benefit as users of our shared energy these wells produce, they are sitting on both sides of the fence on this issue and they do not represent a whole consensus on this issue.

The legal petition seems very targeted and empathetic mainly towards the ranching land owners but don't forget us families working responsibly in the CBM industry and the huge financial impact these changes would have on the CBM industry. In these days of high energy costs, we should understand discovering, changing and conserving our resources is here to stay and we should be focused on ways to not drive away these alternative sources in our energy abundant state but resolve the issues without driving out the industries working in the US to provide and discover different forms of energy for all of us to use in Wyoming and the United States. We all use Fuel, we all use electricity we all use water, yet all of us forget and take for granted where it comes from and the cost in processing it takes before it's a usable form of energy, let's not add to the cost by impacting the very industry we come to rely on for low cost energy. we will only hurt ourselves.



For people using land for ranching that is there industry and for people producing energy it is ours we need to co-exist harmoniously without seriously impacting each other and adapt as needed to *reasonably* accommodate each other. We have to face it, our country relies on all sources of viable energy and we all use it - Open pit Coal Mining supports this area and so does CBM by doing away or forcing financial changes to the way it's produced will also impact CBM Companies ability to employ and produce here in an already extremely low profit industry and energy resources in high demand. I work for a very responsible company when it comes to the safety of its employee's with a strong ethical responsibility to the lands we develop and drill there isn't a more responsible company, we need to target the wells or areas with the highest natural water concerns on case by case basis when it's determined. We need to work together and live together we need to make this a win/win situation for all and not drive out industry that supports our economy and many families in this state. The CBM "energy" industry is how many of us make a living and supports our families in Wyoming and how I have established a place for myself in this state and I believe these changes will significantly affect our cost of our energy and the employment of many people the way it is currently being proposed, and it should not be approved as petitioned, please consider the impact to all of us.

Respectfully,

Gabriel R Mora  
307 W Laurel St  
Gillette WY 82718  
307-682-4633



VIA FACSIMILE

**FILED**

January 29, 2007

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Mr. Gordon,

I am an HES Professional working for Pennaco/Marathon Oil Company in Gillette, WY, working in the Coal Bed Methane Industry. I have lived in Wyoming for the past 26 years, 25 of them with mining companies. I have seen the PRC oppose the mining industry when I worked for them and when they couldn't succeed there; I see they are now picking on the CBM Industry. We (the CBM industry) are being very proactive in the methods we are trying to come up with to control the water issues at hand. By allowing the PRC to pass this petition, this would be very detrimental to the economy of WY, not to mention the economic devastation it would have to Gillette, Buffalo, Sheridan and other surrounding areas.

The governor has encouraged the Powder River Safety Council to come up with training, propose new regulations, etc. from our newly formed Safety Group because there are no current OSHA regulations that apply specifically to the CBM industry. If the governor is asking for our help, how can your department allow this small group from the PRC to counteract the governor's initiatives to help support the Coal Bed Methane Industry???

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.



- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.
- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. There are many options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-685-5623 if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,

*Lenny Altenburg*

*Lenny Altenburg*

Lenny Altenburg, HES Professional



VIA FACSIMILE

**FILED**

January 26, 2007

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am a Petroleum Engineer by education and the current Powder River Basin Operations Manager by job assignment working for Pennaco/Marathon Oil Company in Gillette, WY. I grew up in Wyoming, attended high school in Sheridan and am a proud 1987 graduate of the University of Wyoming.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and used beneficially.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

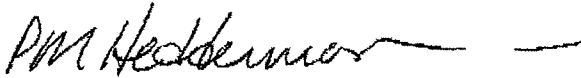
- If this rule is passed, in any form, the financial ramifications to my fellow employees and my company will be quite significant.
- The loss of tax revenue to the county and state due to the inevitable reduction in coal bed natural gas production will likely result in a deficit to Wyoming's revenue.
- John Wagner, Administrator of the DEQ's Water Quality Division, has communicated to the EQC his understanding that the effects of the proposed rule will prohibit most, if not all, CBM-produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. This rule will likely be struck down as arbitrary and capricious upon appeal.
- Pennaco and other CBNG operators in the Basin are aware that problems with CBM water on some individual's properties may exist. There are several options available for conflict resolution in these few cases that are not being pursued by the petitioners. In nearly every case an engineered solution has been offered to the



petitioners but the petitioners seem opposed to anything but a fight. Changing water quality rules is not the solution for those issues.

- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes.
- Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-685-5061 if you have any questions regarding my opinion.

Sincerely,



Patrick M. Hedderman



# Rockin'

*production services, inc.*

**FILED**

January 29, 2007

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg, Room 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Revised Version – WQD Chapter 2

Dear Mr. Gordon,

My name is Sherri Schiller and I would like to introduce our company to you. We are a small business, out of Gillette, Wyoming, that provides oil field services to oil and gas companies. Specifically, we provide pipelining and roustabout services for the coal bed methane (CBM) industry. It has come to our attention that the PRBR Council is considering changing the rule in regards to prohibiting most, if not all coal bed methane discharges to the surface.

We strongly oppose the setting of standards for water discharge for CBM produced waters that are more restrictive than for other discharges. The setting of this rule would be an arbitrary one if adopted as proposed. This rulemaking cannot stand up, if CBM water is held to a stricter standard than other discharged water.

We are aware and understand that problems may exist with some individuals, however, the solution to this problem does not lie with changing the water quality rules. Many other options are available that are not currently being pursued by the petitioners.

We oppose rulemaking that reduces or eliminates the ability for CBM produced water to be discharged and thus beneficially used. As a company on the front lines in this industry, we have seen first-hand the benefits of CBM discharged water to ranchers, livestock and wildlife. We are aware of many ranchers who want and are reliant upon this water for their livestock and pastures. We believe it is accurate to say that there are many more ranchers in favor of the CBM discharged water, than those who are opposed.



The abundant livestock of ranchers and the wildlife of Wyoming is respected and appreciated by the people who live and work in this great state. Companies such as ours take great pride in making sure that the land is restored to its natural state so that the livestock and wildlife continue to flourish. We work extensively with a CBM discharged water purification system to ensure the quality of water meets the highest standards possible. *(See enclosed photo of system in its working state).*

By changing this rule, the EQC would not be protecting the existing use of CBM water by ranchers, livestock and wildlife. Ranchers will suffer greatly, if this rule is passed.

We would like, respectfully, to remind you of the financial ramifications this rulemaking would have on a large number of individuals. This includes, but is not limited to the livelihoods of our company that consists of five officers and their families, as well as our 25 employees and their families, other subcontracting companies providing the same services, as well as the numerous individuals employed by the oil and gas industry. *(See enclosed photo of some of our employees).*

This would also put a significant financial burden on the north central portion of the State of Wyoming, as well as the entire state should gas production be reduced and/or possibly eliminated. This could potentially impact the entire nation with regards to providing a viable source of energy.

Also, we would like to remind the EQC that the Attorney General's office has repeatedly cautioned against this petition and the rule it proposes. We feel it would be in the best interest of the EQC to heed their attorney's advice.

We thank you for the opportunity to comment on this petition issue. Should you require additional information or have questions, please don't hesitate to contact either of the gentlemen below at 307-686-8123.

Respectfully,



Sherri L. Schiller  
Secretary / Treasurer, Owner

Roland Schiller  
Vice President, Owner

Brian Ogden  
Supervisor











**FILED**

JAN 29 2007

January 28, 2007

Mr. Mark Gordon – Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking, Powder River Basin Resource Council, Revised Version

Dear Mr. Gordon:

My name is Scott L. Fairfield and I am a concerned resident and homeowner in Campbell County Wyoming. I have been employed in the oil & gas industry all over the United States for the past 27 years as a geologist and for the past 8 years as a gas measurement supervisor in the Powder River CBM gas play. These 8 years were spent with Northern Border Pipeline and now with Rowdy Pipeline L.L.C.

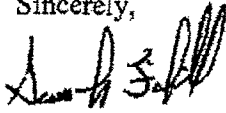
I oppose the Citizen Petition for Rulemaking – Powder River Resource Council et al – Revised Version - WQD Chapter #2. I feel that the majority of all CBM operators are prudent stewards of the natural resources and practice very good controls to protect the natural environment and wildlife during the drilling, completion, production and abandonment of the CBM wells. As I read the petition, I noticed that the water quality standards proposed were much stricter than the standards for human consumption water quality. Does this mean that we as citizens of Wyoming are endangering our health by consuming "bad" drinking water? In my daily travels for work, I have met many ranchers who want and benefit from the active produced water discharge permitted sites. I understand that Wyoming DEQ has looked at the petition and that as it is written it will have the effect of prohibiting most, if not all CBM produced water discharges and as you know, no water production then no gas produced and the producers move on to other gas producing regions of the United States. I very much enjoy living in Wyoming and would hate to have to move my family to another state so I could remain gainfully employed.

Economically, passage of this rule would be catastrophic not only to me and my family but also to the State, County and local economy. As an example two large capital projects, new Multi-events center and new Fire station, are currently being built in Campbell County and I believe a large portion of the funds will be coming from taxpayers and residents that are employed in the CBM industry.

I want to thank you for allowing me to voice my concerns and do hope you will not approve the petition. If you want to contact me, I can be reached at (307) 299-6837 or at my home address listed below.



Sincerely,

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

Scott L. Fairfield  
6807 Andre Court  
Gillette, WY 82718  
(307) 687-7597



**JIM'S WATER SERVICE, INC  
COALBED METHANE DIVISION**

1409 Echeta Road, Suite B  
Gillette, Wyoming 82716  
Office: 307-682-1813  
Fax: 307-682-1834  
Email: jbl.jwscbm@vcn.com

1/25/07

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg. Rm. 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al- Revised Version – WQD Chapter 2

Dear Mr. Gordon:

Jims Water Service, Inc would like to take this opportunity to present our opinion and information regarding the above mentioned Citizens Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H filed December 7, 2005 by the Powder River Basin Resource Council and several of its members.

Upon extensive review of the proposed Petition, I would like to begin with the Beneficial Use issue of water quantity and quality.

Each WYPDES Permit issued by the Department of Environmental Quality is meticulously reviewed before approval. Research data is required by "ALL" parties involved in this process and once approved, permits are issued with a Water Quantity (Flow in mmgd) limit as well as Water Quality (constituent limits) specific to the area outlined in the permit. Under the approved permit(s) issued, each operator is regulated and required to monitor and comply with very stringent rules and guidelines. The operator employs and contracts numerous engineers, hydrologists, geologists and other experienced and expert personnel to track, monitor and report to the appropriate governing agencies the required data as outlined in the WYPDES Permit. Inspections are made randomly and at times without notice by DEQ staff to assure compliance with CBM produced water containment and overflow should the operator be permitted to do so, samples are pulled in the field and constituent levels are monitored very closely within the confines of the permit. The Operator is required under the permit to acquire and maintain Statements of Beneficial Use from each Landowner involved and that Landowner has extreme input as to whether or not they want the water contained in a reservoir, for stock watering, for irrigation etc. and holds the right to say whether or not they want the production water at all. The Landowner and the Operator have the responsibility to see to it that the Beneficial Use of Production Water is controlled and maintained as agreed upon and the Operator has the responsibility of compliance with the WYPDES permit itself. Therefore, water quantity and quality are both supported by the rules and regulations, statutes and governing law making DEQ's



regulation and permitting very effective for CBM produced water. We respectfully ask that Council DENY the Citizens Petition to modify the language in Chapter 2 Appendix H, Permit Regulations for Discharges to Wyoming Surface Waters...

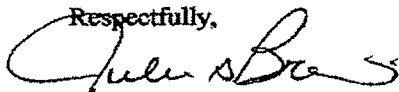
Now, let's address the Effluent Limits portion of this PRBRC Petition. There are currently limits imposed for Barium and written in the WYPDES Permit as regulated and required. The Council must consider the facts on this issue and not be swayed by public intimidation, erroneous accusations and assumptions. All I will say at this point is refer to W.S. 35-11-302 (a) (vi). The statute is clearly stated.

When you look at the overall, long term effects of this Petition, the PRBRC is basically trying to shut down CBM operations by proposing rule changes that will be detrimental to the CBM Industry, the State of Wyoming and its' population. Millions have been disbursed on water quality and quantity technology to aide the industry in trying to remain compliant with ALL governing agencies criteria. Thousands of citizens will be affected in numerous ways that will be devastating for cities, counties, schools and the State as well as operators, producers, contractors, employees and their families. The full economic impact remains unknown, but guaranteed futures would certainly be grim and the impact phenomenal.

Given the extensive review and consideration these issues have already received during the rulemaking efforts, Jims Water Service, Inc respectfully requests the EQC deny the proposed petition to amend the Chapter 2 regulations.

We appreciate this opportunity to comment and thank you for your consideration of these comments.

Respectfully,

  
Julia A. Brown, CBM Division  
Jims Water Service, Inc  
A Wyoming Corporation

JWS/jb



**FILED**

January 29, 2007

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

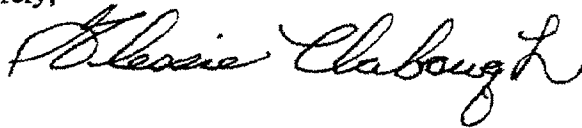
Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council

Dear Mr. Gordon,

My name was wrongfully mentioned as a Landowner in this petition. I do not currently, nor have I ever had a problem with Coal Bed Methane. My family works in the methane industry, including my son and daughter-in-law. In fact, I was in contact with a law office representing the Powder River Basin Resource Council and specifically requested that if my name was on there, it be taken off. They assured me that my name was not on the petition. I intend to take any necessary action to clear my name from any involvement in this matter. I feel that since the majority of the Landowners mentioned in this petition have received benefits of some sort from the Coal Bed Methane Industry that I have to question the reasoning behind this petition. I look at the positive impact it has made in so many peoples' lives, including theirs and think how devastating these changes could be to so many others.

Sincerely,



Glessie Clabaugh  
102 Oregon Street  
Gillette, WY 82718



*Kennedy Oil*  
*Attn: John Kennedy*  
*700 W. 6th Street*  
*Gillette, Wyoming 82716*  
*(307) 682-1629*

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

Dear Mr. Gordon,

On behalf of Kennedy Oil and its employees, we wish to express our opposition to the Citizen Petition for Rulemaking-Powder River Basin Resource Council et al - WQD chapter 2. Our entire operation would have to be completely shut in if this petition is passed. There is no possible way that the industry, as a whole, would be able to comply with the standards that are being proposed.

Kennedy Oil has strong relations with many of its landowners who have received numerous benefits from coalbed produced water. All of our discharges are fully contained in reservoirs. Many ranchers receive the needed water for their livestock and wildlife through coalbed produced water, water they would not have otherwise due to the drought conditions within the state.

The financial ramifications of this would be detrimental to the entire state, let alone the 35 employees of Kennedy Oil. We would be without jobs, and without jobs we would not be able to stay in Gillette or even Wyoming. It would affect the entire infrastructure of Wyoming.

Thank you for the opportunity to express our opinions. Mr. Kennedy will be sending an additional letter addressing the proposed changes.

Sincerely,

The employees of Kennedy Oil  
700 W. 6<sup>th</sup> Street  
Gillette, WY 82716  
307-682-1629

See attached signatures



MICHAEL K. HALLADAY

William D. GUSTAFSSON

Roger J. Rathbun

Troy Reite

Greg A. Lindblom

BRIAN D NELSON

Ty Means

Randy L Ellenson

Tabitha Caudill

Shannon Curtis

Sheri Lowe

Michael K. Halladay

William D. Gustafsson

Roger J. Rathbun

Troy Reite

Greg A. Lindblom

Brian D. Nelson

Ty Means

Randy L. Ellenson

Tabitha Caudill

Shannon Curtis

Sheri Lowe





**RICHARDSON OPERATING COMPANY**

5600 South Quebec Street, Suite 130B  
Greenwood Village, CO 80111  
(303) 830-8000 Fax (303) 830-8009

**FILED**

January 29, 2007

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
Herschler Bldg., Room 1714  
122 W. 25<sup>th</sup> Street  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking  
Powder River Basin Resource Council.

Dear Mr. Gordon,

Our company recently purchased a drilling company as well as a workover company in the Powder River Basin. We currently employ over 50 persons working primarily on CBM wells. If this petition is passed, not only will it affect our employees, but it will also affect our families and numerous Wyoming communities as well. There are so many people in this industry that rely on CBM as their sole source of income. The negative impact of this petition would not only be devastating on the communities of Wyoming but on our nation as a whole. Exploration and production in Wyoming can easily continue with laws and regulations that are reasonable. This petition is completely unreasonable.

Thank you in advance for your time and consideration.

Sincerely yours,

**RICHARDSON OPERATING COMPANY**

Patti L. Davis  
Vice President



**FILED**

JAN 29 2007

Dear Mr. Gordon:

I am providing comments based on a petition that was proposed to the Environmental Quality Council (EQC) by the Powder River Basin Resource Council (PRBRC) concerning effluent limits put on CBM discharged water. There are many proposals in the petition that I strongly oppose and I am stating in summary those items. It seems that that PRBRC has not put a lot of thought or good science into their proposals. I am employed by a consulting firm that works directly with CBM operators, Wyoming Department of Environmental Quality (WYDEQ), and landowners that have CBM leases on their lands. In my experience of dealing with CBM operators and landowners through the process of creating Plans of Development, I have seen that most, if not all landowners involved, welcome the additional water and storage that CBM discharges create. The following points describe the potentially damaging thought processes that the PRBRC has proposed to the EQC.

1. The PRBRC proposes that "no discharge water may cause the release of any chemical or chemical compound". Show me a body of water in the state of Wyoming that contains no naturally occurring chemicals or chemical compounds received from typical run-off water. This proposal would effectively shut down nearly all of the CBM operations in the Powder River Basin. The petition proposes ridiculous limits on constituents such as barium to be one tenth of the drinking water standard. Again, how could this replicate naturally occurring bodies of water in an arid region such as Wyoming? The petition also proposes limitations that are not found in other realms of the oil and gas industry.
2. All items that the PRBRC proposes would have a dramatic effect (not in a good way) on private and government employment as well as local and state economies. There is a huge employment base revolving around CBM development that would be critically affected if policies reflecting the PRBRC's proposal were implemented. I believe that this would hurt all parties involved: BLM, WYDEQ, CBM operators, private consultants that mitigate the processes to discharge water, and local communities that have felt a positive impact from the influx of families that have moved to the area to work in the industry.
3. The PRBRC fails to realize that most of the CBM discharged water is used and welcomed by landowners for irrigation and stock-watering. This is considered beneficial use of this water. As everyone in the state knows, Wyoming has been experiencing a long-standing drought that appears to have no end. Who knows what the future holds for many landowners that have been relying on water from CBM discharges if CBM operators are no longer able to discharge to the surface. Similarly, wildlife populations that would normally be hard pressed to exist in some parts of the Powder River Basin have increased due to reservoirs that contain CBM discharged water.

That being said, I feel that the PRBRC doesn't seem to care about the outcome or subsequent events that would transpire if the CBM industry had to follow unreasonable discharge regulations based on unfounded science. There is hard scientific evidence that has been collected for nearly a decade that shows that with intelligent care, forethought, and sound science we can discharge CBM water on the surface and still minimize effects to our soils and waterways and benefit everyone involved. It would be unconscionable to let a group of people that refuse to stop and look at the facts, bring an industry to its knees that has brought so much to the state of Wyoming.

I thank you and the Council for the opportunity to comment on a situation that may affect myself and others in a very personal way.  
We can all WIN!!

Beau J. Bergstrom  
CBM Associates, Inc.  
500 W. Lott St.  
Buffalo, WY 82834



TO DEQ 307/777-6184

FILED

January 29, 2007

JAN 29 2007

Re: Proposed rule changes by the PRBRC.

Terri A. Lorenzon, Director  
Environmental Quality Council

To Whom It May Concern:

Thank you for the chance to respond as you consider a petition for rule changes in regard to the definition of water and its contents as a pollutant. Please accept these comments from a layman with regard to the science, but also as an astute observer who has years in this area and in the CBM field.

With the initiation of CBM drilling in 1998 we also saw the beginning of a drought (could any problems that might exist be related to this more than anything else). During these last 7 or 8 years I have marveled at the increase in wildlife in the areas where CBM fields are developed and the produced water is collected in reservoirs, in spite of the drought. As we develop these fields one of the most requested items during surface contract discussions is the provision of water taps and reservoirs for agricultural uses. While my experience carries no statistical weight, it is interesting to me that I have never talked to a land owner that is opposed to CBM development except those who do not own the mineral rights or those in the dual estate situation who don't share in the development proceeds. I hope that we don't let pseudo scientific definitions be used as a club to beat on us in the name of environmental protection if the real issue is anti-development.

I do have a stake in the continued development of the CBM resource. I consult for pipeline companies in the development of gathering fields and compression stations. As Gillette has also seen a shortage in housing as this area grows, I am developing a subdivision that targets workers in search of affordable housing. Gillette is a wonderful place and is growing responsibly. Both the city and the county have learned from the booms and busts of the past and are regulating current growth in a good way.

I hope that the proposed rule changes will be rejected in that they are more restrictive than even the rules for drinking water in our community. Although I'm no scientist, I can't help but recognize that something is going terribly wrong when water that I drink every day would be considered a pollutant under the new rules. This is water that will be used to water livestock and wildlife as well as irrigate crops.

Please accept these comments against the adoption of the proposed rule changes.

Sincerely,



Randal P. Pope  
905 Clarion Dr.  
Gillette, WY 82718  
307/680-3840



To: Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Pctition for Rulemaking - WQD Chapter 2  
By: The Powder River Basin Resource Council

Dear Mr. Gordon:

This letter is in regards to the Citizen Petition for Rulemaking Filed 1-05-07.

I make my "living" in the methane play around Sheridan WY and Decker MT.

I strongly oppose this pctition as the DEQ states it will shut in 99% of all surface discharges. This would put thousands of people, hundreds of businesses out of work and hundreds of mineral royalty owners without a check.

The standards already in place are below Human drinking water standards for many of the limits. The standards do not need lowered for livestock or wildlife.

The State Engineers Office (SEO) issues the UW5 - appropriation permits with the beneficial use listed of pumping the water to surface to get the gas out of the coal. Livestock and wildlife uses are secondary beneficial uses.

I see many fields of irrigation using methane water producing two cuttings of alfalfa each summer.

I know of many ranchers that would be devastated in Sheridan County without the water in ponds, tanks for livestock and on hay fields to support their operation in this 20 plus yearlong drought.

Thank you for reading my comments and I strongly urge you to vote NO on this pctition filed to circumvent the SEO and the WOGCC. This petition is not for the better good of the people or the land.

Cordially,

*Mark Gordon*

P.O. Box 577

Big Horn, WY 82833



Oedekoven Excavating & Construction, LLC  
PO Box 206  
Gillette, WY 82717  
307-660-9891

January 29, 2007

In regards to: Citizen Petition for Rule Making - Powder River Basin Resource Council

FILED

JAN 29 2007

Mark Gordon  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Building, Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mark Gordon,

SUBJECT: ETAL-REVISED VERSION - WQD CHAPTER 2

Oedekoven Excavating & Construction bases over 90% of our business in the methane industry throughout Campbell and Johnson Counties. We employ anywhere between 7-15 employees throughout each year, providing top wages. We pride ourselves on providing safe, efficient business practices for not only our customers but for the land owners as well. Our lively hood, as well as those we employ depends heavily on the methane industry.

Campbell County has seen a significant increase in business related growth for past several years. Landowners and ranchers have benefited immensely from the methane industry. Land improvement, water access, and revenue are just a few of the benefits many have experienced due to the methane industry. Campbell County, Johnson County and many others has seen an increase in the population and housing growth directly related to the methane operations that have grown over the past years. Water is more accessible for livestock, wildlife, and many dry creek beds now have an abundance of water. This is especially important since we have been experiencing major droughts and wild fires for several years now.

It is vital to our company as well as the community that the methane industry is allowed to grow without being encumbered by politics and continual delays in issuing permits. The methane industry supplies a vital role in energy, allowing the United States to take one more step in becoming self-dependant on local resources, rather than from abroad. The more resources the nation can utilize and profit from, the better for all those involved, whether it be laboring in the methane fields or utilizing the energy as far away as the east coast. To hinder methane operations would have an adverse affect on the economy, businesses, and the local and surrounding areas.

Please take all things into consideration when making decisions that may have an adverse affect on our futures. Please feel free to contact us in regards to our operations, opinions, and experiences. Thank you.

Sincerely,



Roger Oedekoven  
Owner  
Oedekoven Excavating & Construction, LLC



FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002  
Fax. 307.777.6134

Dear Mr. Gordon:

I am writing this letter to you regarding the petition, submitted by the Powder River Basin Council, to amend Wyoming Water Quality Rule, Chapter 2. In short, I do not agree the rule should be amended.

The petition is unfair to the landowners who benefit from the CBM discharged waters. It is unfair to the CBM industry, its operators and Wyoming citizens and their families who benefit from the quality jobs.

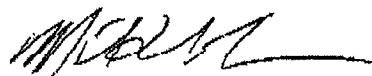
I work surveying reservoirs associated with the CBM industry in the Powder River Basin. I have worked on many ranches in the area and generally speaking the landowners are very interested in having the water for their livestock and or irrigation purposes. Many of the landowners are excited when the water development occurs on their ranches.

The newspapers and other media outlets seldom seem to publish any of the positive aspects of CBM development. I was working on the Floyd ranch along Wild Horse creek and the late Fred Floyd told me their yearling steers were averaging 50 pounds heavier after the development of CBM water on their ranch. He attributed it to his cattle having to trail shorter distances for water. The negative affects of cattle trailing to water can be seen all over the Powder River Basin with trails turning into deeply cut scars from overuse and the accompanying erosion from water and wind.

Many of the areas ranchers feel it is impossible to get a positive word in about the development that has occurred on their ranches. I have been told that Wyoming news outlets are not interested in publishing their stories. It certainly seems that way if you follow the only statewide newspaper in Wyoming. I have heard ranchers talk excitedly about water development on their places where drought and simple economics have kept them from utilizing large portions of their range holdings.

My job in the CBM industry has allowed me to provide for my family, plan for my kids future, and remain in Wyoming as a 5<sup>th</sup> generation native of this great State, along with providing additional jobs for other Wyoming citizens. I am not alone, thousands are benefiting from well paying jobs, the States coffers are flush with tax dollars providing services, investments, and hope for Wyomings future.

Thank you for the opportunity to comment,



Mike Lowham  
MLSurveying LLC  
307-761-0612 cell



**KNIGHTEN WELL SERVICE, LLC**

January 29, 2007

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chariman  
Wyoming Environmental Quality Council  
Herschler Bldg., Room 1714  
122 W. 25<sup>th</sup> Street  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking  
Powder River Basin Resource Council.

Dear Mr. Gordon,

We have performed reworking operations on CBM wells for many years. We employ an average of 15 employees in the Powder River Basin. If this petition is passed, not only will it affect our employees, but it will also affect our families and numerous Wyoming communities as well. There are so many people in this industry that rely on CBM as their sole source of income. The negative impact of this petition would not only be devastating on the communities of Wyoming but on our nation as a whole. Exploration and production in Wyoming can easily continue with laws and regulations that are reasonable. This petition is completely unreasonable.

Thank you in advance for your time and consideration.

Sincerely yours,

KNIGHTEN WELL SERVICE, LLC

Patti L. Davis  
Vice President

Corporate Headquarters  
5600 South Quebec, Suite 130B • Greenwood Village, CO 80111 • (303) 830-8000 • Fax (303) 830-8009  
Douglas Field Office  
Post Office Box 881 • Douglas, WY 82633 • (307) 358-5262 • Fax (307) 358-8733  
Gillette Field Office  
Post Office Box 2767 • Gillette, WY 82717 • (307) 682-3618 • Fax (307) 682-5205



January 29, 2006

Dear Mr. Gordon:

My name is Brian Boyer and I am a Project Manager in the Powder Basin for Marathon Oil, in Gillette, WY. I am writing to oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD Chapter 2.

It is my understanding that DEQ has looked at the petition and as it is written, will have the effect of prohibiting most, if not all, CBM produced water discharges. I do not agree with setting standards for water discharge for coalbed produced waters that are more restrictive than for other discharges. This rule seems arbitrary if adopted as proposed. I do understand that problems with some individuals might exist, however, changing water quality rules is not a fix for those solutions. However, there are many, many landowners who have said, "don't shut down the water - we use it and appreciate it". There are many options available for conflict resolutions that are not being pursued by the petitioners. By changing the rule, the EQC would not be protecting existing use of CBM water by ranchers, livestock and wildlife, and ranchers will suffer direct damage if the rule is passed. If CBM water is held to a stricter standard than other discharged water, this rule could not, and would not stand. It is also my understanding that the Attorney General's office has repeatedly cautioned against this petition and the rule purposed. I feel you would be wise to heed your attorney's advice. This rule should be struck down as bias and obsolete.

In summary, I oppose the rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used by ranchers, livestock, and wildlife. There could be serious financial ramifications to myself, my associates, as well as the State, just to name the obvious, should gas production be reduced. I ask that you deny the request to prohibit CBM produced water discharges.

I appreciate your time and consideration to this very important matter.

Sincerely,



Brian W. Boyer  
Marathon Oil  
Project Manager-Powder River Basin

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council



# SAGE DRILLING, LLC

January 29, 2007

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality CouncilMr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council.

Dear Mr. Gordon,

We have been drilling CBM wells for many years, previously known as Swanson Drilling. We employ on average of 22 employees here in Gillette, Wyoming. If this petition is passed, not only will it affect our employees, but it will also affect our families and our community as well. There are so many people in this industry that rely on CBM as a source of income, for many of them it is their sole source of income! We cannot express enough the negative impact this would have on so many peoples' lives. We ask that you strongly consider how devastating this would be to the entire industry.

Thanking you in advance for your time and consideration!

Rebecca Clabaugh

Office/Safety Manager  
**SAGE DRILLING, LLC**  
**P.O. BOX 2767**  
**GILLETTE, WY 82717**



**FILED**

January 29, 2007

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

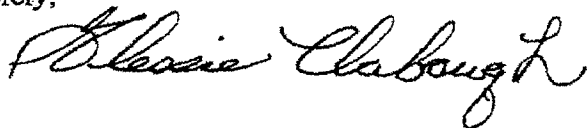
Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council

Dear Mr. Gordon,

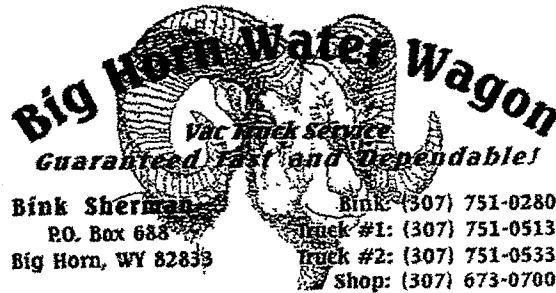
My name was wrongfully mentioned as a Landowner in this petition. I do not currently, nor have I ever had a problem with Coal Bed Methane. My family works in the methane industry, including my son and daughter-in-law. In fact, I was in contact with a law office representing the Powder River Basin Resource Council and specifically requested that if my name was on there, it be taken off. They assured me that my name was not on the petition. I intend to take any necessary action to clear my name from any involvement in this matter. I feel that since the majority of the Landowners mentioned in this petition have received benefits of some sort from the Coal Bed Methane Industry that I have to question the reasoning behind this petition. I look at the positive impact it has made in so many peoples' lives, including theirs and think how devastating these changes could be to so many others.

Sincerely,



Glessie Clabaugh  
102 Oregon Street  
Gillette, WY 82718



**FILED**

JAN 29 2007

Dear Sirs:

Terri A. Lorenzon, Director  
Environmental Quality Council

My name is Bink Sherman and I am the co-owner of Big Horn Water Wagon. We provide water hauling services and frac tank leasing for several of the Energy companies currently operating in the Powder River Basin.

I have recently been made aware that the industries ability to continue producing methane gas is being threatened by the DEQ regarding the Citizens Petition for Rulemaking- Powder River Basin Resource Council er al-Revised Version-WQD Chapter 2.

I do not believe that there are enough concrete facts available for anyone to make an educated vote on a rule that would profoundly affect the livelihood of so many and the revenue this industry makes available to the counties. We have been involved with the industry for seven years and as a result have seen the positive impact that the CBM industry has had on the land owners and the environment. We and many of our associates have supplied CBM water for livestock, seen it used extensively for hay crops, fought fires with it and saw a private fishing pond developed for youth fishing. All of this was accomplished with CBM water.

Our business currently has 10 employees all of whom are the soul providers for their individual families. Should these revisions being recommended by the Powder River Basin Resource Council be implemented it would have a devastating impact on them as well as all of the other individuals and families whose income relies on the gas industry. The University of Wyoming is currently conducting a study of the environmental impact of CBM water on the environment and is due to be completed by July. I do not believe that there are enough facts available for anyone to make an educated decision on a rule that would so profoundly effect so many. This is an extremely serious issue and deserves to be approached with great care and concern for all involved. Let's wait until all the facts are in before a decision is arbitrarily made by a few uninformed.

Sincerely,

Bink Sherman



**LANCE OIL & GAS COMPANY, INC.**

1400 E. Lincoln • Gillette, Wyoming 82716  
(307) 682-2675

January 29, 2007

**FILED**

**JAN 29 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax – 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Oppose the Citizen Petition for Rulemaking – Powder River Basin Resource  
Council et al-WQD chapter 2

Dear Mr. Gordon:

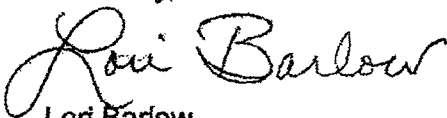
My name is Lori Barlow and I work for Anadarko Petroleum in Gillette, WY as a Land Specialist. I generate surface damage payments to our customers, as well as speak with them about upcoming work and events pertaining to their land.

My husband is David Barlow and he works for Cate Equipment in Gillette, WY as a Parts Manager. He sells parts for the drilling rigs located at the mines and also rents and sells compressors to various methane companies throughout our area.

I am writing to let you know I disagree with this rulemaking because if the discharge of CBM produced water is prohibited or eliminated; it will greatly impact both my job and my husband's job. It could actually eliminate my job. My husband and I need our jobs to pay bills and afford housing and groceries.

Thank you for the opportunity to comment on this situation. If you have any questions for me, you may contact me at 307-685-5713 or email me at [Lori.Barlow@Anadarko.com](mailto:Lori.Barlow@Anadarko.com).

Sincerely,



Lori Barlow  
Senior Land Specialist  
Lance Oil & Gas Company  
Anadarko Petroleum Company  
1400 E. Lincoln  
Gillette, WY 82716



To: Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – WQD Chapter 2  
By: The Powder River Basin Resource Council

Dear Mr. Gordon:

This letter is in regards to the Citizen Petition for Rulemaking Filed 1-05-07.

I make my "living" in the methane play around Sheridan WY and Decker MT.

I strongly oppose this petition as the DEQ states it will shut in 99% of all surface discharges. This would put thousands of people, hundreds of businesses out of work and hundreds of mineral royalty owners without a check.

The standards already in place are below Human drinking water standards for many of the limits. The standards do not need lowered for livestock or wildlife.

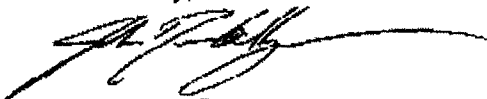
The State Engineers Office (SEO) issues the UW5 – appropriation permits with the beneficial use listed of pumping the water to surface to get the gas out of the coal. Livestock and wildlife uses are secondary beneficial uses.

I see many fields of irrigation using methane water producing two cuttings of alfalfa each summer.

I know of many ranchers that would be devastated in Sheridan County without the water in ponds, tanks for livestock and on hay fields to support their operation in this 20 plus yearlong drought.

Thank you for reading my comments and I strongly urge you to vote NO on this petition filed to circumvent the SEO and the WOGCC. This petition is not for the better good of the people or the land.

Cordially,

  
959 6<sup>th</sup> Ave E.  
Sheridan, WY 82801



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W 25<sup>th</sup> St  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

This letter is to state my opposition to the Citizen Petition for Rulemaking-  
Powder River Basin Resource Council et al – WQD Chapter 2.

I vigorously oppose this petition. The standards set forth in the petition are unreasonable, especially since the methane water is held to a higher standard than oil well and coal mine discharge water. The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharge water, the rule will be struck down as arbitrary and capricious.

Thank you for your consideration of my opinion in this matter. And remember no water, no gas, no gas, no revenue.

Sincerely,

*Bob Dennis*



January 29, 2007

FILED

JAN 29 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St. Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

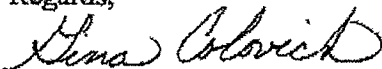
As an employee of an engineering firm whose primary clients are those in the Coal Bed Methane industry, I feel compelled to write you with my concerns regarding the Petition to Amend Wyoming Water Quality Rules. I have read this petition and it strikes me as very arbitrary in its purpose. Holding CBM produced water to a higher standard than that produced by conventional oil & gas wells is unnecessary. Livestock & wildlife can't choose which water to drink and both sources should meet the same criteria. Additionally, the petitioners would like to halt all CBM discharge if there are any changes at all to the receiving water. This tactic is obviously intended to shut down the industry as there are no cases where the CBM produced water will match the receiving water exactly.

Our firm, Lowham Engineering LLC, has worked with companies in the PRB for more than eight years. We meet with landowners on a regular basis who appreciate the beneficial use of the produced water. The reservoirs we design serve two industries, Coal Bed Methane and Agriculture. There may be some unresolved issues with the petitioners, but changing water quality rules will not benefit the majority of the landowners and could only serve to hurt the area economy as a whole.

The economic benefits impact the entire state. Our firm has two locations, one in Gillette and the other in Lander. We pay competitive salaries to our Gillette employees and our Lander employees earn similar salaries that are hard to find in this area. These people are part of communities that benefit from higher wages. We elect to stay in Wyoming because we can afford to, we send our kids to school here thereby stabilizing school enrollment. As our state attempts to diversify itself economically, we need to keep the money flowing so we can invest in small business initiatives and large scale enterprises.

In closing I would like the Environmental Quality Council to know I think we provide the industry with a quality product (stock reservoirs & reservoirs) and the state with professional employees who enjoy living here. Thank you for the opportunity to comment and I can be reached at the following phone/email if you should have any questions.

Regards,



Gina Colovich  
Technical Services Director  
Lowham Engineering LLC  
307-335-8466 or gcolovich@low-water.com



**FILED**

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

January 29, 2007

Dear Mr. Gordon:

As a homeowner and parent of two high school aged youth, and since resigning from the teaching profession after 22 years of service, my livelihood is now dependent on the Coal Bed Methane Industry. I am writing to oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al-WQD, Chapter 2. This petition seems to be an extreme assault on the Coal Bed Methane Industry with dramatic negative impacts for citizens, landowners and the economy in Wyoming. The petition seems to be without regard for other arenas of resolution or negotiation to find a balanced outcome and a healthy win/win for our state.

Please consider some of the more positive environmental impacts of Coal Bed methane water in our state as well as the obvious economical ones.

The photo below shows a reservoir that was designed with habitat islands for water fowl. Live stock water tanks are in the left and bottom of the photo; which provide freshwater for livestock and wildlife. Reservoirs placed in plains and desert areas can support grazing in grasslands that would otherwise be underutilized.



This photo provide courtesy of Lowham Engineering LLC.

May I suggest the following article as a read to show how the industry is making efforts towards research and projects: **Salty methane water may quench timber's thirst**, by **PETER CARTRELL**, in the (Gillette) News-Record Wednesday, August 30, 2006. I will attach a copy or you can read it online at:  
<http://www.casperstartribune.net/articles/2006/08/30/news/wyoming/a45d381f8f953359872571d70020f639.txt>

This article covers how this particular oasis of trees wouldn't exist without the use of Coal Bed Methane water. It is a pilot project with ecolotree (<http://www.ecolotree.com>). With projects like these, three acres of thriving poplar trees is a step toward demonstrating the beneficial use of coal bed methane water and of lowering some of the carbon dioxide in our environment as a movement towards managing global warming.

I urge consideration of protecting existing and future uses of CBM water by ranchers, livestock and wildlife and to investigate the positive impacts the CBM industry is making in our state. Both Montana State University, in Bozeman, and the University of Wyoming, in Laramie, are our keatest resources for research and negotiations in the arena of Coal Bed Methane water and these resources should be a part of a healthy conflict resolution process.

Sincerely,

**Deryle Matland** (Industrial Technologist - Technical Services Specialist)

Health and Safety Coordinator / Staff Development

307-330-6349 cell

[dmatland@low-water.com](mailto:dmatland@low-water.com)

Lowham Engineering LLC, 205 South Third Street, Lander, WY 82520

307-335-8466, FAX 307-335-7343 <http://www.low-water.com>



The Casper Star-Tribune: Printable Version

Page 1 of 2  
**FILED**

JAN 29 2007

## **Salty methane water may quench timber's thirst**

By **PETER GARTRELL**  
(Gillette) News-Record

Terri A. Lorenzon, Director  
Environmental Quality Council

LINCH -- The green oasis next to the coal-bed methane water reservoir stands out from the sagebrush prairie. Over a rise on the road, in a valley just north of nowhere, the grove attracts hundreds of rabbits with a landscape feature unique in these parts: Trees.

But not a single one of the 2,100 trees covering the three-acre spread in carefully planted rows would be there if it were not irrigated by coal bed methane water, the salty and bedeviling byproduct of drawing natural gas from coal beds.

"What we started was what we consider a pilot project," said Patsy Ballek, an environmental specialist with Windsor Energy Group, an Oklahoma-based company with coal-bed methane operations in the Powder River Basin.

Now the trees -- poplars bred by an Iowa company to soak up large volumes of salty water -- appear to be thriving. Some have grown more than 2 feet since they were planted in late April, giving Ballek and others involved with the project hope that the technique might be used in other parts of the basin to sop up the vast quantities of salty water that accompany coal-bed methane development.

"We were looking to use our water for beneficial use, and one of our consultants came up and said they had been investigating some stuff with trees," Ballek said.

The investigation began when Chris Ewart was a graduate student in Portland, Ore. Now an engineer with CBM Associates in Gillette, Ewart thought trees he had seen planted on top of capped Oregon landfills might be a solution to water management issues in the Powder River Basin.

Ewart found the trees were planted by Ecolotree. Owned by Lou Licht, the North Liberty, Iowa, company uses trees to reduce pollution by minimizing seepage into the water table at 85 sites in 22 states across the country.

The Johnson County project has gone as well as could be expected, Licht said. Only a handful of trees have died, failed to grow or withered when the saline water from the sprinklers landed on their leaves.

"Better than I thought it would be," Licht said last month as he stood under the blazing July sun during a break from an inventory of the trees.

The trees are watered for two to three hours a day by coal-bed methane water that is piped to sprinklers. Cow manure is spread as fertilizer, and a mixture of gypsum and sulfur is used to neutralize the naturally alkaline water. Grass is



grown to choke out weeds, and all the trees are male to keep them from germinating and taking seed outside the irrigated area.

It has created an oasis. Kenneth Anderson, a retired farmer who cares for the trees during the week, said he has seen sage grouse in addition to the rabbits that hop through the field. Antelope and cattle have been attracted to the spruced-up area, but are kept out by a fence.

"It has worked as well as we'd hoped," Ewart said as he bounced along in a pickup truck, travelling along the 22-mile dirt road to the site at Jepson Draw.

"If this area were conducive to growing trees, there'd be trees in all the draws," he said.

Bureau of Land Management officials have toured the site and came away impressed. However, Mike McKinley, a hydrologist with the Buffalo Field Office, said it was not a complete solution because it uses relatively little water.

Licht estimates the site will use up to 1.3 million gallons of water annually. More than 544 million gallons were pumped from the basin's coal seams last year.

Based on previous experience and experiments he's done at his Iowa farm, Licht said the trees can grow 40 feet tall and up to 24 inches in diameter. When harvested, the wood has been used for baseboard siding and paper pulp. But the main task is to sop up water.

"We do not plant trees for landscaping. Every tree we have has a permit attached to it," he said. "I believe these trees multitask. You can do more than just grow wood."

The system is attractive at this point because the trees use more water than irrigated crops, Ballek said. She and Ewart agreed that if the trees prove successful, they eventually could be an option for private landowners. However, hurdles remain before the test site can be declared a success.

The first frost of the fall and last of the spring will be major tests of hardiness for the trees. And although the trees have responded well to the methane water so far, Licht said there is still tweaking to be done.

"We decided on a small project because it would be more like a study," Ballek said. "We want to be environmentally friendly, and we want to use our landowners' property, but we want to do it in the right way."

Ewart is hopeful.

"We're using the water to grow trees in Wyoming. We're finding out if it's good science," he said.

Those at the site agreed: It looks good so far.



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W 25<sup>th</sup> St  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

This letter is to state my opposition to the Citizen Petition for Rulemaking- Powder River Basin Resource Council et al - WQD Chapter 2.

I vigorously oppose this petition. The standards set forth in the petition are unreasonable, especially since the methane water is held to a higher standard than oil well and coal mine discharge water. The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharge water, the rule will be struck down as arbitrary and capricious.

Thank you for your consideration of my opinion in this matter. And remember no water, no gas, no gas, no revenue.

Sincerely,

*Valerie Leegett*  
2503 BLUFFS Ridge Drive  
GILLETTE, WY 82718



January 29, 2007

Via Facsimile (307-777-6134) and Regular Mail

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Opposing the Petition for Rulemaking – PRBRC et al – WQD Chapter 2

Dear Mr. Gordon:

My name is Rosemary Edwards of Douglas, Wyoming. My husband, Gerald Edwards, and I own Edwards Drilling, Inc. We oppose rulemaking that reduces or eliminates the ability for coalbed water to be discharged and thus beneficially used. My husband, Gerald, has lived in Wyoming all his life, Campbell County for 45 years and Converse County for 19 years. I have lived in Wyoming with him since 1963. We are the parents of 4 children all born and raised and schooled in Wyoming. Our livelihood has always been made in Wyoming. We started out drilling water wells, then when the coal came we drilled blast holes for them, then when the coal bed methane opened up we drilled and serviced wells for the energy companies involved therein.

After graduating from school, our children were forced to leave their home in Campbell County as there was no work for them. The oil bust of the 1980s took us all down. Then when the coalbed methane opened up, our children were able to come back home to Wyoming bringing their spouses and children with them. They all started and operate their own businesses relating to aspects of the coalbed methane industry. Between us, we employ approximately 28 people and most of those 28 people have spouses and children all residing in Campbell County. To put us out of business by rulemaking that is adverse to the coalbed methane industry is simply not acceptable.

We all live in Wyoming, we work in Wyoming, we are good stewards of Wyoming, we carry mortgages and also have gainful investments in Wyoming. We implore you to make your decision concerning coalbed methane water discharge that will allow us to continue living and working in Wyoming in the coalbed methane industry.

Campbell County has never looked so pretty as it has since coalbed methane water has benefited the wildlife such as deer, antelope, birds, elk in some places, and many other creatures that live in our environment. The animals and fowl have benefited tremendously as have the cattle and sheep of the ranchers who LOVE the coalbed water methane water. From listening to a lot of "coffee chatter" these ranchers who have this water is in the majority of the ranchers. Thank you for your help in this matter.

*Rosemary Edwards*



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W 25<sup>th</sup> St  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

This letter is to state my opposition to the Citizen Petition for Rulemaking- Powder River Basin Resource Council et al -- WQD Chapter 2.

I vigorously oppose this petition. The standards set forth in the petition are unreasonable, especially since the methane water is held to a higher standard than oil well and coal mine discharge water. The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharge water, the rule will be struck down as arbitrary and capricious.

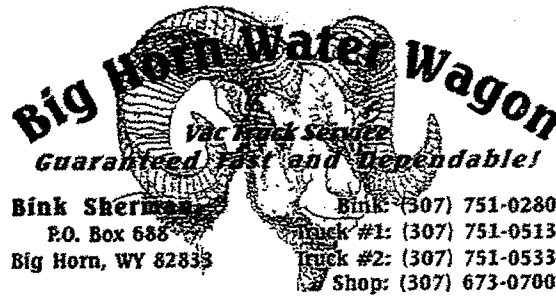
Thank you for your consideration of my opinion in this matter. And remember no water, no gas, no gas, no revenue.

Sincerely,

*Terri Lorenzon*

1-29-07



**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Sirs:

My name is Karen Sherman and I am the co-owner of Big Horn Water Wagon. We provide water hauling services and frac tank leasing for several of the Energy companies currently operating in the Powder River Basin.

I have recently been made aware that the industries ability to continue producing methane gas is being threatened by the DEQ regarding the Citizens Petition for Rulemaking-Powder River Basin Resource Council er al-Revised Version-WQD Chapter 2.

I am aware that there is a research study being conducted at this time by the University of Wyoming to determine the effects of the water production from these wells on the environment, and is due to be completed by July. I do not believe that there are enough concrete facts available for anyone to make an educated vote on a rule that would so profoundly affect the livelihood of an entire state, let alone the \$40 million dollars in revenue that Sheridan County alone made the previous year. Having come from an area in California whose logging industry was completely decimated by the "spotted owl" controversy I have seen first hand the impact of lost revenue and jobs on an area and how it impacted the families and community.

This is an extremely serious issue and deserves to be approached with great care as it has the potential to cause a great deal of harm. Let's wait until all the facts are in before a decision is arbitrarily made by a few uninformed.

Sincerely,

Karen L. Sherman  
Bink Sherman



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W 25<sup>th</sup> St  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

This letter is to state my opposition to the Citizen Petition for Rulemaking- Powder River Basin Resource Council et al - WQD Chapter 2.

I vigorously oppose this petition. The standards set forth in the petition are unreasonable, especially since the methane water is held to a higher standard than oil well and coal mine discharge water. The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharge water, the rule will be struck down as arbitrary and capricious.

Thank you for your consideration of my opinion in this matter. And remember no water, no gas, no gas, no revenue.

Sincerely,

*Mindy Turk*  
*Lyman Sifton*



**CBM Associates, Inc.**

500 W. Lott St. • Buffalo, WY 82834 • Office: (307) 684.0252 • Fax: (307) 684.0254

GROUNDWATER &amp; SURFACE WATER HYDROLOGY • WATER RESOURCE MANAGEMENT • ENVIRONMENTAL PERMITTING &amp; COMPLIANCE

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

**VIA FACSIMILE AND U.S. MAIL**

Re: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – WDEQ-Water  
Quality Rules and Regulations, Chapter 2

Dear Mr. Gordon:

My name is Tom Nissen. I am the Operations Manager of the CBM Associates, Inc. (CBMA) Buffalo, Wyoming office. CBMA specializes in permitting, water resource management, and environmental compliance for the CBM industry. My wife, my children and I are active members of the Buffalo community. We call Buffalo our home.

I have reviewed the Citizen Petition for Rulemaking to Amend Chapter 2 of the Wyoming Water Quality Rules and Regulations (the Petition) as well as the letter of advisement from Mr. John Wagner, Administrator, WDEQ-WQD to you dated January 5, 2007. I share Mr. Wagner's technical and regulatory concerns with this Petition. The proposed amendment to the rule, if passed, would essentially prohibit all discharge of CBM water to the surface and effectively shut down the CBM industry in the Powder River Basin. I strongly oppose the Petition because it lacks sound technical basis, is administratively unfair, and would have catastrophic economic effects on the State of Wyoming, Johnson County, the City of Buffalo, CBMA, and me personally.

To set standards for CBM discharges that are more restrictive than for any other permitted discharges in Wyoming is unfair, arbitrary and capricious. I am not aware of any risks to human health or the environment that would warrant amending the rules as proposed. Finally, I understand that the EQC **must** consider economics in its decision-making process. The loss of tax revenue to the State, counties and municipalities would be tremendous as a result of the extermination of the CBM industry. Additionally, the dollars earned by people who make their living from the CBM industry circulate through their communities many times over at businesses that do not derive their revenues directly from the energy sector. Not only would the proposed rule shut down the CBM industry if passed, it would also kill countless other small businesses.

In closing, I urge the EQC to disapprove the Petition as proposed for the reasons given above. I thank you for the opportunity to comment, and for serving the public in a difficult and contentious position. If you have any questions, or would like to discuss my position further, please feel free to contact me at (307) 684-0252.

Respectfully submitted,

CBM Associates, Inc.  
Thomas C. Nissen, P.G., C.H.M.M

CBM ASSOCIATES, INC. ADDITIONAL OFFICES:

920 E. Sheridan Street  
Laramie, WY 82070  
307.742.4991

345 Sinclair Street  
Gillette, WY 82718  
307.686.6664

743 Horizon Court, Suite 250  
Grand Junction, CO 81506  
970.420.2224

3036 South Flower Court  
Lakewood, CO 80227  
303.973.2302



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W 25<sup>th</sup> St  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

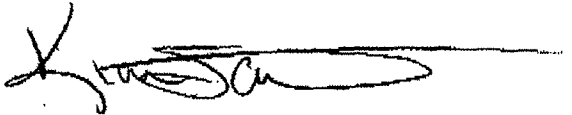
Dear Mr. Gordon,

This letter is to state my opposition to the Citizen Petition for Rulemaking- Powder River Basin Resource Council et al – WQD Chapter 2.

I vigorously oppose this petition. The standards set forth in the petition are unreasonable, especially since the methane water is held to a higher standard than oil well and coal mine discharge water. The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharge water, the rule will be struck down as arbitrary and capricious.

Thank you for your consideration of my opinion in this matter. And remember no water, no gas, no gas, no revenue.

Sincerely,





January 29, 2007

Mr. Mark Gordon  
Chairman, Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, WY 82002  
Fax: (307) 777-6134

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

I oppose the Citizen Petition for Rulemaking – Powder River Basin Resource Council – Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H.

Over two year ago, my wife and I were looking for work in Wyoming. I had completed a Project with the Eastern Shoshone Tribe on the Wind River Indian Reservation, and my wife was going to lose her job due to restructuring of the company she was working for. We applied for work in Wyoming because this is where my wife and I received our education and where we wanted to continue to reside. We were seriously considering a move to another state because our job search had almost reached a dead end. About a month before our move I received an offer and a job at Lowham Engineering LLC in Lander, Wyoming, a hydrology and natural resources firm.

Now, I am a Project Engineer at Lowham Engineering LLC. Lowham Engineering employs approximately 25 people. A large portion of the work we do is channel design, water monitoring, reservoir design, including reservoirs that contain Coal Bed Methane (CBM) water. Some of my work includes following all Federal and State regulations, including the Wyoming Department of Environmental Quality (WDEQ) standards, for the permitting of reservoirs. Through my work I've found that Lowham Engineering values landowner concerns and relations greatly, and has never left landowners out of the design phase of any project on their property, or any project that could affect the landowner. I've seen many benefits for CBM water for other landowners; Water for livestock, fish ponds and an increase of wildlife, to name a few. The reservoirs make water accessible in times when water would not normally be available.

I disagree greatly with making the CBM discharge water have a Barium discharge level ten times less than our own drinking water. Currently, the Barium level standards for CBM water are better than our drinking water anyway. Why does it need to be ten times better? Passage of this amendment could have a major impact on CBM production in the Powder River Basin, due to an increased operating cost beyond the profitability level, as mentioned in a WDEQ review of the petition. Passage of this amendment could greatly reduce monies that supplement taxes to support schools, libraries, roads, social programs, and eliminate jobs, including most of the people working at Lowham Engineering LLC and a large number of families in the Powder River Basin area.

Yes, I agree with the landowners that we must have high water quality standards to protect people, the environment, wildlife and our way of life, but I believe there are other ways to help landowners than setting water quality standards well beyond drinking water standards, that could shut down an entire industry. I would love to have my two young daughters experience Wyoming the way that I have, and would be greatly saddened if my family and I have to move out of the beautiful State of Wyoming to find work.

Respectfully,



Thomas P. Wilkinson  
Concerned Citizen of Wyoming  
(307) 335-8665



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W 25<sup>th</sup> St  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

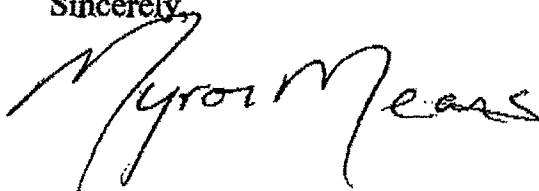
Dear Mr. Gordon,

This letter is to state my opposition to the Citizen Petition for Rulemaking- Powder River Basin Resource Council et al - WQD Chapter 2.

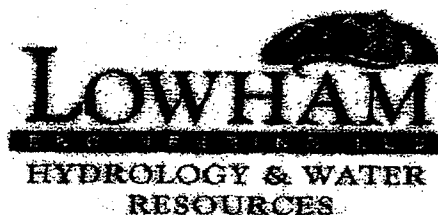
I vigorously oppose this petition. The standards set forth in the petition are unreasonable, especially since the methane water is held to a higher standard than oil well and coal mine discharge water. The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharge water, the rule will be struck down as arbitrary and capricious.

Thank you for your consideration of my opinion in this matter. And remember no water, no gas, no gas, no revenue.

Sincerely,

A handwritten signature in black ink, appearing to read "Myron Meas". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.





**P.O. Box 536  
Gillette, WY 82717  
(307) 685-3137  
Fax (307) 685-0175**

**205 South 3<sup>rd</sup> Street  
Lander, WY 82520  
(307) 335-8466  
Fax (307) 335-7343**

January 29, 2007

**FILED**

**JAN 29 2007**

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg, Rm 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Revised Version – WQD Chapter 2

Dear Mr. Gordon:

I am a registered professional engineer in Wyoming (P.E. 1469). My company has offices in Lander and Gillette, and employs about 20 persons, including engineers, geologists, and surveyors. I have been involved with the Coal-Bed Natural Gas industry since 1998. I have a ranching background, and attended the University of Wyoming.

I am very concerned about the subject petition. Based on my experience and observations of the CBNG industry, the great majority of water management operations are working well under the current regulations. Given the size and scope of the industry, a few problems have occurred; however they are problems that can be mitigated or resolved. I have worked with dozens of ranchers who are extremely pleased with being able to use the CBNG waters. Many of the ranchers for whom we have developed water supplies have been able to greatly increase their livestock production, resulting in a much greater profit from their ranching operations.

I would like to highlight several of my observations:

- **Small Ranches** -The benefits of water supplies from CBNG operations have especially benefited small ranchers, who formerly did not have the finances to develop wells and stock tanks on remote areas of their ranches. I have worked with numerous ranches that had only one or two water wells and a few stock

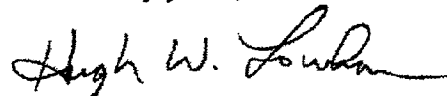


reservoirs. If these ranches had water wells, they generally were located in the bottom of draws where inexpensive, shallow wells could be installed. The ridges and hills were underutilized for grazing due to no available water. The livestock could not fully graze the remote areas, and the ranchers often had to sell their livestock early due to insufficient pasture areas with water. The small ranchers often had to have other employment in order to make ends meet, and owners of the larger ranches have been buying the small ranches that became uneconomical to operate. The CBNG industry has provided water supplies to numerous ranches, resulting in much more efficient grazing operations. (See attached example photographs).

- **Erosion** - Opponents of livestock grazing often use examples of overgrazing and erosion to support their claims of damage to public lands. When only a few water supplies are available on a ranch, the livestock typically trail once or twice a day along the same path to water. These trails develop into new deep channels, which accelerate erosion. Additionally, the pastures close to the few available water sources become overgrazed and subject to erosion. The effects of livestock being concentrated along the stream valleys where the few shallow water wells are located have impacts on the water quality of runoff, as the manure and disturbed soils become concentrated and are easily washed into the stream.
- **Water Quality** - During my career, I have been involved in the collection of streamflow and water-quality data from numerous streams in the Powder River Basin. Runoff events for the tributary streams in the plains typically occur only occasionally and are of short duration. Because runoff occurs only periodically, organic (manure, woody debris, leaves) and inorganic (salts) materials accumulate on the basin surface and in the channels, and are subsequently washed downstream when rainfall or snowmelt occur. In general, the water quality of plains streams is relatively poor.
- **Solutions** - I obtained a degree in Agricultural Engineering from the University of Wyoming in 1965. That engineering program was subsequently abolished. The economy of Wyoming couldn't justify the need for the program. The economy has since improved, and numerous positions are available for trained and knowledgeable persons. Solutions are possible for most of the problems facing the CBNG industry. Good science associated with agriculture and engineering can help solve many of the water-related problems. Support for good science is needed from the legislature, the University of Wyoming, and the regulatory agencies. My experience is that the CBNG companies are very willing to work with them and the landowners to develop solutions.

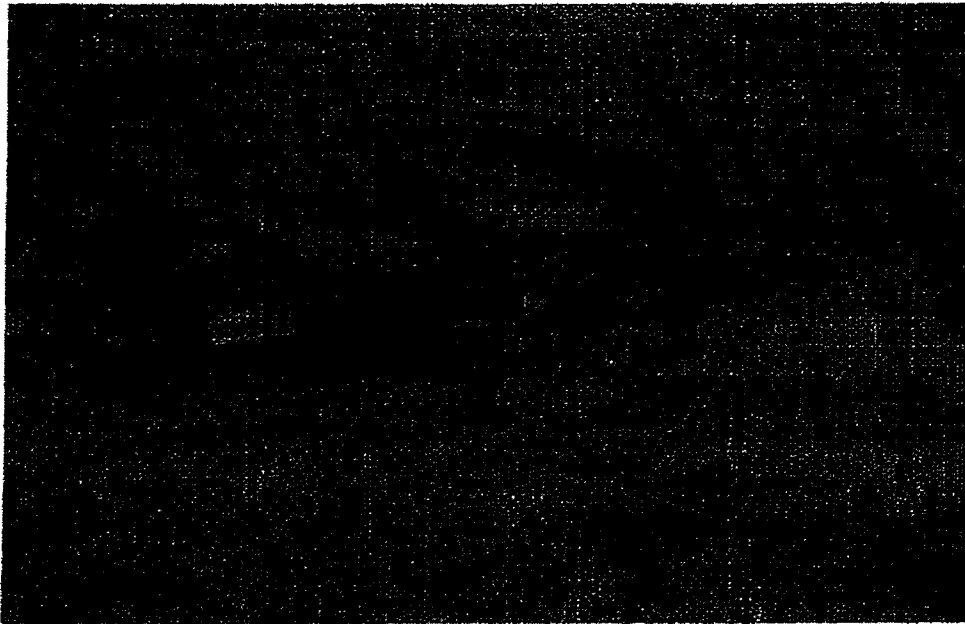
Thank you for this opportunity to voice my concerns. If you have any questions, or if I could provide additional information that could assist, please let me know.

Sincerely yours,



Hugh W. Lowham, P.E.





Deer watering at CBNG tank on ridge west of Gillette, Wyoming, August 3, 2006



Livestock on hillside near CBNG stock tank and reservoir, August 12, 2006.



Krystal K. Price  
6604 Irving Blvd.  
Gillette, WY 82718  
Phone: 307-682-2921

January 29, 2007

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Building, Rm 1714  
Cheyenne, WY 82002

**Re: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
WQD Chapter 2**

Dear Mr. Gordon:

I am writing to you to voice my opposition of the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – WQD Chapter 2. I have been a resident of Gillette, Wyoming since 2003 and have worked in the management of coal-bed methane water most of that time. While that may not be a long time in comparison to many who live in this area, I do understand landowner concerns about other industries that can impact their way of life as I grew up on a farm/ranch in North Dakota. I feel that the petition before the council could be very detrimental to the economy of Wyoming and especially to Campbell County.

As I understand it, the proposed petition would prohibit most if not all CBM discharges, which in turn would make coalbed methane an uneconomic resource in this area. Companies that provide jobs to residents, money to non-profit organizations, water to the many ranchers that do utilize and appreciate it, and help fuel the local economy in general would move to other parts of the country where the regulatory agencies are not so strict. Thousands of people in Wyoming would be either directly or indirectly impacted by the loss of a valuable industry.

Regarding the proposed water quality limit changes, why would CBM water be required to contain less than or equal to 200 ppb, especially when the current standards (1800 ppb) set forth in WYPDES permits are below drinking water standards (2000 ppb)? In addition, why would this rule change only apply to CBM water when water discharged from a different type of well would have a different set of standards?

If CBM companies were able to stay in the Powder River Basin and operate economically with the proposed rule changes, treatment plants would be needed to meet these standards. While treatment plants are a good way to get very high quality water, the disturbance area caused by the number of plants that would be needed would take away



from land that could be utilized by the surface owner. I have seen the livestock and wildlife that congregate around the CBM reservoirs and I have seen the fields that have been irrigated by CBM water. I have also talked with landowners and seen their excitement at the prospect of having water for their hay crops so that they can provide feed for their livestock instead of paying high prices for out of state hay during these dry years. Many companies do use the water for irrigation and this is a very effective way to beneficially use the produced water. In the petition, they refer to it as land application, but the term "managed irrigation" is really more accurate. Regular soil samples and soil amendments are used as they are needed to effectively manage the irrigation system.

I feel very strongly that the water produced by the CBM industry is a valuable asset and when landowners work cooperatively with the industry it has a very positive outcome. CBM companies are constantly looking for alternative water disposal methods that meet everyone's needs, but the solutions are not always something that can be implemented quickly under the various regulatory agencies to which the industry must comply with.

I urge you to take more than the petition of the Powder River Basin Resource Council and ten landowners into consideration. There are hundreds of landowners in the Powder River Basin and their voices should also be heard. There are so many more factors involved here and so many people that could be affected in a negative way by this petition. While the concerns of the petitioners are important and should not be discarded, there are other ways that their needs could be met. The majority of CBM companies that I know of do their best to work with all parties involved to address their concerns.

In closing, I just want to thank you and the other EQC members for your time and consideration in this very important matter.

Thank you,



Krystal K. Price



**FILED**

JAN 29 2007

A. Lorenzon, Director  
Environmental Quality Council1 East Alger Street ~ Sheridan, WY 82801 ~ Phone 307-673-9710 ~ Fax 307-673-9711

To: Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002  
Fax: 307-777-6134

RE: Opposition to Citizen Petition for Rulemaking - Powder River  
Basin Resource Council et. al. Revised Version - WQD Chapter 2

Dear Mr. Gordon:

I am the Wyoming and Montana Project Manager for Pinnacle Gas Resources, Inc. (Pinnacle), a Coal Bed Natural Gas (CBNG) operator in the Powder River Basin of Wyoming and Montana. We have been following the petition from the Powder River Basin Resource Council (PRBRC) and the recent hearing in Cheyenne on this topic. We are deeply concerned that that the Environmental Quality Council (EQC) may be preparing to make decisions on issues that have the potential to completely eliminate current and future CBNG development in Wyoming and have a potentially crippling impact on the conventional oil & gas industry in the state.

During the recent hearing, the EQC heard testimony from Dr. Raisbeck from the University of Wyoming. Although Mr. Raisbeck may be an authority on livestock and wildlife, the EQC should recognize that produced water from oil & gas development is used extensively throughout Wyoming for livestock and wildlife watering. Research and investigation conducted through the federal NEPA process and U.S. Department of Energy research shows that using produced water has had a positive effect on livestock and wildlife. Clearly there may be instances where livestock and/or wildlife may be harmed by produced water that is of poor quality or by gaining access to pits containing waste. However, existing standards have provided the only means of water in many areas for livestock and wildlife while allowing both livestock and wildlife to flourish in areas previously having limited water supplies and sources.

Produced water discharges have a long history in Wyoming. Water from several basins in Wyoming has been supplying water to livestock and wildlife for nearly 100 years. In areas of the Powder River Basin, field reconnaissance shows that many ranchers have used coal seam water for livestock watering for well over 50 years. This scenario is also the case in other parts of the country (e.g., Montana).

It is also clear that the WDEQ, other equivalent state environmental agencies, and the U.S. EPA have regulated quantity in relation to it's impact on quality since the promulgation of the Clean Water Act and the NPDES program. Furthermore, consistency is also a factor that Pinnacle



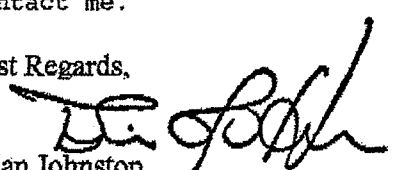
strongly urges the EQC to consider. Regulating water quality differently for CBNG water opposed to water produced from conventional oil & gas or some other industry is a clear demonstration that the PRBRC's intent is to disrupt or cause the cessation of CBNG development in Wyoming. Such inconsistencies are most concerning to Pinnacle and the CBNG industry in general.

During the recent EQC hearing in January, the EQC heard testimony from Dr. Raisbeck claiming that produced water was indeed causing harm to livestock and wildlife. It is our opinion that Dr. Raisbeck has not done sufficient research to make such accusations. Further, his research approach is concerning as it is not clear that his research results will do more than suggest that confined animal feeding operations (CAFOs) are not the best atmosphere for livestock. The EQC also heard a report on water treatment technologies from the Wyoming Geological Survey. This report was also concerning as it was an engineering topic being researched and presented by Geologists. This is an issue that Pinnacle intends on taking up with the Wyoming State Engineers Office and the State Board of Professional Engineers.

In closing, we are prepared to roll up our sleeves and provide whatever assistance we can. We have had to keep these comments brief due to the short comment period. We suggest that the EQC openly discuss issues and topics that require research and further investigation and that those issues and topics be studied in an open process by individuals that are not seeking long-term funding and that are unbiased. We are concerned that is not the case with Dr. Raisbeck.

If Pinnacle can be of further assistance, please don't hesitate to contact me.

Best Regards,



Brian Johnston  
Project Manager  
Pinnacle Gas Resources, Inc.  
1 E. Alger St., Suite 206  
Sheridan, WY 82801



FILED

JAN 29 2007

Mr. Mark Gordan , Chairman

Terri A. Lorenzon, Director  
Environmental Quality Council

My name is Joseph A. Brindley. I am owner/ operator of a roustabout company. The name of my company is R&J Services of Gillette Wy. I have a wife and two children, ages three and a half and one and a half, a girl and boy.

It is my belief that this petition to ban basically all water discharge would cause an absolute devastation to the economy of Wyoming and also impact the Federal Government as well due to the fact that the fed. Gov. and state equally share the profit made off the federal leases. I believe doing this would affect our national deficit as well as Presidential goals. I do not mean to speak above myself but this is what makes sense to me. I have spoken with many people about this issue and all say they would be devastated by this whether a business owner or an employee.

My company R&J Services would be greatly affected as we not only roustabout but also do site prep for the installation of double wide trailers, water and sewers, skirting, and landscaping. Places like Walmart, Car dealerships, Truegreen Chemlawn, and restaurants etc. would go bankrupt or at least have to close their doors.

Also, this would have a dismal affect on the ranchers in the area. For a lot of them this would destroy and bankrupt them. For so many of them, this is the only water they have for crops or stock(animals).

I do not believe this is a stable action for anyone and I would not want to be responsible for the destruction of so many lives. I pray that your minds would be changed and I Thank You for your time.

Sincerely,

Joseph A. Brindley

Signed

*Joseph A. Brindley*  
1-29-07



54 Seymour Street  
Sheridan, Wyoming 82801  
(307) 673-1817

**FILED**

**JAN 29 2007**

Mr. Mark Gordon  
Wyoming Environmental Quality Council  
122 W. 25th St. Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H

To the Wyoming Environment Quality Council:

The following information is Western Land Services' position statement of opposition regarding the "Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H". Western Land Services - Western Division is an established environmental consulting firm in the Powder River Basin of Wyoming. The following points outline why the proposed petition is unnecessary and why accepting it would be detrimental to the State of Wyoming.

- The extraction of coalbed methane and the associated "produced water" has developed over the past ten years in Wyoming. As the industry has grown, so too has the regulatory capacity of the Wyoming Department of Environmental Quality (WDEQ). The surface discharge of produced water is currently regulated under the Wyoming Pollution Discharge Elimination System (WYPDES). Operators and their consultants have vigorously maintained compliance with the evolving regulations. The WDEQ has recently added staff to ensure compliance. Additionally, water management specialists have become more involved in the planning stages of methane development. The ongoing coalbed methane development in the Powder River Basin is in compliance with the WYPDES program and is constantly striving to adhere to the law, as well as, the spirit of the law.

Section 35-11-301 (a) states that the discharge of pollution is allowed only if authorized by a permit

Section 35-11-302 (a) (ii) establishes effluent standards and limitations specifying maximum amounts of pollution


Section 35-11-302 (a) (vi) states that the WDEQ consider "facts and circumstances bearing upon reasonableness of the pollution"



- The fact that the petition to amend Chapter 2 of the WQD singles out the CBM industry and seeks to hold it to a higher standard is known as "selective enforcement." This would most certainly deviate from the United States' and Wyoming Constitutions.
- WYPDES approved CBM effluent, since its inception, can be considered a "beneficial use" for a number of different reasons: instream flow volumes, irrigation, stock watering, wildlife watering, dust control, recreation, esthetic value, and drought relief. These uses are not only beneficial to human society, such as landowners, but as well as additional biosphere members: waterfowl, big game animals, fisheries, livestock, riparian vegetation, macro-invertebrates, birds of prey, and gallinaceous birds.
- Another issue that should be carefully examined is the toll that these changes to Chapter 2 of the WQD would take on local, state and regional economies. These changes could displace tens of thousands of employees, which would cause a ripple effect on every municipality in Wyoming.
- Finally, and most importantly, these changes would adversely affect domestic energy production. This is an issue of self reliance, as well as, a national security issue. In these times of uncertain global energy supply, it is paramount that domestic energy production expands rather than contracts. Thus, every available energy source should be developed. This energy development should be pursued while remaining diligent to the preservation of our natural resources. This preservation is accomplished through environmental legislation and its' enforcement. The WYPDES program does just that.

Western Land Services is confident in the ability of the Wyoming Environmental Quality Council to determine the correct course of action regarding this petition. The council's consideration of the negative impacts to the State of Wyoming should out-way the biased and over-stringent environmental policies proposed by this petition.

Sincerely,



Donald L. Anderson  
Chief Operating Officer  
Western Land Services



Rodney Maki  
3350 Little Powder River Rd  
Gillette WY 82716  
(307) 682-1598

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg. Room 1714  
Cheyenne WY 82002

January 26, 2007

Dear Mr. Gordon

My name is Rodney Maki. I came to Wyoming in 1977, I met Alberta Johnson here in Gillette. We were married in December of 1977 have been married for 29 years. We have raised four children in Gillette. Our oldest child, Brook Gerard, is married and lives in Ulm MT, working at the Air Base in the informations department. Our oldest son, Aaron, is self-employed and does welding and BOP testing on the oil rigs. Our middle son Sheridan is employed with Bloedorn Lumber and our youngest son Chase serves in the US Army as a heavy equipment operator. Chase hopes to return to Gillette to practice his trade at the end of his service.

I have been working in the oil and gas fields in and around Gillette. I have been both self-employed and worked for construction companies, all energy related jobs. In 1999 I and Aaron opened Wrangler Const. Inc. to build the roads and install the septic and water system for Wrangler Estates Subdivision, which Alberta and I developed. When we were sold out of lots, we had hoped to work the equipment in the methane fields. Because of environmental groups holding up the permitting process, the work that had been in such surplus was no longer available and it was all we could do to hold on. Work in the methane fields picked up when the permitting process was ironed out and for the last two years we have stayed busy except when bird stipulations on Federal lands go into effect. We committed to buying more equipment because of the amount of work available and the prospects of continued methane production. Many ranchers and contractors, as well as the State of Wyoming, have benefitted from the revenues created by the production and sale of methane gas.

Ranchers, who were struggling to make ends meet, even having to work outside of the ranch, have reaped the benefits of the methane wells being drilled on their property and/or surface damages they are paid. Wrangler Const. Inc. would suffer irreparable damage if the proposed WQD Chapter 2 Petition were adopted. This seems overkill as it exceeds the drinking water standards set by EPA.

Thank you for your time and consideration.

  
Rodney Maki, Pres.  
Wrangler Const. Inc.



January 27, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm 1714  
Cheyenne, WY 82002

**FILED**  
JAN 29 2007  
Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking Powder River Basin Resource Council et al - Revised Version - WQD Chapter 2

Dear Mr. Gordon,

My name is Kaila Jones, and I am an Environmental Specialist/Economist for a water resources consulting firm in Gillette, Wyoming. I graduated with a Master's degree in Agricultural Economics/Environment and Natural Resources from the University of Wyoming. My husband is a compressor operator on the large coal bed methane (CBM) gathering pipelines. We are the parents of two young girls, ages 2 and 1, and are outdoor enthusiasts who very much respect and enjoy our environment. We are the typical family who works hard in the CBM industry to make a good, honest living. We are also adamantly against the proposed rulemaking to change Chapter 2 of Wyoming Water Quality Rules and Regulations.


The effect of the rule, as the Wyoming Department of Environmental Quality has noted, would be to prohibit most, if not all CBM produced water discharges. It is concerning that the proposed rule would asymmetrically impose stricter water regulations on CBM produced discharges versus water from conventional oil/gas extraction and coal mining. CBM water quality in the Powder River Basin is far superior to the typical water resulting from conventional oil/gas extraction. The water pumped from coal prior to open pit mining is identical to CBM water. So, why the distinction in the proposed rule? The proposed changes are ripe to be struck down as being arbitrary and capricious, as our Attorney General's office has repeatedly cautioned.

As an Economist, I can say the result of adopting this rule would unequivocally be the collapse of Northeastern Wyoming's economy and the livelihoods of thousands of families. People just like me and my husband would lose their jobs. The housing market and property values would crumble. Families like mine would be stuck with mortgages well above the market value of their property, which would drive us and many others into foreclosure and/or bankruptcy. Additionally, the state would lose millions of royalty dollars that support Wyoming's infrastructure, schools, and social programs. Moreover, the nation's market for natural gas would take an intense hit at a time when the United States needs the CBM production. The economic effects of the proposed rule would be severe in Northeastern Wyoming, but felt all over the state and country.

In my line of work, I have never seen evidence that demonstrates the severe environmental degradation the petitioners claim occurs due to CBM produced waters. Instead of protecting the environment, imposing this rule would eliminate water that, in my experience, many landowners use beneficially in their agricultural and livestock production. It would also remove water that promotes our wonderful wildlife populations, eliminate all the financial benefits to the state and its citizens, and cause economic fallout for thousands of families in Northeastern Wyoming.

My family would appreciate if the EQC would vote down the proposed rule to change Wyoming Water Quality Rules and Regulations Chapter 2. Thank you for the opportunity to comment, and thank you for your time.

Sincerely,

  
Kaila Jones  
Environmental Specialist/Economist  
Gillette, Wyoming resident



Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W 25<sup>th</sup> St  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

This letter is to state my opposition to the Citizen Petition for Rulemaking- Powder River Basin Resource Council et al - WQD Chapter 2.

I vigorously oppose this petition. The standards set forth in the petition are unreasonable, especially since the methane water is held to a higher standard than oil well and coal mine discharge water. The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharge water, the rule will be struck down as arbitrary and capricious.

Thank you for your consideration of my opinion in this matter. And remember no water, no gas, no gas, no revenue.

Sincerely,

*Lonia Spruhan*



January 26, 2007

**FILED**

**JAN 29 2007**

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY. 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

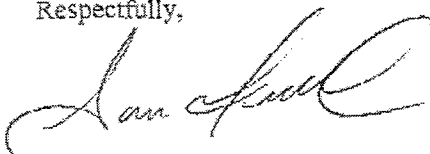
Dear Councilman,

I am Sam French a three year resident of the Campbell County area. I bought the first house of my lifetime three months ago. I was very nervous as I signed the mortgage papers as any first time home owner would be. Now I am physically ill about my new purchase. The sad fact is that nineteen petitioners founded on the Powder Basin Resource Council have the ability to kill my dream. Please take a closer look at the **Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H.**

I work for Hettinger Welding LLC, a major welding, fabrication, construction, pipeline, and roustabout service. Hettinger currently employees 325 people. I am a supervisor for 18 people. I feel as their supervisor I am responsible for them. I cannot face the thought of nineteen other individuals having the power to bring down part of, or worst case scenario, all of a huge industry.

Please consider the impact on our lives and the economic impact on the surrounding area if you implement the rules put before you in the petition. Thank you for your time and understanding as you move forward in your decision making. I really enjoy my new home thanks to a great job and a loving family.

Respectfully,



Sam French  
1106 E Lincoln  
Gillette, WY. 82716



813 Pioneer Ave  
Gillette, Wyoming 82718  
January 28, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

In Re: Citizen Petition for Rulemaking Powder River Basin Resource Council (PRBRC), et al WQD, Chapter 2.

The government (state and federal) should be, as suggested by President Lincoln, a "...government of the people, by the people, for the people..." The position advocated by the PRBRC, if accepted as a rule, would result in government of the many, by the few and for the few. If these few petitioners have legitimate grievances, adequate facility for pursuing legal remedy for these grievances already exists in the state and federal courts and legislatures; and I suggest that that these are the avenues through which such grievances should be pursued and only against the offending parties and not against the CBNG (aka CBM) industry as a whole.

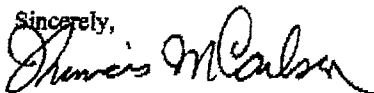
I am a registered professional petroleum engineer in this great state of ours. My wife, Charla, and I are both progeny of homesteaders in the Big Horn Basin that date back to the early 20<sup>th</sup> century. Although my career has forced me to leave Wyoming on occasion, I have always been mindful of opportunities for employment here. My current job as a petroleum reservoir engineer in the CBNG industry with Yates Petroleum Corporation allows me that opportunity. If the substance of this petition should become a rule, this job would likely cease to exist, forcing me to seek employment elsewhere or to be transferred out of the state. This would also be the case for many others in this industry.

Somewhat less tangible than employment, but important, the CBNG industry brings personnel and companies to Wyoming who go beyond their mere employment in contributing their time, talent, and treasure in attempting to bring a better life to Wyomingites. As a modest example, since our arrival in Gillette in 2001, my wife Charla and I have served as members of the Board of Directors of Gillette Community Theatre (GCT) of which Charla is currently President. GCT aspires to build a permanent home to expand the cultural opportunities available to residents of the rapidly growing city of Gillette. My company, Yates Petroleum, continues to support GCT and other local charities through financial contributions. Charla is also a member of the Energizers, a group of ambassadors for the Gillette Chamber of Commerce. If the substance of this petition should become a rule and my employment terminated or transferred, we and similarly situated others in this industry will likely be required to leave the area and take with us and them such gratuitous efforts and financial support.

It is my understanding that the petitioners are demanding water discharge standards that exceed those of other industries and even the drinking water standards of the City of Gillette. I believe this petition is not about balancing the interests of the residents in the Powder River Basin. It is about unfairly targeting and ending the CBNG industry here. Its success would take with it all of the benefits that the industry now provides the citizens of this community and state through employment, the charitable efforts of the industry's companies and employees, the tax revenue it provides to the state of Wyoming, and the contribution of the industry to the resolution of the national security problem of foreign energy dependence. In the best interest of all concerned, the substance of this petition should NOT become a rule.

Thank you for taking my thoughts into consideration.

Sincerely,



Francis "Frank" M. Carlson  
307-685-8409 (Wk)  
307-687 0301 (Hm)



CAROL CHADWICK, M.S., P.E.

*Civil Engineer*  
4507 Brandy Boulevard  
Gillette, WY 82718  
(307) 680-1772  
cc-pe@verizon.com

January 28, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Petition to Amend Wyoming Water Quality Rule, Chapter 2

Dear Mr. Gordon:

I am a Civil Engineer living in Gillette, Wyoming. I have a Bachelor's Degree in Civil Engineering and a Master's Degree in Mining Engineering. A large portion of my income is from engineering services provided to the Coal Bed Methane (CBM) industry. The other portion of my income is from services that support the employees of the CBM industries and mines in northeastern Wyoming, such as subdivision and infrastructure design. It has recently come to my attention that the Powder River Basin Resource Council and other petitioners are trying to amend the Wyoming Water Quality Rule, Chapter 2. I believe the changes they are proposing will have a detrimental effect on my livelihood by effectively prohibiting most of CBM water discharge and as a result, eliminate any chance of work for myself and many others in the area.

Aside from my own livelihood, I have other concerns about the proposed changes. I do not believe that rules holding CBM discharges to higher standards than other industries are fair and would most likely not hold up if challenged in court. For example, the coal mines in the area produce water from the same coal seams that CBM water originates from, and yet the proposed changes would not affect them. The water the mines use is applied directly to the roads with mag-chloride to control dust, in compliance with discharge regulations.



CAROL CHADWICK, M.S., P.E.

Page 2

I have spent many days in the CBM fields. I have seen cattle and wildlife benefit from the water discharged from the CBM wells. Not to mention that the water discharged from wells drilled by the ranchers comes from the same source, in many cases, and they would not be held to the same standards as the CBM produced water. During the drought that we are in, I have to believe that any surface water is a benefit to the wildlife and cattle.

I am opposed to the proposed changes and am very concerned for my livelihood if it is approved. I believe that the economy in this area would be catastrophically affected by a proposed law that has no merit. Please contact me if you have any questions.

Thank you,



Carol Chadwick, P.E.



**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council





7110 West Jefferson Avenue, Suite 300 • Lakewood, Colorado 80226 • U.S.A. • Phone (303) 984.8090 • Fax (303) 984.8091  
1082 East Brundage Lane • PO Box 783 • Sheridan, Wyoming 82801 • Phone (307) 672.8090 • Fax (307) 672.8091 • www.pearlfr.com

January 29, 2007

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street, Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Re: Citizen Petition for Rulemaking Powder River Basin Resource Council et al – Revised  
Version – WQD Chapter 2

Dear Mark:

Pearl Field Services is a CDM service company that has been serving the Powder River Basin since 1997 in Sheridan, Johnson and Campbell Counties. Our main office in Sheridan has 72 local people that depend on this business.

We **oppose** the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised Version – WQD Chapter 2.

We believe that the existing rules that are in place are adequate for responsible development and when followed correctly, benefit ranchers, livestock, wildlife and the whole state of Wyoming.

Throughout our years of service to this industry, we have used many of the water handling tools that make up the "tool box of water handling." Some of the tools we have used are: direct application with soil amendments, sub-soil drip irrigation, injection, and water treatment which all have demonstrated tremendous results with no negative impact.

We understand that problems do arise, however, we feel that there are options available for conflict resolution that are not being considered by the petitioners.

Over the last 10 years in the Powder River Basin, we have made many personal friends in the farming and ranching community and we feel that this rulemaking would have a very negative impact on their livelihood.



Mark Gordon  
29 January 2007  
Page 2

Thank you for the opportunity to comment on this matter

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis Good". The signature is fluid and cursive, with the first name "Curtis" and last name "Good" clearly distinguishable.

Curtis Good  
Vice President, Pearl Field Services



**FILED**

January, 29 2007

JAN 29 2007

Mr. Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE. Citizen Petition for Rulemaking- Powder River Basin Resource Council et al-  
Revised Version - WQD Chapter 2

Dear Mr. Gordon:

I'm writing this letter with regards to the Citizens Petition for Rulemaking which would amend WQD Chapter 2, if approved. I oppose the petition and hope the Wyoming Environmental Quality Council (WEQC) will oppose it as well.

The coalbed methane industry has been a strong economic source for the community of Campbell and Johnson County, as well as the entire state. I am very fortunate to be working at the Children's Developmental Services of Campbell County, as an Instructional Assistant. The center provides services for children (approx. 200) from birth to school age, with the addition of parenting classes and has a staff which focuses on children with disabilities and special needs.

Due to the fact that the center is a Campbell County organization, funding is provided by county and state government. The state and county receives a tremendous amount of revenue from the oil and gas industries and a very large portion of that is from coalbed methane royalties. I know the children that go to the center and their families benefit very much from the extra money brought into the state and county from coalbed methane. Many of the parents work within the coalbed methane industry and many jobs would be lost if this petition is approved. It is hard to picture what services will still be available, if any, without the revenue from coalbed methane.

My family, husband and two children (age 8 months and 7 year old) will be greatly impacted if this petition is approved. My husband is employed within the coalbed methane industry. If my husband loses his job, we may be forced to move out of Gillette in search of a new occupation.

I understand that there have been some unfortunate mishaps. However, changing the rules and forcing many people out of a job does not seem to be the most responsible solution.



It would be very much appreciated by many, if the WEQC would not approve the Citizens petition for Rulemaking. The approval of the petition would cause many hardships within the community and state. Many people will be out of a job and children with special needs may not have the opportunity to receive extra services that they need, due to lack of funds.

Thank you very much for your time and consideration, if you have any questions feel free to email me at [tknez@bresnan.net](mailto:tknez@bresnan.net).

Sincerely,

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

Katy Knez



VIA FACSIMILE

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am a Professional Geologist working Water Management issues for Pennaco/Marathon Oil Company in Gillette, WY. I have lived in Wyoming for the past 6 years. I have a mortgage, 3 vehicles, 3 children in the Campbell County School System. I also have 1 child who is a freshman at the University of Wyoming. I am very active in music in the area and I attend the Wesleyan Church in Gillette.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.



- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. There are many options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.
- The PRBRC, in my humble opinion, is a group of environmentalists with an unrealistic view of the world in which they live. They want natural gas, oil and coal energy to be available and convenient, but are opposed to responsible development of Wyoming's resource base. Their website says they are for responsible development, but I believe PRBRC's view of responsible is more like impossible.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-660-0013 if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,



Gregory A. Smith, PG



VIA FACSIMILE

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am a operator for Marathon Oil Corporation . I have been in Gillette for 38 years in oil and gas operations.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
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- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.
- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. There are many



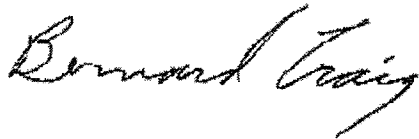
options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.

- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy.

Sincerely,

Bernard Craig Gillette Wyoming 307 -6801162





**Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002**

Dear Mr. Mark Gordon:

I am writing this letter in response to the petition that has been filed against the CBM industry. I have been employed in the industry for the last two and a half years now. It has been my experience that the only negative opinions on it have come from people that know nothing about the industry. Most of the ranchers that I know and work with through the industry love it. Most have water to grow grass that they never had and are getting two and three cuttings on their hay fields where only one use to be possible.

I just recently purchased my first home and furnishings for it. This was made possible by CBM generated revenue. If it was not for the CBM industry, I would not have been able to afford to stay in Wyoming and close to my family. Family is very important to me, as it is for yourself and others I imagine. Just think about how many families would be torn apart by doing something this dramatic.

Wyoming is a state that depends on mineral extraction for its well being. If you shut one of them down you really have to shut all of them down. Other states as well benefit from Wyoming's minerals.

Thank you for your time and please look at the impact to Wyoming families that this would have. I am faxing this letter in and a hard copy will follow in the mail.

Sincerely,  
Bryan Gentry  
Baker Energy  
Sheridan, WY



**FILED**

January 28, 2007

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al

Dear Mr. Gordon:

My name is Paul Wages. I grew up in Montana and graduated from Montana Tech with a degree in Petroleum Engineering. Ten years of my career has been spent in Wyoming, first in the Rock Springs area and now in the Gillette area with the coal bed methane industry. Only four years of my career, utilizing my professional degree, has been spent working in my home state because the job opportunities do not exist there like they do in Wyoming.

In 2000, I return to my home state so I could finish raising my children through high school amongst their family. I was able to land a job with the BLM in Great Falls for less than half of my industry salary but achieved my personal objective of seeing my children attend and graduate from high school among our family and friends. In 2005, I received a call from a former business acquaintance and was asked to consider a position in Gillette with their company, which I accepted. I am convinced that I would not have been given this opportunity to work again in Wyoming if it had not been for the rapid growth of the CBM industry in the Powder River Basin.

I oppose the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – WQD Chapter 2 for a number of reasons:

- I do not believe the more stringent regulations in the proposal are necessary to protect the land, wildlife habitat, wildlife or domestic ranching operations. I believe the DEQ has the wherewithal in the existing regulations to effectively managing the industry.
- More stringent regulations would have the immediate affect of slowing down the development. **It is the pace of the development that created the job opportunity I now enjoy and allows me to fund my children's college education.**
- As the CBM development centers on the acreage associated with the Big George, more and more Federal Minerals are involved. The Federal Government, through the BLM has already imposed significant wildlife timing stipulations to our operations that effectively shut down many of our activities from late in the year for Bald Eagle roosting criteria until mid-year with nesting and breeding activities associated with raptures and sage grouse. The service industry is going to be severely impacted by these stipulations in 2007 unlike previous years because so much of the development is now on Federal acreage. The social/economic effects



will be drastic. More stringent regulations for surface discharge of CBM water will compound these effects.

- I am discouraged that a small group of vocal opponents to CBM development can impact the industry so much. There are too many landowners in the basin that welcome the CBM development and the beneficial uses associated with the water whose testimony appears to be unheard.
- The coal development in the Northern portion of the basin is not as good as that in the center. These proposed regulations will significantly increase the operating costs for the development of CBM and will make portions of the basin uneconomic. Undeveloped minerals mean no gas production and no royalty payments to the Fee, State and Federal mineral owners.

In summary, I have enjoyed good employment in Wyoming because of the business friendly regulatory environment that exists here. I know too well how unnecessarily stringent regulations have discouraged business development in the State of Montana. You have only to look across the border to the lackluster Montana CBM development to recognize how damaging these types of initiatives can be for the industry and the associated employment opportunities.

Thank you for the opportunity to comment on this important issue. Please contact me if you have any questions at 307-685-5735.

Sincerely,



Paul Wages



*Robert Underwood  
1412 High Court  
Gillette, WY 82718  
(307) 686-1774*

**FILED**

**JAN 29 2007**

January 29, 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Wyoming Environmental Quality Council  
Attn: Mark Gordon  
122 W. 25<sup>th</sup> St.  
Herschler Bldg. Room 1714  
Cheyenne, WY 82002

Dear Mr. Gordon:

I have read the petitioner's comments about how CBM water has destroyed their operations for cattle and grass production. I also see that 19 families have created the "Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H.

President George W. Bush has now set a course to reduce our dependence on foreign energy production. It is now our task to carry his directives to completion. Even though CBM and coal production in Wyoming only amounts for 19% of the total heat and 31% of total electricity in the United States, it is significant.

If one allows the petition to be signed into law, Wyoming would fall terribly short on the requirement on the nation. Not only would it impact the city of Gillette and Campbell County, but it would also impact the entire state of Wyoming and the Nation.

With due respect, I ask that you consider the total impact and not just the impact on 19 families.

Sincerely,



R.A. Underwood

*We can't change the direction of the wind, we can only readjust our sails*



LeRoy Dean Boese  
P.O. Box 1436  
Gillette, Wyo. 82717  
(307) 660-2007

Wyoming Environmental Quality Council  
129 W. 25<sup>th</sup> St.  
Herschler Bldg, Room 1714  
Cheyenne, Wyo. 82002

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Fax # 307-777-6134

Mr. MARK Gordon

Dear Sir:

I am a resident of Campbell County for 37 years,  
making a living working in the oil field and now in  
coal bed methane field.

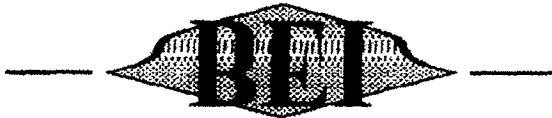
I am deeply concerned and oppose the Petition on  
rule making - Powder River Basin Rec. Council etc.  
W. Q. D Chapter 3.

If this rule were to eliminate water discharge  
on the surface, that livestock & wildlife drink  
and have to be injected and lost, instead of being  
beneficial to anyone, Ranchers, especially in Twp. 1 North.  
The C.B.M. tract, by my land, has been  
stocked with trout and are doing well.

Concerned,

LeRoy Dean Boese  
P.O. Box 1436  
Gillette, Wyo. 82717





**Brennan Engineering & Instrumentation**

January 26, 2007

David D. Brennan  
Brennan Engineering and Instrumentation  
5700 Antelope Valley St  
Gillette, WY 82718  
Phone: 307-685-2987

Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Bldg, Room 1714  
Cheyenne, WY 82002

**FILED**  
JAN 29 2007  
Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Opposition to the Citizen Petition for Rulemaking – Powder River  
Resource Council et al - Revised Version – WQD Chapter 2

Dear Mr. Gordon

Please do not let the Petition to amend Wyoming Water Quality Rule, Chapter 2, Appendix H pass your approval. We have been involved with coal bed methane since we arrived here in 1999. We love Gillette and if this rule passes us and a lot of other CBM companies will be out of business overnight. Please do not approve that petition. We would really appreciate your support in this matter. Thank you for your time.

Sincerely,

David Brennan  
BEI



January 27, 2007

FILED

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Hershcler Bldg, Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
WQD Chapter 2

Dear Mr. Gordon,

My name is Tony Wyllie and I work for Yates Petroleum Corporation in Gillette, Wyoming as part of their Coal Bed Natural Gas production team. I am writing to let you know that I vehemently oppose the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – WQD Chapter 2.

I have lived in Wyoming for all of my 37 years of life. I am originally from Cody and went to school in Laramie. After college I prepared myself and my young family to move out of Wyoming to look for a decent paying job for myself and family. I was lucky enough to hear about the young CBNG play starting in NE Wyoming and consider myself terribly lucky to be able to continue to live in Wyoming and make a very good wage. The CBNG industry and specifically Yates Petroleum gave that to me, and to many others.

I have been in the water permitting and environmental permitting side of the industry since February of 2001 and have seen all sides of the argument. I have seen areas where the water has greatly benefited ranchers, as well as, times where it has caused significant problems. In every case, however, the two sides have come to agreement and CBNG production has continued. Have both sides been happy with the agreement? Probably not, it's in our nature to want everything our way and to be upset when we have to give in. However, I feel that the positives that are created by this industry far outweigh the troubles of 20 or so individuals. I've heard that members of your council don't want to hear any more from ranchers and individuals that have gotten many benefits from the water produced from CBNG wells, that they want to hear answers to the problem. Well I ask you and them have the petitioners in this case given any reasonable solutions? I don't think so. I know 20 or so people that have been in car wrecks, does that mean that we should go out and make a rule to not build anymore vehicles or not give out any more drivers permits? Obviously not, all we need to do is use some common sense and come to an agreement. We do not need to shut down the entire industry!

In my time working in the environmental permitting of CBNG wells I have worked extensively with the WDEQ – WQD while attempting to permit water discharge. I have



always found them to be very environmentally conscious and working hard to make the discharge of water as environmentally protective as possible. Therefore, you can be sure that I was surprised when I saw that the Administrator of the WQD - John Wagner, had written a letter to your council stating that the WQD "not take action" on this petition as "there is probably no case where a CBM discharge would be able to meet all of the conditions of this section". I believe this letter should carry some considerable weight in the situation. It's also interesting that the council has basically ignored its legal councils, the Wyoming State Attorney Generals Office, cautioning that the petition is both arbitrary and capricious.

Again, I am born and raised in Wyoming and the CBNG industry has provided myself, my wife and two daughters a home in the state that we love, money for the school system to help increase the quality of education my children get, money that allows, in my opinion, the State of Wyoming to stay away from a state income tax, as well as, hundreds, if not thousands, of jobs in a state that always has its government wondering why it can't keep young people in the state to work, just to name a few things. I am opposed to the petition and all it represents.

Signed,



Tony Wyllie  
6700 Sleepy Hollow Blvd  
Gillette, WY 82718  
307-686-8605



5150 WEST YELLOWSTONE  
CASPER, WYOMING 82604  
PHONE (307) 234-7833  
FAX (307) 234-3909



P.O. BOX 491  
MILLS, WYOMING 82644

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

January 26, 2007

Dear Sir,

My name is Gary L. Ritterhouse. I am the operations manager for Moser Engine Service, Inc. in Casper Wyoming. It has been brought to my attention that a Citizen Petition for Rulemaking has been filed by the Powder River Basin Resource Council to modify Chapter 2 of the Wyoming Water Quality Rules and Regulations.

I feel that all industries, including farming and ranching, need to be environmentally conscious in their operations. I understand from time to time, problems with some individuals might exist; however changing water quality rules is not a fix or solution for these issues. There are many options available for conflict resolutions that are not being pursued by the petitioners.

It is my understanding that the Wyoming DEQ has looked at the petition and as it is written, it will have the effect of prohibiting most, if not all CBM produced water discharges. I feel that the Rule change would be arbitrary if adopted as proposed and I strongly oppose setting standards for water discharge for coal bed produced waters that are far more restrictive than are set for other similar discharges (livestock wells, irrigation wells, mines etc.) I feel that by changing the Rule, most if not all ranchers, livestock and wildlife currently using and benefiting from CBM water will suffer damage, along with the tens of thousands of families working in the CBM industry as well as the cities, counties and state that they live in.

Over 70% of Moser Engine Service's revenues are derived from various parts of the CBM industry. If the Petitioners are successful in getting the Rule changed, Moser Engine Service would be severely impacted by the immediate loss of CBM related business. This translates to hundreds of thousands of dollars per year in lost sales tax revenue to the state and counties affected and a reduction of over 80% of our work force. We would have approx. 16 families with high paying jobs laid off from our work force alone. Multiply this by the thousands of other small businesses and larger companies doing business in the CBM sector and you will have massive unemployment, loss of real



estate value (taxes), and financial ruin for many individuals and businesses directly and indirectly involved in the CBM industry.

Other ramifications resulting from the Petitioner Rule Change would be Regulation carry over to other industries with similar discharge issues, impacting them and their employees. There would be major revenue losses to the state and affected counties created from mineral severance taxes, sales taxes and real estate taxes. Wyoming has been through several boom and bust cycles over the years and I don't think the good people of this great state would like to see another bust cycle such as occurred in the 1980's, especially one created by a small handful of disgruntled people (all of whom have cashed checks given them by the CBM industry).

It is my knowledge that the Wyoming Attorney General's Office has repeatedly cautioned against this Petition and the Rule it proposes, and that the EQC should weigh heavily in considering the impact and hardships this rule change would create. This Rule Change Petition should be struck down as arbitrary and capricious. It is definitely not in the best interest of the citizens of Wyoming.

I thank you for the opportunity to voice my strong opposition to these Petitioners.

Sincerely,



Gary L. Ritterhouse  
Operations Manager  
Moser Engine Service, Inc.  
Casper-Gillette-Sheridan  
(307) 234-7833 Office  
(307) 277-0774 Cell



**FILED**

**KVQ Land Consulting, Inc.**  
**P.O. Box 3769**  
**Gillette, WY 82717-3769**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council, et al –  
Revised Version – WQD Chapter 2

Dear Mr. Gordon:

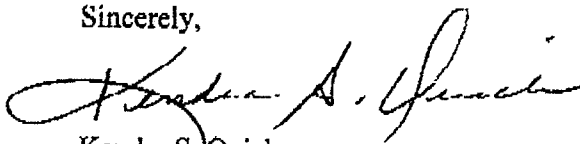
I am writing to you to oppose the Citizen Petition for Rulemaking – Powder River Basin Resource Council, et al – Revised Version – WQD Chapter 2. As a Professional Landman living and working in Campbell County, Wyoming, my business will be adversely affected by this petition.

I have worked with many landowners in northeast Wyoming to negotiate Surface Use Agreements, Water Discharge Agreements and other agreements necessary for the development of coalbed methane gas. These negotiations have all been successful in that the gas is being produced and the landowners are enjoying the benefits of having water available for livestock. I am the contact between the companies and the landowners and I can honestly state that I have never had a water issue complaint.

The financial ramifications of this Petition will be detrimental to small businesses such as mine. This Petition will have a strong adverse affect the economy throughout the entire State of Wyoming.

Thank you for the opportunity to voice my concerns. I appreciate your consideration in this matter.

Sincerely,

  
Kendra S. Quick  
Professional Landman



Jan. 28, 2007  
Shelly Lee  
340 Cook Rd  
Gillette, WY 82716  
307-686 5734

Mr. Mark Gordon, (Chairman)  
Wyoming Environmental Quality Council  
122 W. 25th  
Nesscher, Bldg., Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

I am writing this with great concern about the petition concerning coal bed methane water. I oppose this rulemaking that would reduce or eliminate the water discharged. I know of several ranchers who depend on and appreciate the take use of this water.

I work at Tri State Industries and have for the last 8 1/2 yrs. I have seen many changes in our area and Campbell County. If the rules were to change on coal bed methane discharge water the effects on our community would likely be devastating and could jeopardize my employment.

Thank You for letting me comment on this issue. I look forward to many more years of coal bed methane related work.



FILED

January 27, 2006

JAN 29 2007

Mr. Mark Gordon, Chairman  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

**RE: In opposition of the Citizen Petition for Rulemaking - Powder River Basin  
Resource Council et al - Revised Version - WQD Chapter 2.**

**Dear Mr. Gordon:**

My wife and I are partners in Land Surveying Incorporated, a surveying firm in Gillette. We both take pride in the fact that our business was created by two people and now consists of thirteen hard working individuals. Some of which that have moved from far to be employed in Northeast Wyoming. Granted we are not a huge business in comparison to others, but each one of us pay our taxes, send our kids to school and love Wyoming for the big wonderful opportunities that it has to offer.

The petition that you heard on the January 17-18, 2007 was put together by a very small amount of petitioners and fails to represent the entire population of Wyoming. I oppose the Petition for Rulemaking - Powder River Basin Resource Council et al Revised Version - WQD Chapter 2. Don't allow such a small amount of petitioners to create rule changes that will create financial ramifications to the State of Wyoming. This rule change comes across targeted directly at the CBM industry. I understand that if said rule change takes place that it will all but eliminate the discharge of CBM water. There are more than eleven ranchers in the Powder River Basin that are using the water for beneficial use. Many of whom use discharge water daily to water livestock and offer water to wildlife.

Several of the operators offer irrigation systems to families that have lived their entire lives without having water for gardens and lawns, because they couldn't afford the electricity to operate their well. I was told first hand by an older rancher that he lived his entire life in Campbell County without seeing water flow down drainages other than storm events. My understanding is that the Attorney General's office has repeatedly suggested that you don't allow the said rule change. Please listen to the advice and don't jeopardize the economic benefits as well as the every day use of CBM discharged water that the CBM industry has to offer. I totally understand there are negative effects and not all discharged CBM water is equal in quality. From my understanding the operators have developed several different ways to deal with water quality that have become very beneficial. The rule change would create water qualities for CBM water ten times greater than the standards for drinking water. Don't overlook several ranchers in the area have old wells drilled directly into a coal bed seams and drink that water everyday, and never treat it other than small household treatment systems. It seems as though the quality requirements are specifically targeting CBM discharge water and hurting the industry.



Surviving is what I worry about most if the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised Version – WQD Chapter 2 becomes effective. We will no longer be able to offer employment to 14 different employees if the work isn't needed. Yes we can survive, my wife and I, but the others that have moved from far to this wonderful state will be forced to leave and find jobs else where. What kind of a loss is that to Wyoming? Yes we are a small amount of people but this rule change effect's a large amount of the population of this state.

I hope you receive several more letters opposing the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised Version – WQD Chapter 2. I believe that the eleven petitioners are the minority and fail to speak for the entire population of this great state. Thanks for the opportunity to speak my mind and pass along my thoughts and please make the correct decision and oppose the rule change.

If you have any question please don't hesitate to call or write.

Cevin C. Imus, LS  
Land Surveying Incorporated  
209 No. Works Avenue  
Gillette, Wyoming 82716  
307-682-1661



**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

VIA FACSIMILE

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am a Project Manager working Water Management issues for Pennaco/Marathon Oil Company in Gillette, WY. I have lived in Wyoming for the past 6 months. During this time I have become to believe that this is a wonderful state in which to put down roots. This is evident by the numbers of out of state workers leaving their homes and coming to the state to fill positions where additional manpower is needed. I am active in local groups in the area.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:


- If this rule is passed, in any form, the financial ramifications to me, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.



- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. The petitioners seem opposed to anything but a fight.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-685-5091 if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,

  
Dennis Lewis, PE



FILED

JAN 29 2007

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD Chapter 2.

I have lived in Gillette since 1978, and have worked in the CBM industry since 1999. My job has allowed me as a single woman to make a comfortable living due to the higher wages paid by the CBM industry. If I did not have this job my quality of life would be severely impacted.

Everyone in Campbell and Johnson counties benefits from CBM in the form of lower taxes, wonderful public facilities like Cam-plex, the Public Library, and the Recreation Center. I bet these ranchers have shopped at Home Depot a time or two also, a store that would not be in Gillette were it not for the growth brought about by CBM development.

I can appreciate the wishes of the ranchers and the PRBRC members to protect their lands and the water quality; we ALL want that, including the CBM producers. Water quality and land protection rules are already in place and if the rules need to be changed they need to apply to ALL producers of discharged water the same. This should include oil wells, conventional gas wells, coal mines, municipal water facilities, etc. Targeting the quality of CBM discharged water and holding it to separate standards that are higher than other industries is unfair.

The company I work for has spent millions of dollars on processes to treat the discharge water and dispose of it in useful ways where feasible, and has bent over backwards to appease the ranchers whose land is affected. Yes the Anadarko pipeline is a great way to dispose of the water, but I'll bet if a producer wanted to cross any of these rancher's lands with a similar pipeline they would be told "no, go away".

Adopting a blanket "fix" to the issue a few people are having by effectively shutting down the CBM discharge is not the answer. If this rule change is approved the only thing you will be accomplishing is making a lot of attorneys a lot richer.

I guess I don't see what's wrong with having a few more duck ponds on the prairie, or putting enough water into the Powder River so you could actually call it a river, or seeing herds of fat, healthy deer and antelope around because they have more grazing and more access to water...all seems beneficial to me.

Government rules should be made with regard to what is best for the majority not what is best for a few.

Sincerely,



Kathy Halvorsen  
Anadarko Petroleum  
[Katherine.Halvorsen@anadarko.com](mailto:Katherine.Halvorsen@anadarko.com)  
307-685-5747





VIA FACSIMILE

January 27, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al -  
Revised Version - WQD Chapter 2

Dear Mr. Gordon,

I am a Professional Engineer for Pennaco Energy/Marathon Oil in Gillette. I moved to my favorite place on earth (Wyoming) in 1994 and served the State for five years in the Department of Environmental Quality Air Quality Division before accepting a position with Holly Sugar in Worland. Hard times in the sugar industry forced me to seek employment outside Wyoming in 2002. My family and I were thrilled to return to Wyoming in 2005, the great State where my wife was born and raised, and my only son was born. This opportunity to "come home" was provided by the coal bed methane (CBM) industry.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2. Please allow me to explain why:**

- I oppose any rulemaking that reduces or eliminates the ability for coal bed produced water to be discharged and thus beneficially used.
- Water must be continuously available to ranchers, livestock and wildlife if it is to be beneficially used.
- If this rule is passed, in any form, it will be devastating to landowners who want and use the water, operators who produce the water, consultants and service providers who support the operators, and all citizens of Wyoming who enjoy not having to pay state income tax. For me and my family, it will likely require us to leave Wyoming again to seek employment, as engineering positions here are "few and far between". This would be particularly painful for my wife whose disabled son lives nearby in Rapid City, SD.
- John Wagner, Administrator of the DEQ's Water Quality Division, wrote the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing standards for conventional oil and gas operations, or any other discharges for that matter. The Attorney General's office



has repeatedly cautioned the EQC against this petition and the rule it proposes. This rule is bound to be struck down as arbitrary and capricious upon appeal.

- It is well understood by the Pennaco and other CBM operators in the Powder River Basin that problems with CBM water on some individuals' properties might exist. Changing water quality rules is not a fix for those issues. There are options for resolution available that are not being pursued by the petitioners.

Thank you for the opportunity to comment on this petition. Please note my opposition to making this a rule or policy. I can be reached at 307-660-2102 should you have questions regarding this letter. My wife and I would like to remain in Wyoming, something that might not be possible if this petition becomes rule, so our son can continue to benefit from the excellent schools, so we can continue to contribute and be responsible citizens of our community, and so we can continue to enjoy the State we love so much.

Sincerely,



David T. Hill, P.E.  
508 South 4-J Road  
Gillette, WY 82716



VIA FACSIMILE

FILED

January 26, 2007

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax – 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am an Information Technology Consultant (ITC) working on computer systems for Pennaco/Marathon Oil Company in Gillette, WY. I have lived in Wyoming for the past 21 years. I own two houses, a camper and 3 vehicles of course I pay taxes on all of them in the state of Wyoming. I am an active sport enthusiast participating in such activities as Golf, camping, hiking, fishing, and hunting in Wyoming.

**I oppose the Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed-produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule will be struck down as arbitrary and capricious upon appeal.



- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. There are many options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-754-3998 if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,

David A. King, ITC



**Quality Services, Inc.**

3459 Jet Drive, Rapid City, South Dakota 57703-4760

*Archeology-Paleontology-History-GIS-Training*[qservices@qwest.net](mailto:qservices@qwest.net)<http://www.quality-services.info>

Phone: 605-388-5309

Fax: 605-388-5319

Cell: 605-209-0265

January 27, 2007

**FILED**

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St  
Herschler Building Rm 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al – Revised  
Version – WQD Chapter 2

Dear Mr. Gordon:

Our opinion is that the above request to change water quality standards for coal bed methane discharges should be denied for the following reasons –

1. The proposed rule places more stringent requirements on discharge waters than there is for drinking water and this makes no sense at all. No discharge requirements should be more strict than standards for drinking water.
2. There should not be stricter discharge standards for any one type of similar discharge than another. CBM producers should not be treated more severely than other oil and gas producers, or more severely than agricultural or industrial production facilities.
3. Implementation of this rule would severely hurt the economy in the Powder River Basin. Our firm has employed up to 20 people working in Campbell County and these proposed rules can result in our work being reduced to the point that most of our people working there could lose their jobs due to severe lack of work for them.
4. The potential harm to the Campbell County economy would at least as severe as the last three economic down turns there dating back to the early 1980s. The entire Powder River Basin would lose thousands of jobs, local governments and the State of Wyoming would lose millions of dollars in royalties and taxes, and land values would plummet. Many personal bankruptcies would occur and Wyoming would quickly see it's this area's population move out of state for employment elsewhere.
5. There is no reason to implement stricter discharge standards here than in any other part of the State of Wyoming, or more strict than in adjacent states.
6. This petition for rulemaking is proposed by only a few people but will seriously and adversely effect the entire population of the State of Wyoming and adjacent areas.



Thank you for your consideration in the matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Lance", with a stylized flourish extending from the end.

Lance Rom  
President



January 27, 2007  
1903 West Main Suite #4  
Newcastle, WY 82701

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> Street  
Herschler Bldg, Rm 1714  
Cheyenne, WY 82002

Dear Mr. Gordon:

We are writing in concern of the Citizen Petition for Rulemaking – WQD Chapter 2 Appendix H. We would like to clearly state we are against the rule being adopted, and request the council take into very serious consideration the following impact we can perceive happening as well as countless more problems.

We have a small contract pumping business in Newcastle, Wyoming, which has been our home for 48 years. My husband and I, Sheldon and Loretta Murphy, have owned and operated Shelco and SLM Services since 1986. We employ approximately 15 people and approximately 90% of our business stems from coal bed methane. The proposed petition for rulemaking, as I understand it, will all but shut down coal bed methane development. Due to the strict water quality standards the petition for rulemaking is requesting current production may be shut down as well.

We are opposed to the council enacting a rule for just coal bed methane that would impose higher standards of water quality than is necessary for Coal mining and oil and convention gas wells as well as drinking water. This also is a huge concern as, once this rule is in effect who is to say it will not follow through and shut down oil and conventional gas wells that currently have discharge permits or would utilize them for future production. This may filter down to the countless coal mines in the area and close them down also. The devastating effect this would have on Weston, Campbell, Sheridan, and Johnson Counties would be horrific.

We understand that there are problems with some individuals concerning water discharge and that the DEQ must look into these problems. There are other solutions or options available to correct problems other than imposing such strict rules that you would shut down an entire industry and put countless people and business out of jobs. Please consider the following description of the impact this would have on Wyoming's people when you review the proposed petition and please consider it to be a route that Wyoming is not going to take. Remember we are the Equality State and vote against making this rule.



In our small community the impact this rule would have would put many people out of jobs, cause them to lose their homes or have to relocate. This would in turn cause grocery stores, furniture stores, drug stores etc to be hurt or go broke. The number of banks financing these businesses, houses etc will be directly affected and may fail. This is in a community 70 miles away from the nucleus of the coal bed methane. I would ask you to think of the impact of what this would do in Gillette, Wright and surrounding areas.

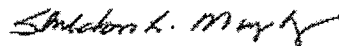
Gillette would have many houses available and no one to buy them, huge amounts of broke businesses and displaced families. Think of the tax basis the coal bed provides for the state and Campbell, Johnson, and Sheridan Counties. Gillette alone has countless bond projects that have been approved and are in the works. How will these projects be paid for if you shut down coal bed methane because of imposing to strict water standards? Do we consciously want to cause a national disaster in our very own state?

Shel and I alone would have to lay off most of our 15 employees, turn back the vehicles to the bank and close down our office. What will those families we lay off do. They have young children and homes and vehicles to pay for. There goes our States future as Shelco is not the only business that will loose. The financial ramification on our state and our communities will be devastating.

We are not suggesting that the DEQ does not have to monitor and protect our environment we are simply stating that this is not the way in which to solve the problem by prohibiting most water discharge from CBM. I would ask if any of the Council members have visited a landowner and looked at the land where coal bed methane water has been used to irrigate their land with sprinkler systems and actually create a green patch of grass for cattle and wild life in a small desert area of a great state.

Please vote no on the Citizens Petition for Rulemaking - WQD Chapter 2 Appendix H. Thank you for your time.

Sincerely,



Sheldon L. Murphy  
President  
Shelco



Loretta A. Murphy  
Vice President  
Shelco



Jim Nies  
P.O. Box 3785  
Gillette, WY 82727  
(307) 682-5502

FILED

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Dear Mr. Gordon:

My name is Jim Nies. I have been working in the energy business in Wyoming since 1973. I have been employed for the last five years as a drilling superintendent for Yates Petroleum Corporation in Gillette, in charge of hiring the methane rigs and associated contractors who assist in the drilling of the wells. My wife is an accountant at Dry Fork Coal Mine in Gillette, also. We have lived in Gillette since 1982 and have seen the busts in the oil patch mostly due to OPEC. We managed to send two of our three children to the University of Wyoming. They both work out of state as professionals. Our youngest daughter is studying nursing in Colorado. We recently built a new home in Gillette because we thought the methane industry looked more stable than the oil patch has been.

Now we and our company are faced with WQD Chapter 2 Petition which, if enacted, will cause harm to us, as well as numerous associates such as ranchers, drillers, pumpers, and other subcontractors. The methane industry has done more for young people around here than any other industry, particularly those not interested in college. It has also put lots of landmen, geologists, engineers, and hydrologists to work that would probably be in other states if not for this development.

We feel that the beneficial uses of methane water will be curtailed if these stringent standards are imposed on these discharge permits. We have had seven years of drought and many ranchers would not have made it through these times had the water not been available. We have seen lots of raptors, ducks, deer, antelope and cattle around methane water reservoirs that would normally have to walk miles away to get a drink.

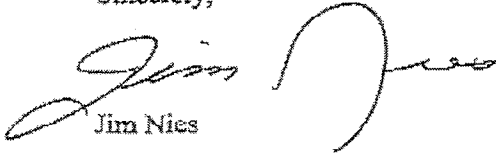
I don't think that coalbed methane should be restricted more than any other water source point. Where there have been problems with certain landowners, there should be some means of arbitration to settle the matter, but do not shut down the industry because of a handful of landowners.



Because the state reaps half of the Federal Royalty payments, a shutdown would amount to a tremendous loss of revenue for the State of Wyoming. The BLM bird stipulations have created a seven month work year. Let's not go to nothing.

Thank you for this opportunity to comment on this matter before the EQC.

Sincerely,

  
Jim Nies



VIA FACSIMILE

FILED

January 27, 2007

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am a Professional Landman working Surface related issues for Pennaco/Marathon Oil Company in Gillette, WY. I have lived in Wyoming for the past 3.25 years. I have a wife, a mortgage and 3 vehicles. My wife works for the Women's Resource Center and we attend Gillette Christian Center.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.



- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. There are many options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-685-5095 if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,



Gregory A. Reeves, CPL



FILED

JAN 29 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, Wyoming 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Council,

Myself and Gus Malli have an outfitting business in the Fornication Area on BLM in the Powder River Breaks south of Arvada Wyoming. I also ranch and have sent a letter for the ranch.

The BLM has not yet been drilled for CBM in the area but the last 5 years we have been less and less deer and Elk in the area when we are hunting. 2005 we did not take one hunter because it was so bad in 2004 There is no water in the springs with the drought on and we have seen it. The deer and elk have moved out to water and most of that water is CBM.

I would hate to see the CBM driven out because of unfair rules placed on them that have not been placed on other water discharging companies. The water pumped on the places I am working with is being used by both cattle and livestock.

Thank You,



Jeff L. Sorenson  
PO Box 56  
Arvada, Wyoming 82831  
307-736-2451



**FILED**

VIA FACSIMILE

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I've lived in Wyoming for the past 30 years and have seen the up's and downs of the economy. All 3 of my children were born in Wyo. I'm a USA wrestling coach and I'm also the track manager at the new Gillette speedway that was built by donations from the methane industry.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.



- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. There are many options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-660-5233 if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,

LARRY GORSUCH



January 28, 2007

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> Street  
Herschler Bldg, Rm 1714  
Cheyenne, WY 82002

Dear Mr. Gordon:

We are writing in concern of the Citizen Petition for Rulemaking – WQD Chapter 2 Appendix H. We would like to clearly state we are against the rule being adopted, and request the council take into very serious consideration the following impact we can perceive happening as well as countless more problems.

I have a small roustabout business, Grizzly Services, Inc., base out of Newcastle, WY. My wife and I own and operate this business with most of our work coming from coal bed methane companies. We currently employ 8 full time employees and 5 seasonal employees. If this petition is passed, as I understand it, it will shut down coal bed methane development.

We would go out of business if this petition passes. Where would my employees find work? How would they pay their bills? Not only would Grizzly Services lose but the financial ramifications on our state and our communities will be devastating.

We are opposed to the council enacting a rule for just coal bed methane that would impose higher standards of water quality than is necessary for Coal mining and oil and convention gas wells as well as drinking water. This also is a huge concern as, once this rule is in effect who is to say it will not follow through and shut down oil and conventional gas wells that currently have discharge permits or would utilize them for future production. This may filter down to the countless coal mines in the area and close them down also. The devastating effect this would have on Weston, Campbell, Sheridan, and Johnson Counties would be horrific.

We understand that there are problems with some individuals concerning water discharge and that the DEQ must look into these problems. There are other solutions or options available to correct problems other than imposing such strict rules that you would shut down an entire industry and put countless people and business out of jobs. Please consider the following description of the impact this would have on Wyoming's people when you review the proposed petition and please consider it to be a route that Wyoming is not going to take. Remember we are the Equality State and vote against making this rule.



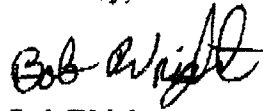
In our small community the impact this rule would have would put many people out of jobs, cause them to lose their homes or have to relocate. This would in turn cause grocery stores, furniture stores, drug stores etc to be hurt or go broke. The number of banks financing these businesses, houses etc will be directly affected and may fail. This is in a community 70 miles away from the nucleus of the coal bed methane. I would ask you to think of the impact of what this would do in Gillette, Wright and surrounding areas.

Gillette would have many houses available and no one to buy them, huge amounts of broke businesses and displaced families. Think of the tax basis the coal bed provides for the state and Campbell, Johnson, and Sheridan Counties. Gillette alone has countless bond projects that have been approved and are in the works. How will these projects be paid for if you shut down coal bed methane because of imposing to strict water standards? Do we consciously want to cause a national disaster in our very own state?

In my work I have set countless stock tanks for livestock and wildlife. Many in areas where grazing cattle was not feasible before, because of lack of water, now graze more cattle and sheep. Many reservoirs have been built all through the county. These boost many homes for waterfowl. I myself have seen countless numbers of ducks, geese, sandhill cranes and pelicans; yes pelicans on coal bed methane reservoirs.

Please vote no on the Citizens Petition for Rulemaking – WQD Chapter 2  
Appendix H. Thank you for your time.

Sincerely,



Bob Wright  
President  
Grizzly Services, Inc.



**FILED**

January 26, 2007

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

**Regarding:** Powder River Basin Resource Council Petition to Environmental  
Quality Council

Dear Mr. Gordon

Please reject the above mentioned petition. As stated it would severely limit coal  
bed natural gas production not only in the Powder River Basin, but in the rest of  
the state as well.

I work for CBM Associates, Inc. as a permit writer and having coal bed natural  
gas production severely curtailed could mean loss of my job and other jobs in my  
company and the companies that produce the natural gas.

Thank you for your time.

---

Kevin Anders



4501 Rocky Point Drive  
Gillette, WY 82718  
307-682-4339



January 26, 2007

Via Facsimile (307-777-6134) and Regular Mail

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

**JAN 26 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

**RE: Opposing the Petition for Rulemaking – PRBRC et al – WQD Chapter 2**


Dear Mr. Gordon:

My name is Crystal I Walker of Gillette, Wyoming. I work for Yates Petroleum Corporation as a Land Technician/Mapper. I oppose rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used. I was born and raised in Gillette, WY. I moved away for 10 years after graduating from high school to attend college and started my career. I moved back to Gillette in 2000 with my husband and child to begin working in the CBM industry. My husband also works in the CBM industry servicing CBM wells. We are doing very well in Gillette and love the community and schools. If this rule is passed, it will be detrimental to me and my family. Not only will it destroy our sole source of income, it will destroy the community! This town has boomed due to the CBM activities and has benefited tremendously from it. The tax revenue that has been generated from the CBM industry has enabled the town of Gillette to improve and develop wonderfully! If this rule is passed I'm afraid that my family and I will have to move from the wonderful state of Wyoming to make a living else where.

Please consider when making your decision that I understand that problems with some individuals might exist, however changing water quality rules is not a fix for those solutions. There are many options available for conflict resolutions that are not being pursued by the petitioners. Remember also, that the Attorney General's office has repeatedly cautioned against this petition and the rule it proposed, and the EQC would be wise to heed their attorney's advice.

Please take my concerns to heart when making your decision. Mine and my family's livelihood depends on it!

Thank you very much for your time.

  
Crystal I. Walker



**FILED**

January, 29 2007

JAN 29 2007

Mr. Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

RE. Citizen Petition for Rulemaking- Powder River Basin Resource Council et al-  
Revised Version - WQD Chapter 2

Dear Mr. Gordon:

I'm writing this letter with regards to the Citizens Petition for Rulemaking which would amend WQD Chapter 2, if approved. I oppose the petition and hope the Wyoming Environmental Quality Council (WEQC) will oppose it as well.

The coalbed methane industry has been a strong economic source for the community of Campbell and Johnson County, as well as the entire state. I am very fortunate to be working at the Children's Developmental Services of Campbell County, as an Instructional Assistant. The center provides services for children (approx. 200) from birth to school age, with the addition of parenting classes and has a staff which focuses on children with disabilities and special needs.

Due to the fact that the center is a Campbell County organization, funding is provided by county and state government. The state and county receives a tremendous amount of revenue from the oil and gas industries and a very large portion of that is from coalbed methane royalties. I know the children that go to the center and their families benefit very much from the extra money brought into the state and county from coalbed methane. Many of the parents work within the coalbed methane industry and many jobs would be lost if this petition is approved. It is hard to picture what services will still be available, if any, without the revenue from coalbed methane.

My family, husband and two children (age 8 months and 7 year old) will be greatly impacted if this petition is approved. My husband is employed within the coalbed methane industry. If my husband loses his job, we may be forced to move out of Gillette in search of a new occupation.

I understand that there have been some unfortunate mishaps. However, changing the rules and forcing many people out of a job does not seem to be the most responsible solution.



It would be very much appreciated by many, if the WEQC would not approve the Citizens petition for Rulemaking. The approval of the petition would cause many hardships within the community and state. Many people will be out of a job and children with special needs may not have the opportunity to receive extra services that they need, due to lack of funds.

Thank you very much for your time and consideration, if you have any questions feel free to email me at [tknez@bresnan.net](mailto:tknez@bresnan.net).

Sincerely,

A handwritten signature in black ink, appearing to read "Katy Knez". The signature is written in a cursive, flowing style.

Katy Knez



January 26, 2007

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality CouncilWyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, Wy 82002

To Whom it May Concern:

MY NAME IS KELLY BLAKEMAN I've lived in Wyoming all my life (36 yrs), I am married and have two young children. I have worked for TSI State Industries for 6 yrs.

I understand that the DEQ has looked at the petition and that as it is written it will have the effect of prohibiting most, if not all coalbed methane produced water discharges.

I am opposed to setting standards for water discharge for coalbed methane produced ~~water~~ ~~discharges~~ waters that is more restrictive than other discharges.

I believe this could end my job at TSI, along with thousands of other people in Wyoming.

CBM development in Wyoming must continue to reduce our dependence on foreign energy, and to keep the high numbers of people in Wyoming employed in the CBM industries.

I would like to thank you for taking the time to read this and welcome any response you may have.

A Concerned Wyoming Resident

Kelly Blakeman  
~~Kelly Blakeman~~ Tel. 1-307-285-2387  
P.O. Box 492  
Sundance, WY 82729



January 26, 2007

**FILED**

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

My name is Jeff Howe. I was born in Powell, Wyoming and raised in Cody, Wyoming and moved to Gillette when I was in second grade. I have lived in various places since I graduated and ended up in Denver where I got married and started a family. As the CBM industry grew I noticed the possibility to move home and be closer to my family and my wife's family while making the same wages I made in Denver as a Land Surveyor. We made the move back to Gillette in 2003 and haven't regretted it a bit. My wife works in the Campbell County School District and I am a GIS Technician for an operator in the Powder River Basin. My son has special needs and receives the quality of care and resources you would think only available in a big city. This is all possible by funding from the County and State from programs that use money generated in part by mineral royalties.

I was shocked at the petition filed by the Powder River Basin Resource Council (PRBC) and very surprised that it is even being considered. I know that there has got to be some give and take in any relationship but this petition seems to be all take by a few unhappy landowners and no give to the CBM industry and the many landowners and ranchers that benefit from the CBM industry. I have seen the benefits of CBM water on ranch land that has not seen water for many years. The fact ranchers and other industries able to have and use of this water in the middle of a drought is amazing.

As a member of the CBM industry, it is our job and our goal to be stewards of the land and be intelligent about how the water is discharged. Rules and regulations have been put in place and are followed as closely as possible but the PRBC seems to believe that is not enough. Upon reading through the petition there doesn't seem to be any scientific numbers that were used to set the standards for CBM discharge water. The city water I drink, bathe, cook and water my yard with has a minimum standard barium level of 2000 pp/billion. The standard they want to establish for CBM Discharge is 200 pp/billion. Does this mean the city water I use is "polluted" or is "pollution"? If so, I will stop drinking it!!

As stated by the administrator of the DEQ, John F. Wagner, and I quote "Please note that should the council adopt part (a) of Appendix I in its current form, it would essentially prohibit CBM discharges to the surface." With this statement and the standards set forth in the petition, this would essentially shut down 99% of the discharges in the basin and put me and thousands of other people out of work. The State of Wyoming relies on mineral royalties and taxes to create its budgets and fund programs. This money would soon quit coming in and programs that benefit everyone in the state might be cut. Resolutions should and can be made through other means than shutting down a whole industry that benefits the entire State of Wyoming.

Thank you for letting me voice my small opinion on such a big decision that you have to make for an industry and for the residents of the State of Wyoming.

Sincerely,



Jeff Howe  
2604 Lodgepole Ave.  
Gillette, WY 82718  
307-852-1846



JAN 29 2007

To it Concerns

IF you PASS This New Ruling  
Have you study The impact  
To The Towns The People The Business  
The Thousands of Job it would impact!!!  
The Rancher that need CBM WATER  
to water Thier Live stock to  
irrigate Thier Fields have you Asked  
Them what would happen to Them  
and Thier Families Thier way of  
Life.

What About the Wild Life that Drink  
CBM WATER.

The Rancher that have used windmill  
water wells i have seen The erosion  
i've seen ALKALINE show up Killing  
ground and Vegetation Around Thier  
water Tanks Long before CBM WATER  
showed up.

But The Rancher got to BLAME somebody  
else for what They caused over years  
of Letting Thier water Tank Run over.  
Thier are smart People that Can fix  
water problem that better than  
casting Thousands of Job

Thanks Joe Smith

75 Buffalo Back Peak Road.

Billette WYO 82714



January 28, 2007

Mr. Mark Gordon  
WY EQC  
122 West 125<sup>th</sup> Street  
Herschler Bldg. Room 1714  
Cheyenne, Wyoming 82002  
Fax 777-6134

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

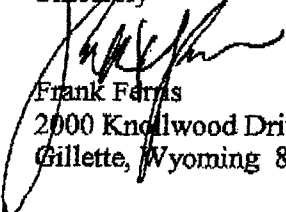
Re: PRBRC Petition

Dear Mr. Gordon:

The PRBRC Petition is far too restrictive. The requested change has the potential to shut down the CBNG industry in which I work.

Use sound science, the existing regulations, and enforcement to maintain Wyoming's environment.

Sincerely



Frank Ferris  
2000 Knollwood Drive  
Gillette, Wyoming 82718





## Bowden Well Site Services, Inc.

P.O. Box 70 Rozet, WY 82727  
Phone: (307) 682-2136 Fax: (307) 682-2282  
E-mail: bowdenj@vcn.com

January 27, 2007

**FILED**

**JAN 29 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 West 25th Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

We were informed at an information meeting, we attended in Gillette, WY. on 1/25/07, that you have been presented with a petition by Powder River Resource Council to change Wyoming water quality rules to the Environmental Quality Council and that these changes are aimed at water produced from coal bed methane wells. After reading a copy of the petition, we are deeply concerned by how such changes would directly affect us personally and our oil and gas industry companies, which provide drilling and production support to the industry.

We, Jim and Alberta Bowden of Eastern Campbell County, own and operate Bowden Wellsite Services, Inc. and Bowden Management Co, Inc. We currently employ 26 full time people and are just a small part of the workforce that provide services to the coal bed methane development in the Powder River Basin. We feel that if the PRRC petition is adopted, it will basically shut down the coal bed methane development, and many businesses like ours will be forced out of business, leaving hundreds of people without work.

From our position, we recommend the Citizen Petition for Rulemaking-Powder River Basin Resource Council et al- Revised Version-WQDC Chapter 2, presented to Mr. Mark Gordon, Chairman of the Wyoming Environmental Quality Council, on January 17-18, 2007, be denied.

Some of the matters in the petition appears to us to be based on flawed reasoning. Furthermore, the proposed changes would shut down our livelihood and the jobs of several employees. We believe the present rules are adequate and have been and still are being properly administered.

We do not have any coal bed methane gas production on any of our land, nor are we apt to, and the nearest production is about 20 miles from us. We don't benefit from any



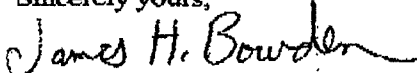
methane water surface discharge ourselves, but we do have neighbors that depend on this water, for livestock water, in a big way.

During the current drought, that has been ongoing for the last 7 years in northern Wyoming, several ranchers have expressed their appreciation for having coal bed methane water available, which enabled them to provide water for their livestock and kept them from having to sell out.

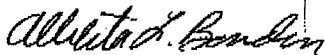
We have lived in Campbell County all our lives. I have worked in the oil and gas industry for over 40 years. I am a staunch supporter of protecting our environment and our water quality. My wife and I believe that if the current water quality standards are kept and strictly administered, that life can go on in the Powder River Basin, and hundreds of people can continue making a good living, producing a needed resource NATURAL GAS

Thank you for giving us this opportunity to express our feelings.

Sincerely yours,



James H. Bowden



Alberta L. Bowden

Owners of Bowden Wellsite Services and Bowden Management, Co.



Buster Ivory  
1413 Carmel Court  
Gillette, WY 82716

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon:

I am a geologist who has worked in the CBM industry in the Powder River Basin for over five years, but I would like you to also consider that I am a Wyoming native with ancestors that have lived in this area since before Statehood. I was not born in Wyoming, but of my nearly thirty four years, thirty three were spent in the state. I attended elementary school and high school in Cody, Wyoming, and continued my education at the University of Wyoming. My mother's family is from Hot Springs County, Wyoming where they homesteaded with the first of the white settlers in the 1800s. Although I'm not sure that I can document this, my Grandmother has always said that one of our ancestors was the first white child born in the Big Horn Basin. Another of my ancestors was adjutant general of the Wyoming area prior to statehood. Vincent Hayes, my great-grandfather, was a lifelong rancher and resident of Hot Springs county and served as Game and Fish commissioner for a number of years. My family has always been very closely related to agriculture in Wyoming. I have lived and worked on ranches near Thermopolis, Sheridan and Cody. I give you this background to demonstrate that I am knowledgeable in many aspects of Wyoming and have a vested interest in not only the success of the State, but the responsible use of the State's resources.

The most enjoyable component of my time in the CBM industry has been meeting and working with landowners in Campbell, Johnson, Sheridan and Converse County. I have always done my best to develop a situation which benefited the landowners to the highest possible degree. I believe that most I have worked with have been satisfied with the overall outcome. During this period of drought these landowners have been able to get water supplied to areas where historic runoff was not available. In the environment we have in the basin, particularly in a drought, water is the limiting factor in the success of these ranchers. Also payments, both royalty and surface use, that many have received from the oil and gas industry have helped to offset decreased profits from cattle sales due to the limited grass that has been available because of the lack of precipitation. It is my belief that ranchers are the lifeblood of the State of Wyoming. We have picked the image of the cowboy to represent our university and state license plate among other things. I am absolutely for anything that helps these people continue their operations through



difficult times and am adamantly opposed to the proposed rule change which would hurt their operations. I believe wholeheartedly that the CBM industry has facilitated many water uses that have vastly improved the conditions for the ranchers who own or lease the property from which the gas is extracted.

The Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2 would in the words of John Wagner "have the effect of prohibiting most, if not all coal bed methane (CBM) discharges to the surface." I am strongly opposed to any rule change which would have this effect. My opposition is based, in part, on the fact that such a rule would have a negative impact on the vast majority of livestock producers I have had the privilege to work with in the past years. The elimination or reduction of surface discharges would not only prevent the beneficial use of the produced water by livestock, but would eliminate or reduce payments, both royalty and surface use, collected by ranchers. As I stated before this is an important financial supplement to many ranchers through the reduced agricultural production times caused by the current drought. The proposed rule change would not only prevent new discharges which would provide increased beneficial use. Existing discharges, many of which ranchers already rely heavily on, would be stopped. I have also been told by one Sheridan County resident that the appraised value of his land was increased by 10-12% by a professional appraiser based solely on the fact that water was available from seven CBM discharges on his property. Elimination of discharge would cost him hundreds of thousands of dollars overnight.

In addition to the negative economic effect that this rule change would have on livestock producers in the Powder River Basin, I encourage you to consider the impacts this would have on the state of Wyoming. The most obvious direct impact would be the loss of royalty payments the state now receives from CBM wells on State property and on Federal property. It is my understanding that half of the royalties from Federal wells revert to the State. The next impact would be loss of thousands of jobs in the Powder River Basin alone. This would decrease the tax base immediately. Real estate values would plummet in the area. This would be particularly devastating to young couples who have recently chosen the Powder River Basin of Wyoming as a location to start their families and careers and buy their first house. A thirty to forty percent decline in real estate values, which I believe could be one of many results of such a rule change, would most certainly leave them in a large negative equity situation. Many businesses may bankrupt creating a ripple effect. Wyoming does not need to look to far back in history to see that this is a real possibility for the Powder River Basin.

I further encourage you to look at the impact such a change could have on the Wyoming education system. As you are probably aware most, if not all, personnel associated with the Wyoming school system just received a large raise last year. It was my impression that this raise was a direct result of the large budget surplus. The CBM industry is certainly a large contributor to that surplus. I was very excited to hear about this, and not just because my wife works for the Campbell County School District. I have long been concerned that the previous low wages were often not effective in attracting many of the brightest and most capable potential teachers which are part of the key to the future



success of our state. We have been fortunate to have some wonderful people who were attracted, in part, by the non-monetary rewards that teaching had to offer. I credit a number of these people for the successes I have enjoyed in my life. I was proud that my industry was able to contribute a significant revenue stream to the state to raise the wages for teachers, and not only reward those individuals already doing a great job of educating the youth of Wyoming, but also help to attract others to the education field in the future.

On a smaller scale, I would like to talk about the affects of such a rule change on four people who I have and continue to work closely with. All of them went to high school and were raised in the Cody, Wyoming area. I personally contacted and encouraged three of these people to move to Gillette. They are all very bright and talented people that our state should be proud of and motivated to keep here in the future so that they may continue to make Wyoming the Great State it has been and continues to be. At this time they are employed in various disciplines in the CBM industry. This rule change would result in all four people, as well as myself, losing our jobs. At that time our most viable option to continue our careers would be to move out of this state to get jobs in which we could continue to use our experience, education and skill. I have heard various people, including the Governor, speak about the overwhelming concern they have with the continuing loss of many of the State's brightest and most ambitious young people to other areas.

Personally, the rule change would be economically devastating. I would no longer have a career in Gillette, which has been my home since 2001. It is a very real possibility that my wife, who was born, raised and educated in Wyoming, would also be laid off as a result of the decrease in enrollment in the Campbell County School District as many parents lose their jobs and subsequently move to other locations, most likely out of the state. My wife is a recent graduate of the Occupational Therapy program at Casper College and also the most recent Occupational Therapist hired by the Campbell County School District.

As a scientist who greatly appreciates the education provided to him by the University of Wyoming and its Geology Department, I believe that this proposed rule is not scientifically valid. The proposed limits are not based on valid scientific principles. Adopting limits that are different for two different sectors of the oil and gas industry concerns me. I also question the validity of the proposed limit for barium which is ten percent of the Maximum Contaminant Limit recommended for drinking water by the EPA.

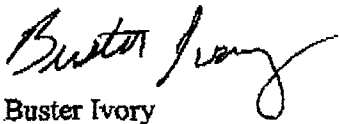
While there may be some conflicts remaining, the system currently has worked to successfully resolve the vast majority of concerns I have been made aware of over the last five years. I have personally took the initiative to help resolve conflicts which were not related directly to me or the companies I have worked for both as a consultant and an employee over the past five years. It is my experience that most people working in the industry are like me and are not the exception to the rule. I would encourage those with concerns to work with us and not against us to resolve conflicts.



The adoption of the proposed rule change would have a devastating impact on an industry that has largely been responsible in working to resolve concerns with the residents of the Powder River Basin. This would result in many negative impacts to the area and the state. I have outlined a few of the significant events I feel would likely result from such a rule change. I encourage you to consider these and many others. If you have questions or would like to further discuss this issue please do not hesitate to contact me by email ([bivory@bresnan.net](mailto:bivory@bresnan.net)) or by telephone at (307) 689-2191.

Thank you for your time and consideration.

Sincerely,



Buster Ivory

CC: Dave Freuenthal, Governor, State of Wyoming  
Henry H. R. "Hank" Coe, Senator, Wyoming Senate District #18  
John J. Hines, Senator, Wyoming Senate District #23  
Michael Von Flatern, Senator, Wyoming Senate District #24  
Colin M. Simpson, Representative, Wyoming House District #24  
Thomas E. Lubnau, Representative, Wyoming House District #31  
Timothy P. Hallinan, Representative, Wyoming House District #32  
Pat Childers, Representative, Wyoming House District #50  
Sue Wallis, Representative, Wyoming House District #52  
Erin E. Mercer, Representative, Wyoming House District #53



**FILED**

JAN 29 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122W. 25<sup>th</sup> St  
Herschler Bldg., Room 1714  
Cheyenne, Wy 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Sir; Response to the Petition to amend Water Quality Rule, Chapter 2 Appendix H

As a lifelong resident of Campbell County I have an undying concern about the management of the present and future development of the county. I am a 1964 graduate of Campbell County and a 1968 graduate of the University of Wyoming.

I was the first full time county recreation and parks director from 1970 to 1975. I was the onsite environmental coordinator for Atlantic Richfield's Black Thunder and Coal Creek mines from 1975 to 1985. I am currently associated with the Devon Energy regulatory affairs group stationed in Gillette. I am very knowledgeable about water, air, and land quality issues affecting this county and state.

I have had the privilege of working and raising three collage graduates from this community and Gillette has been my home for 47 years.

I consider that I am also a steward of the land and I practice good conservation and environmental protection in my daily life as an employee of a major energy company and also in my private life.

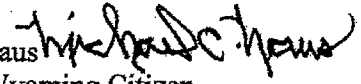
The Wyoming Attorney General and the Administrator of the Wyoming Department of Environmental Quality have issued numerous statements or decisions relative to the total removal of any surface discharge in the Powder River drainage system as a result of the PRBRC petition for volume discharge. The Casper Star Tribune reported on Saturday Jan. 27 that according to Mr. Wagner of the DEQ if this petition passes all development and the majority of the employees in Campbell County will need to seek employment elsewhere. Gillette will become only a shell of it's former self.

I submit to you that this petition be rejected for myself, my family and my future generations.

Yours truly,

Michael C. Naus

Concerned Wyoming Citizen.





**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Environmental Quality Council:

My name is Mark Fichter, and I work for a Roustabout/pipe-line company in Gillette Wyoming. Changing the rule about discharging of methane water would be catastrophic to me and my family.

I oppose the citizen petition for Rulemaking-Powder River Basin Resource Council et al-WQD chapter 2. I oppose rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used. There are numerous benefits to the water being discharged. For example: Ranchers cattle, livestock, wildlife, ranchers crops that they grow. Its just every rancher that I have talked with about this, say that they love the water from coalbed methane.

If this rule about coalbed methane water be changed, I would have to sell my house, my vehicle, and numerous other things that I have purchases over the last 10 or so years. I just would not be able to afford to live in Gillette no more, and would end up moving my wife and 2 small kids elsewhere. Its sad, but this methane gas is all I know as a career, and a lot of my co-workers this is all they know as a career. I wasn't fortunate like a lot of people to be able to afford to go to college and get an office job. Ive had to work real hard to support my wife and 2 kids, but if this rule is to change I don't really know what I am going to do. Not only would this change effect me and my family, but everyone I know here in Gillette, It would effect them as well. If gas production is reduced the state of wyoming is going to feel the effect of this rule change as well.

50% of the revinue off of each gas well, goes directly to the state of wyoming.

It is my understanding that DEQ has looked at the petition and that as it is written it will have the effect of prohibiting most, if not all CBM produced water discharges. I oppose setting standards for water discharge for coalbed produced water that are more restrictive than for other discharges. The rule would be arbitrary if adopted as proposed.

By changing this rule, th EQC would not be protecting existing use of CBM water by ranchers, livestock, and wildlife. The ranchers will all suffer if this rule is passed. If CBM water is held to a stricter standard than other discharged water that the rule would not stand up. The Attorney Generals office has repeatedly cautioned against this petition and the rule it



## New Text Document

proposes, and that the EPC would be wise to heed there attorney's office, this rule will be struck down as arbitrary and capricious.

In closing I just want to thank you for letting me comment on this topic, and to voice my opinion. I hope you think about all of us that depend and rely on the coalbed methane, whether its water, or its the money we get from our employers for working in the methane fields. All in All there is a lot of us that depend on it, and changing this rule, would probably ruin alot of peoples lives, I know it would ruin mine and my familys. Please feel free to contact me at (307)686-5785/home or (307)299-6283/work if you have any questions.

Thanks.

*Mark Fisher*



January 26, 2007

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, Wy 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

To Whom it May Concern:

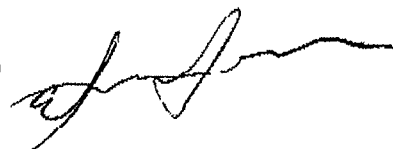
my name is

Edrain Flores I am

a lead laborer for a company in campbell county  
I am writing you to tell you the affect  
this would have on me and my family.

I have to monthly pay child support for  
three children in another state and also provide  
for another child and. Significant other here I am  
the main provider for all. This would greatly  
impact for all. This would greatly impact me and  
my family in trying to support my family here and  
to provide insarance which is three I have  
and all the other financial bills that I have  
I know it would affect me greatly and alot of  
other familys. and people working in this Industry  
I ask that you please do not pass this. Thank  
you for your time and your concern.

Sincerely





January 29, 2007

Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschel Building, Room 17414  
Cheyenne, WY 82002  
Fax: (307) 777-6134

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: CBM Discharge; potential rule modifications

Dear Council Members:

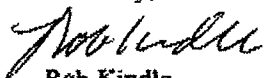
I am responding to articles I've read in several newspapers across the state that have me quite concerned about the potential for changing or enacting new discharge regulations for coalbed methane wells in the Powder River Basin.

I understand that some ranchers and landowners are upset with CBM developments that have abused their land. If done improperly and without regard for the surface owner, there certainly are many issues that negatively impact their property. However, this is the exception and not the norm, but as usual, the negative stories are the ones that get all the press. I've spoken to many landowners and, if they own the minerals, I haven't found one that doesn't support CBM development. As I am sure you're aware, the rub comes when the surface owner is not the mineral owner. More often than not, even these landowners have found ways to negotiate Surface Use Agreements that ensure their protection. If agreement between producer and surface owner can't be reached I believe there are ways in place to arbitrate the impasse. Ultimately, does the surface owner have greater rights than the mineral owner? I ask this as I wonder if this new try at modifying discharge parameters is really an attempt to shut down the CBM industry in this basin. Even the administrator of Wyoming's Department of Environmental Quality Water Quality Division, John Wagner, has stated recently in the Billings Gazette, "I don't see how any applicant could submit an application to us that could meet this rule."

Be careful what you wish for, the CBM industry has had some other impacts that aren't so negative. Young people in Sheridan can actually find jobs that pay a living wage. That's been tough on employers in the fast food industry in town, but it's nice to see young people can stay in the community and raise a family. It's been a blessing for funding schools, state highways, parks, etc. with the increased tax revenues. Go cross the border to Montana and you'll see the difference. I'm sure the Governor enjoys the billion dollar surplus also. Last, but certainly not least, CBM development is an energy source that does not depend on a foreign government that may or may not have an axe to grind with the US.

I urge you to cast your lot wisely and not kill the goose that laid a golden egg.

Sincerely, ~



Rob Kindie  
705 South Thurmond  
Sheridan, WY 82801  
(307)752-2700



VIA FACSIMILE

January 26, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version- WQD Chapter 2

Dear Mr. Gordon,

I am an Administrative Specialist working in the Safety Department for Pennaco/Marathon Oil Company in Gillette, WY. I grew up in Wyoming and moved back to the state after losing my job in Denver in June 2004. I moved back here because I love living here and was tired of big city living.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used. I realize that problems with CBM water may exist on some individuals' properties. However, I don't believe changing water quality rules is a fix for these problems.
- If this rule is passed, in any form, there will be huge financial ramifications to me, my family, the county and the state.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. Any standards passed should be applied over the entire state.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy.

Sincerely,

*Mary Sue Redle*  
Mary Sue Redle





# J-Bird Well Service

PO Box 3440 • Gillette, WY 82717  
Ph (307) 682-4511 or (307) 680-1394

**FILED**

**JAN 29 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777 6134

Terri A. Lorenzon, Director  
Environmental Quality Council

January 26<sup>th</sup>, 2007

To Whom It May Concern:

J-Bird Well Service owns, and operates methane rigs in the Powder Basin area. We are writing to you and the council to object to the petition to amend Wyoming water quality rule, Chapter 2, appendix h. We feel that many people in Wyoming have benefited from CBM water and should continue to benefit from it. If this were to pass it would not only harm our economy as a whole, but it would affect our wildlife, our stock, and our land. The whole state of Wyoming reaps the benefits of CBM water, especially during our drought time. It helps ranchers produce hay that without it would not be possible, it keeps our livestock alive when there is no rain, and it keeps Wyoming's economy booming. We feel that the more water produced the better the benefit for everyone.

Thank you for the opportunity to express our views on this matter.

J-Bird Well Service  
P.O. Box 3440  
Gillette, WY 82717  
Phone: 307-682-4511  
Fax: 307-682-2807

For questions or comments please contact:  
Steve Moore: (307) 680-1394 Owner or Kim Lessman: (307) 682-4511 Bookkeeper



January 26, 2007

**FILED**

JAN 29 2007

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

To Whom it May Concern:

my name is Chris Tidwell  
and I work for TSI. I don't think  
it will help any one or better anyone's  
life by doing this. I have 3 kids  
that Depend on me to take care  
of them. ~~and~~ This could ~~be~~ destroy a  
lot of lifes and lifeStyl that  
we ~~can~~ have come adept to and  
dependn't on. Thank you for your  
time.

Chris Tidwell



January 29, 2007

**FILED**

**JAN 29 2007**

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

My name is Stacy Koloski and I am currently employed as an Environmental/Federal Regulatory Technician for Yates Petroleum in Gillette, WY. I have worked in the CBM Industry for the past seven years both in the production and environmental fields of this business.

I am opposed to the Citizen Petition for Rulemaking-Powder River Basin Resource Council et al - WQD chapter 2. I am also opposed to any rulemaking that would reduce or eliminate the ability to discharge produced CBM water. I believe that CBM water benefits wildlife, ranchers and our environment and I am opposed to setting unreasonable standards that would restrict coal bed water to higher standards than that of drinking water.

I have read the petition that was submitted by 19 landowners, and do believe that there are issues involving coalbed methane water that has been discharged. I personally believe that if given the opportunity, these issues could be resolved and the water could be used beneficially. The amendment from the DEQ would shut down all coal bed methane water discharges, thus stopping CBM production in the Powder River Basin. There would be thousands and thousands of jobs affected by this ruling and the impact on our community and other communities would be devastating. Putting a blanket ruling into effect to the terms of the petition would be a great disservice to the people of Wyoming and our nation as a whole. Please take into account that there are a great many people that work in this industry, and earn a living by it, than there are those who have concerns. Please also take into account all of those that benefit from the energy that the methane provides in this country.

Problems can be resolved if given the opportunities to resolve them and there are always reasonable solutions. Jobs and livelihood can not be resolved as easily.

Thank you for the opportunity to express my comments.

Sincerely,  
*Stacy Koloski*  
Stacy Koloski  
4550 Centennial Rd.  
Gillette, WY 82716



January 29, 2007

Larry Foster  
810 Apricot Street  
Gillette, WY 82716

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax 307-777-6134

RE: Citizen Petition for Rulemaking – Powder River Basin Resource  
Council et al – WQD Chapter 2

Dear Mr. Gordon;

For the past four years I have worked for Basic Energy in Gillette, WY. I am a heavy equipment mechanic for Basic Energy. I have worked in energy production for about fourteen years, both in oil and methane production. Basic Energy does works in Baggs, WY and in Johnson, Crook, Campbell, Converse, and Sheridan Counties. Of that work about sixty percent of the work done by the company involves the methane industry. Basic Energy employees many workers within the state and any changes in energy production has a large impact on the company. If water control regulations reduced the production of methane gas in the State of Wyoming, Basic Energy would have to reduce its' workforce. This possible reduction in workforce could jeopardize my job with the company because of lack of work.

Water quality and water discharge techniques have been a concern of many people and businesses in our community. While the state needs to address water issues, it should evaluate all aspects of this problem before making a decision because it has such an impact on so many people and businesses. If the methane production is reduced because of changes in water control many people will lose their jobs, the community and the state will lose those people because they will move away from our area. With that loss our retailers will lose shoppers, school enrollment will decrease, and other jobs will be lost because of the decrease in our population. With this decrease

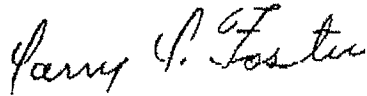


comes lower tax revenue, lost opportunities for economic development within the community and future potential growth. Many businesses, including some not involved with oil and gas production, may have to close their doors because of the economic impact.

Although, I do agree that water quality is very important I also believe there are other options to consider besides the above listed petition. Because these options are not addressed in the petition I oppose this petition.

I thank you for the opportunity to share my thoughts concerning this matter. If you have any questions to ask me you may contact me at 307-682-1899 or 307-660-1899.

Sincerely,



Larry Foster



1/26/07

Wyoming Environmental Quality Council

122 W. 25<sup>th</sup> St.

Herschler Building Room 1714

Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

To Whom it may Concern:

My name is Peggy Hagen, I work for an oil & Gas Service company that my dad started 39 years ago in Gillette. The sole business of Tri State Industries for the past 6+ years is Coal Bed Methane. I have read in the Newspaper regarding the water discharge and have talked to different people as to what the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WOD Chapter 2 would do to Gillette. I found out that if this petition becomes a rule it would cause the drilling to STOP, because of the restriction it has put on the operators, more restrictions than drinking water. No Drilling, No work for us, No Money. Coal Bed Methane Pays my bills. It helps the Community by Jobs, by taxes by me eating out, washing my car, shopping. I feel this petition would hurt Gillette and me financially. I oppose the Citizen Petition for Rulemaking - PRBR. et al WOD Chapter 2. Thank-You for your time.

Sincerely  
Peggy S. Hagen

Peggy S. Hagen  
44 Edison Ave



VIA FACSIMILE & USPS

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am an Administrative Assistant working for Pennaco/Marathon Oil Company in Gillette, WY. I have lived in Gillette, Wyoming since 1989, raised two daughters on my own, and now have grandchildren I would like to see grow up. If my employment would be compromised I would most likely have to re-locate to find decent employment. I have a mortgage, several vehicles and the Gillette area benefits because a large portion of my income returns to the local economy.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different

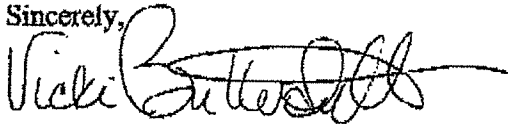


from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.

- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. There are many options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-299-3578 if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,



Vicki Butterfield



**FILED**

January 26, 2007

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality CouncilWyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY. 82002

Dear Mr. Gordon,

I oppose the petition that has been set before you by the Powder River Basin Resource Council entitled **Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H**. Not only does this petition threaten the economic lives of hundreds of people like myself and my co-workers it threatens energy development nationwide. The petition is not asking for responsible CBM development the petition as I read it would effectively halt all CBM development.

I was born and raised here in Campbell County. We actually had a small ranch located on what is now a coal mine. It seems ironic that the petitioners are claiming foul by the CBM industry when my family had to actually pick up and move due to the coal mine development. At least the petitioners still have a home and some hope of reclamation. I believe as a resident of the "Energy Capital of the Nation" that the responsibility of providing energy to the nation is a part of who we are and what we do. President Bush in his most recent address to the nation spoke directly of alternative energy sources and sited coal and natural gas as the leaders at this time. I am in empathetic for the petitioners because I understand the feelings associated with your land being at risk from outside pressures. I do not understand almost 580,000 acres of other ranchlands in the Powder Basin aren't being affected in such a negative way?

Please Mr. Gordon and fellow Councilmen, take a minute to think about all the lives that will be affected even with a nominal slow down in the very industry that powers this area. I have lived thru the boom and bust. I watched as the banks could not even pay their debts. I have no desire to go down that bumpy road again.

Thank you for your time and consideration.

Tom Hettinger

*T. Hettinger*



4101 N. Garner Lake Rd.  
Gillette, WY 82716  
January 28, 2007

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Control  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

Dear Mr. Gordon,

This letter is to state my opposition to the *Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2*. It is my understanding that DEQ has looked at this petition and, as it is written, it would have the effect of prohibiting most, if not all, CBM produced water discharges. This would in effect shut down coal bed methane production in Wyoming, which would have a disastrous effect on the economy of our city, our county, and our state. The solution to the problems of a few landowners should not adversely affect the economic benefits of CBM for the entire state.

I vigorously oppose this petition. I grew up on a ranch in Campbell County...a ranch where my grandfather homesteaded. I have worked for years as a steward of the land. I now own a trucking business and the great majority of our work is done in the methane fields. If the CBM activity were to shut down, my business would in all likelihood shut down also.

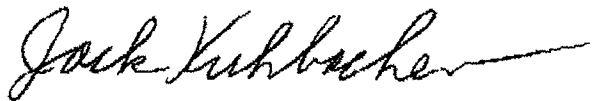
The standards set forth in the petition are unreasonable, especially since methane water is held to a much higher standard than oil well discharge water and coal mine discharge water...not to mention setting a higher standard than for drinking water for humans! The Wyoming Attorney General's office has cautioned against this petition, and if CBM water is held to a stricter standard than other discharged water, the rule will be struck down as arbitrary and capricious.

As I truck to sites in Campbell and Johnson Counties, it is easy to see the beneficial results of use of CBM discharge water. Cattle are fat and healthy; calves weigh more; sage grouse, deer, antelope, birds - all wildlife thrive because there is plentiful water. There are trees and fields on ground where once was only sparse vegetation. Most landowners I speak with appreciate and value the water that CBM development has provided.

Thank you for your consideration of my opinion in this matter. And remember:

No water, no gas.  
No gas, no revenue.

Sincerely,



Jack Kuhbacher  
Kuhbacher Trucking, Inc.  
4101 N. Garner Lake Rd.  
Gillette, WY 82716  
307-680-1814



**FILED**

January 29, 2007

JAN 29 2007

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

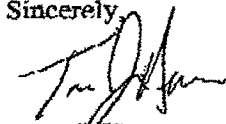
To Whom It May Concern:

I recently heard of the EQC and area ranchers' attempt to have a law passed to regulate coal bed methane water. This petition is going to require the methane water that it is discharged to be at 200 parts per billion. I, for a fact, know that this is impossible to do, as I am an operator for a methane work over rig. If this regulation is put into effect it will shut down all coal bed methane production. Therefore I will lose my job, as the company I work for will be ruined. I will have to watch my friends and coworkers struggle to feed their families.

Not only will this effect me on a very personal level; it will effect this town by removing the largest percentage of jobs. The coal bed methane industry provides 75% of the jobs in Gillette, Wyoming. Not to mention the jobs it provides for the entire county and surrounding counties. I do not feel that is right to eliminate the jobs of over 17,000 people just to please a few ranchers. I myself was raised on a ranch in South Dakota and I do not feel that these Wyoming ranchers are putting anything but their own bank accounts in mind. They seem to have waited until the methane industry had lined their pockets before fighting against it. Agriculture is a major industry in Wyoming, but so are the natural resources found here. The water discharge from coal and oil are not regulated like they are trying to do with coal bed methane. So why should the methane industry have to follow these laws and not other natural resource industries?

In conclusion, I want it to be stated that I very strongly oppose this petition and feel that is not in the best interest of the entire state to allow it to become a law. I am thankful to you for allowing me to state my opinion and I hope that you will take it into consideration.

Sincerely,



Tony J. Hanson  
P.O. Box 3381  
Gillette, WY 82717





January 29, 2007

**FILED**

**JAN 29 2007**

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Building, Rm. 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

This letter is in reference to the Petition to Amend Wyoming Water Quality Rule, Chapter 2, and Appendix H. We oppose this Petition and feel that such changes would be detrimental to our community, employees and business.

Incorporated in 2001, we focus primarily on electrical work in the CBM fields and to date 70% of our business is related to CBM work. We currently employ upwards of 50 employees in the state of Wyoming with company headquarters in Gillette. To date we rent multiple sites to house our employees and five plus employees have recently purchased new homes.

We oppose the Citizen Petition for Rulemaking and the desire to eliminate the discharge of coal bed methane produced water. We feel that eliminating this water, which benefits many ranches and their operations, would have serious effects on our business and community. Less CBM production means fewer service calls for our company which then has a domino effect; fewer service calls, fewer employees needed, layoffs, employees without jobs on unemployment as the community as a whole will have fewer jobs available, people unable to make rent/mortgage payments, individuals leaving the community, empty homes and buildings, default loans etc. Not to mention Gillette's growth in the retail markets (Home Depot, Multiple Fast Food Businesses, New Restaurant's, Super Wal-Mart) all feeling the effects of cuts in consumer spending, ultimately leading to more vacant buildings and the downfall of the Gillette community and all it offers to kids, adolescents, adults and the elderly.

We oppose setting standards for water discharged by CBM higher than other discharges. This is not an appropriate set of standards and even the Attorney General has advised the EQC to be cautious of endorsing this petition.

1208 Energy Street  
Gillette, WY 82716

Phone 307-682-8530  
Fax 307-685-6609

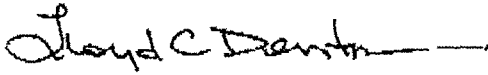
SERVICE CONTRACT DESIGN/BUILD RESIDENTIAL POWER QUALITY  
VOICE/DATA/VIDEO UL 508A PANEL SHOP



We do understand that some individuals have concerns or issues, but we believe that a blanket petition is not the answer and other options can be pursued to appease all involved parties.

We thank you for your time and consideration and the opportunity to comment.

Regards,

  
Lloyd Denton

1208 Energy Street  
Gillette, WY 82716

Phone 307-682-8530  
Fax 307-685-6609

SERVICE CONTRACT DESIGN/BUILD RESIDENTIAL POWER QUALITY  
VOICE/DATA/VIDEO UL 508A PANEL SHOP



Mr. Mark Gordon – Chairman,  
Members of the Wyoming Environmental Quality Council  
122 West 25<sup>th</sup> Street  
Herschler Building, Room 1714  
Cheyenne, Wyoming 82002  
Copy Via Fax, Copy Via U.S. Mail

January 28, 2007

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Gordon and Members of the Council;

I am writing to you today to voice comments against adopting the Citizen Petition for Rulemaking proposed by the Powder River Basin Resource Council et al ( Docket 05-3102) – (including Revisions) and wish for my comments to be inserted as part of the record, which I understand to be open through Monday, January 29, 2007.

I am employed by Yates Petroleum as a Regulatory Supervisor, and the folks I have the privilege of working with and I work with landowners and regulators daily to conduct responsible project planning, permitting, implementation, monitoring and ongoing operation of Coalbed Natural Gas projects in the greater Powder River Basin. I have been a resident of Wyoming for 15 years – living in Cheyenne and then later Gillette. I was born and raised in northeastern Montana and moved to Wyoming to pursue employment in a state more interested in economic development, as many of the small towns in the area I am from were drying up. I have a Bachelor's degree in Chemistry and work daily with produced waters and water management in the Powder River Basin.

With your permission, I wish to first thank the Council for your work, which is difficult and likely thankless at times and for the opportunity to provide substantive comment. It is my sincere hope that my comments will be taken by you as the respectful, but direct, input of a citizen who has valuable things to say. I have attempted to be as brief as the subject would allow without diluting the message.

**a. The petition as it is written asks for far more stringent water quality constituent limits to be established for CBM discharges than are applied to traditional oil and gas discharges.**

Wyoming water quality rules and regulations that relate to discharges are built on a foundation of suitability for use. If the use of water is the same (in this case many times the use is for stock and wildlife use) the water quality standards should be based on that use. This petition now proposes that if a CBM discharge was occurring into the east side of a rancher's reservoir that its constituent limit for Barium, TDS and Sulfates should be set more stringent than a traditional oil and gas treater discharge that was occurring on the west side of the same reservoir for these same exact constituents. The proposed use is the same, the chemical constituents identified are the same and the receiving water/ reservoir would be the same - but somehow the water quality standards should be different? Adopting a rule to do this flies in the face of reason, good science and would most certainly not pass an arbitrary and capricious test (the petitioners propose that the Barium Standard be 10 times more restrictive than the drinking water standard!). Please see the letter from DEQ's John Wagner dated January 5, 2007 regarding this subject.

I believe it is also appropriate to point out that the original petition (before revisions) on page 5 under number 2 discussed Effluent Limits being amended for produced waters (seemingly across the board). Now the petition, if I understand the revised petition correctly, is saying that the current water quality standards are appropriate for waters produced in the Bighorn Basin and other traditional oil and gas discharges across Wyoming (which includes the



Powder River Basin) and should be left alone as they are appropriate. It seems to me that by proposing the current, unchanged water quality standard for those traditional discharges the petition is essentially arguing concurrently for and against the current water quality standards being appropriate for use, within the same petition action. This just looks to me to be the petitioner attempting damage control for affecting these other discharges with the proposed petition as they did not want to take away their water. They did not, however appear to extend the same protection for current users of CBM produced waters that would be robbed of the use of this water if the rule was enacted as the petition is written.

**b. The petition asks for water to be discharged only if it can be put to a documented, demonstrated beneficial use. Discussion has been held as to whether or not demonstration of beneficial use should be provided.**

I believe that the petitioners stand on this issue seems to have modified along the course of this discussion. At the January 15-16 hearing I believe that I heard the petitioner discuss that if an antelope or cattle had access to water then it was of beneficial use. The petition reads differently.

Regardless of the current stand of the petitioner, this issue is straight forward to illustrate. If the traditional oil and gas and other discharges such as publicly owned treatment works produce a water that is of a quality that is beneficial to wildlife and livestock and it is available to them, then it is of beneficial use and it appears that no one argues that. CBM produced water is water of a quality that is beneficial to wildlife and livestock and it is available to them (and in most cases is better quality than the traditional oil and gas discharges), and therefore it not of beneficial use ?

DEQ has taken the right approach on this issue. Water of the quality that is produced by coalbed wells in the PRB goes well beyond the huge use it has for large mammalian wildlife and livestock. It is literally a springboard for wildlife to flourish. The list is nearly endless – waterfowl such as ducks and geese, muskrats, amphibians of all types, fish and their minnows, turtles and snakes, upland birds, shorebirds, songbirds and insects – many of which provide a portion of the food chain for predators such as raptors, fox, coyote, badgers etc. These ecosystems benefit tremendously from this produced water – and some of these species would not exist at these sites but for these discharges. Beneficial use of this quality of produced water, whether the discharge is to a drainage, a reservoir or an off channel pit for use by the whole scope of wildlife across the species list is huge and undeniable. Bottom line is that nature is opportunistic when it comes to water use – even more so in the arid climates of Wyoming, and that broad beneficial use by a myriad of wildlife, with this quality of water, is simply a given.

Consider for a moment the converse argument. Could someone successfully argue that when water of this quality was discharged and made available to wildlife that no wildlife or livestock would make beneficial use? Clearly not.

In the interest of disclosure, I do receive calls from ranchers who are concerned about coalbed water.

**c. No CBM operator can discharge effluent which meets the definition of "pollution" or would cause "pollution" as defined, in the receiving stream.**

This language proposes a standard that places a regulatory moratorium on CBM produced water discharge regardless of quality, unless a produced water had all of its chemical constituents completely removed. There are no existing surface waters or groundwaters that would pass this definition and therefore could be discharged. No municipal drinking water in Wyoming could clear that hurdle. It is unlikely that water could even be removed from a stream, put in a clean pipe



and transported 1 mile parallel to that stream and then re-introduced into that same stream without some change to the physical, chemical or biological constituents than the location of the receiving water. Again, this sort of restriction is both arbitrary and capricious.

It is my understanding that the petitioner may have recently stated that this was not the intent of the petition. The petition says what it says. I have to base what would happen with this provision of the proposed rule on what Mr. Wagner would do with that rule if he were given it, as it is his signature that would be required on the WYPDES permit. In his January 5, 2007 letter he states :

"There is probably no case where a CBM discharge would be able to meet all of the conditions of this section of the proposed rule. It is a standard to which no other industry or type of discharger is being held"

I would ask the Council to consider approaching the Attorney General's office to acquire an opinion as to whether this specific portion of the rule would be appropriate that holds CBM discharges to a standard that no other industry or discharger is held to (if that has not already been done).

**d. There are conflicts with some landowners and some existing discharges. What about those situations ?**

It is unlikely that any undertaking could take place of the size and scope of Coalbed development in the Powder River Basin without there being conflicts. There are conflicts when activities of development go on. Subdivisions of houses being built are controversial. Highway projects have conflicts. Wrangling occurs when someone wants to build a new retail store. There are mechanisms for dealing with these conflicts in place currently. Below are some of the ways these conflicts can be resolved:

- Private Surface Use Agreement among parties
- Dining room table arguments/ name calling and eventual agreement after a long day, week, month, year
- Binding arbitration
- Non-binding arbitration
- Civil litigation
- Arm Wrestling
- Coin Flipping
- Rock / Paper / Scissors

I don't mean to be flippant in mentioning any of these options, rather I do so to point out that to a given combination of operator and landowner any one of these above options might just be the viable solution, and it would be their right to choose a method that you or I might consider not to be the appropriate way to settle the issue. This is still the United States of America and folks can choose the way they resolve disputes. Dispute resolution and dealing with who damaged what and assigning responsibility is a question that is asked and answered every day in our country. It is the



right of any citizen or company who feels he is damaged to go about addressing it with the already long list of tools to do so.

Members of the Council, you have a petition before you that is really asking you to do something that is outside your scope with respect to resolving allegations of damage and disagreement, and puts you in the uncomfortable position of being asked for a solution you simply can't and shouldn't deliver. Water quality is really not the issue here, and neither is environmental protection or lease rights or questions of beneficial use. Disagreement among some parties is the issue here. Establishment of unrealistically restrictive water quality standards will not resolve these issues, as the presence of distilled water would still be a problem for some. Ceasing all discharge will not solve the issues (as a matter of fact it will open a large list of new and exciting ones). The real way to empower solutions is to decline the request to solve it for the parties with new rules. This focuses the discussion and the responsibilities where it belongs – between the parties.

**e. Things the Council needs to consider**

1. There is a long, long list of users of Coalbed and other produced waters that are quietly enjoying those uses and their associated water rights under current standards. Should you grant the petition as it is written there will be a takings of water use, water rights and agricultural value added from a large group of ranchers. There would be on many ranches a measurable decrease in the agricultural productivity of their operations resultant from this proposed rule change – and according to at least one rancher and the map she provided there well over half a million acres of ranches in the Powder River Basin that are using and are happy with these discharges that she is aware of. Who will compensate these ranches for their lost revenues and lost opportunity costs? Seems like a large baby to throw out with the bath water (no pun intended).

2. Discharge water quality standards are not to be set in a vacuum, but are required to be set in consideration of economic impacts, among other considerations. I hope that the Council has grasped the impact to the industry and ranching in the Powder River Basin that would be direct effects of its adoption.

a. The Barium Standard proposed by the petition places 99% of current operating outfalls immediately out of compliance (see presentation by Rob Garland to EQC in the record). This proposed limit does not have credible science behind it. Many wells would become immediately uneconomic as treatment to those limits would be difficult and expensive. This overrestrictive Barium limit, by itself causes a large portion of the gas resource not to be left in the ground and not recovered. Operators in the Basin could be asking the State for compensation for resultant takings from this portion of the proposed rule alone, a pursuit that they would likely have success in.

b. The workforce impacts, effects to related commerce, royalty revenue, tax base and broad economic ramifications of the petition as it is proposed is nothing short of catastrophic to this industry. A drive through the communities of Gillette, Moorcroft, Newcastle, Buffalo or Sheridan would likely not yield a look at a business that would not be negatively impacted by the results of this petition as it is proposed. Tax revenues and royalties to the state lost would affect all residents, and could single handedly turn the current fiscal position of our state upside down. Taxable valuations drop and the downward cycle picks up momentum.

c. Couple the crippling of the CBM industry with 2 or 3 more years of our recent drought and the untimely loss of produced water by ranchers and then take a near term look at Northeastern Wyoming. Gillette could easily become like towns just over our northern border into Montana. Businesses would struggle to remain afloat. Young people would



leave the state in droves due to lack of economic opportunities. Perhaps someone decides that the water emanating from these same coal seams should not be allowed to flow out of them at the area coal mines for lack of meeting their definition of beneficial use and are further not suitable to be put on the ground for dust control (as is currently the practice). The next step could easily be that someone takes up the argument that the split effluent standard proposed by the rule is not appropriate, and that all discharges are now to held to the standard placed on coalbed by the petitioners rule. Those traditional oil and gas discharges will likely not meet the new overly restrictive TDS, Sulfate and Barium limits and so those discharges become uneconomic to continue. While there might be those that would dismiss this as some sort of doom and gloom outlook, I would suggest looking at it and thinking carefully about how few regulatory decisions it would actually take for this scenario to occur. Further, take a look at the case presented in this petition - many of these "doom and gloom" arguments could already be derived from information already presented in this matter.

In summation, the PRBRC petition asking for revisions to Chapter 2 has been given its due consideration by the Council. The petition asks to have arbitrary standards attached to CBM produced water that no other discharger is held to, and the AG's office is on record indicating their problems with the petition. Frankly the rule looks like it would get struck down quickly if adopted. The petition's rule does not solve the problems that it proposes to and would create a long list of problems if adopted. The economic impacts of the proposed petition alone deserve a strong look by the council. I would ask that the Council reject this petition immediately and invest its valuable time elsewhere.

Thank you for your time your consideration and the chance to comment. Please feel free to contact me concerning these comments.

Jim Barber  
1208 Willowbrook Lane  
Gillette, Wyoming  
82718



January 26, 2007

Mr. Mark Gordon  
Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Petition To Amend Wyoming Water Quality Rule, Chapter 2, Appendix H

Dear Mr. Gordon:

I am a permitting agent for Yates Petroleum Corp. and a resident of Gillette, Wyoming. I moved to Gillette 2 years ago in search of a better life for me and my family. I found what I was looking for; a good job and a diverse community that has opportunities for anyone, regardless of their background. My wife has a Masters in Art History and found a job as the director of the AVA community art center. We love it here in Gillette and would like to see it continue to grow and prosper.

I have read the Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H, and I am very concerned about the potential consequences that this petition would set into motion if made into a rule. The PRBRC has stated in the petition that they are in favor of responsible development; I am also in favor of responsible development; however, I don't see that as the goal of this petition. I gather from the petition that the PRBRC is intending to shut down the entire CBM industry in Wyoming. This would have disastrous effects on my family and thousands of others in Gillette and all over the state of Wyoming.

In my job as a permitting agent I deal with many landowners who have been hit hard by the drought we have been in, and they are thrilled to have access to water. It has become very difficult to make a living as a rancher; especially one who only has a small family operation. For many of these landowners the CBM industry has provided them extra income and an ample supply of water that has enabled them to continue ranching and supporting their families. Many of them have commented that before CBM came their operations were in serious trouble of failing; however, now they are able to continue ranching. For these ranchers this is the greatest gift anyone could have given them.

The DEQ regulates our discharges and does not allow the discharge of water that would have negative effects on livestock, wildlife or the environment. They have



studied the water and the soils of Wyoming and determined acceptable limits of constituents present in the CBM discharge water. These limits are based on science not on emotion. I sympathize with the petitioners that feel they have been wronged by the methane companies; however, we must make our decisions based on science and not emotion; especially when the potential consequences could have devastating effects on the state of Wyoming.

We all need to be mindful of our actions to avoid the degradation of the environment. The answer to this is responsible development not the elimination of an entire industry; an industry that supports thousands of families and is an integral part of the economy of this state.

Looking at the Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H; keep in mind that if it is made into a rule it would administer very serious consequences onto the people and economy of this great state.

Respectfully,



Jebediah Tachick  
Regulatory Agent  
Yates Petroleum



January 28, 2007

Jane Foster  
810 Apricot Street  
Gillette, WY 82716

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax 307-777-6134

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking – Powder River Basin Resource  
Council et al – WQD Chapter 2

Dear Mr. Gordon;

I am writing to express my concerns about the above mentioned petition. I am a self employed daycare operator in Gillette and I feel the approval of this petition will impact all business in our community. I have clients who work in the methane business and if the petition is passed as it is written the huge impact will affect the city, county and the state.

Water quality is a concern of many people and businesses in our community and country. Something does need to be done to address water issues, but all sides of this problem need to be considered when making a decision which has such an impact on so many people and businesses. If the methane production is reduced because of changes in water control many people will lose their jobs, the community and the state will lose those people because they will move away from our area. With that loss our retailers will lose shoppers, school enrollment will decrease, and other jobs will be lost because of the decrease in our population. With this decrease comes lower tax revenue, lost opportunities for economic development within the community and future potential growth. Many businesses, including some not involved with oil and gas production, may have to close their doors because of the economic impact.



Although, I do agree that water quality is very important I also believe there are other options to consider besides the above listed petition. Because these options are not addressed in the petition I oppose this petition.

I thank you for the opportunity to share my thoughts concerning this matter. If you have any questions to ask me you may contact me at 307-682-1899.

Sincerely,

A handwritten signature in cursive script that reads "Jane Foster".

Jane Foster



Mr. Mark Gordon, Chairman

Wyoming Environmental Quality Council

I own and operate Gillette Analytical Services LLC.

I have read the petition to Amend Wyoming Water Quality Rule, Chapter 2 Appendix H. What I can see of it shutting down the Discharge of CBM Water will cause the loss of Natural gas in all Wyoming Counties. To me that mean's the loss of Jobs, State taxes, and the growth in Wyoming.

Thanks,

Sammy E. Kohn  
Johnny Pacey

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council



4300 Bertha Avenue  
Gillette, WY 82718  
January 26, 2007

**FILED**

JAN 26 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

I am writing to you in regards to the Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H dated December 7, 2005.

My name is Jan Miller and I do indeed work for Marathon Oil Corporation. I am a life long resident of the state of Wyoming and have worked for both the coal mining and coalbed methane industries of many years.

The petition states that the water produced from the CBM wells is hazardous to families, land and livestock. This water has been used and utilized by ranchers in the Powder Basin area for years. I remember coming to Gillette from the big town of Buffalo in the seventies and how bad the water was. In fact we told everyone not to drink the water. I feel that the water has greatly improved in Gillette.

I understand that the petition wants the quality of CBM water to be better than the drinking water. In all practicality it is better. Many land owners are happy that the water is being pumped to the surface as they can water the land and their cattle. I'm not sure if it is global warming, but we are facing a drought situation here in Wyoming. This water is helping the residents and the environment.

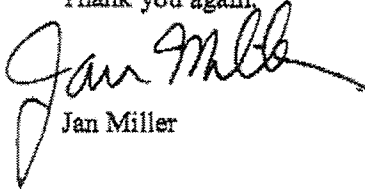
I'll admit that there are some companies that don't care what they do as long as they received a profit from it. Luckily we live in the United States and we have citizens who work for oil and gas companies that care what happens. These environmental people are passionate about their work. They do everything they can to ensure that we are following the rules and suggest new rules that work for Wyoming. I really believe that if they were concerned as to what coalbed methane was doing, they would quit working for the methane companies and join forces with you to see that the land we love is taken care of.

I sincerely appreciate your letting me voice my opinions. There will always be some people that you can't please. This petition only lists a handful of local ranchers who are not happy with what coalbed methane has done for them. There are handfuls of people



everywhere who do not like what government or technology is making them do. But if it was up to these individuals, we wouldn't have automobiles, computers, growth in Wyoming, a place to work for our young people, etc. We really need to look at what is important for Wyoming and it should be heard from the residents of Wyoming, not a small dissatisfied handful.

Thank you again.

A handwritten signature in black ink, appearing to read "Jan Miller". The signature is fluid and cursive, with a large initial "J" and "M".

Jan Miller



January 26, 2007

FILED

JAN 29 2007

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, Wy 82002

Terri A. Lorenzon, Director  
Environmental Quality Council

To Whom it May Concern:

My name is Anthony Peterson, I have been  
A employee of Tri-state Industries for two and half  
years. I have a wife and three kids.

The reason I'm writing you this letter is because  
it was brought to our attention on Friday that  
our jobs maybe on the line do to this water  
rule. I'm only one of thousands ~~that~~ of family  
that fear this. I understand the problems that  
we face with the water waste, but I feel  
there maybe other options available. Please  
take the time to see these options before  
changing water quality rules.

Thank you,  
Anthony Peterson



**FILED**

JAN 29 2007

January 26, 2007

Terri A. Lorenzon, Director  
Environmental Quality CouncilWyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 114  
Cheyenne, Wy 82002

To Whom it May Concern:

My name is Matthew J. Moore, I am a welder in the methane industry at Tri State Industries in Gillette Wyoming. I am concerned about what would happen if this rule passed. I am worried about what would happen to my job and many other peoples jobs.

The water in the Coalbed Methane industry is not all bad water. The water is beneficial to ranchers if discharged in the right ways, or reinjected. During the drought we have had, it has benefited ranches in some places. But is it worth losing a whole industry, thousands of jobs do to water that isn't that bad. They say that this water has to be cleaner than some water people drink, and if it's that clean, then what's the problem.

So please reconsider this rule or at least change the wording. I know that many ranchers and other people don't like the water, but changing the water quality rules is not the fix to the problem. So take into consideration a different option, that won't ruin jobs, and livelvy heads of many people

86 Grosvenor Way  
Gillette, WY 82716

Sincerely,

Matthew J. Moore



ATT Mr. Mark Gordon, Wyo. Environmental Quality Council

I Tracy J. Sessom I was born in Wyo. in 1956, I have made it my home and have witnessed many changes. Some good and some not so good. The reason I'm writing to you is to let you know what a great change in the wildlife habitat. I work and hunt, fish all over the state. The wildlife has improved greatly due to the extra water. I see antelope, Deer, Elk and even coyotes drinking the water from tire tanks, Outfalls & reservoirs. Not forgetting the Ducks, Geese and other birds. The water is a very positive thing. I own my own filtration business along with working in the methane industry. It has been a blessing for so many of us, including the land owners, school districts, and all phases of our economy. Look at the tax revenues, they are spectacular.

**FILED**

JAN 26 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Please Help us all by  
Not listening to the negative  
that simply are not correct.

Tracy J. Sessom

1-26-07

Gillette Wyo. 82712  
P.O. Box 2336

Thank You



Jan. 28, 2007

Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg. Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Councilman,

I would like to go on record as being against the petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H.

My stepfather was in the oilfield, my husband was in the oilfield, my son worked on drilling rigs during the summer while in college, and is currently in coal, and my current companion is in the methane industry. I like to think that I have kept more current on issues than some people.

I believe methane water has been a tremendous boon to many people during the last several years of drought.

I own a comfortable little house that I live in, and have a rental house in McLean Heights that is a supplement to my income. I would hate to see the value of these properties plummet if the economy in Gillette went into a deep depression.

Respectfully,  
Betty J. Benedick  
102 W. Sunset  
Gillette, WY 82716  
207-682-8803



VIA FACSIMILE

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Fax - 307-777-6134

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

RE: Citizen Petition for Rulemaking-Powder River Basin Resource Council et al-  
Revised Version-WQD Chapter 2

Dear Mr. Gordon,

I am a Alliance Coordinator Assistant for Pennaco/Marathon Oil Company in Gillette, WY. I have lived in Wyoming for the past 26+ years and have worked in both oil and CBM industry. I have a mortgage, 2 vehicles and 2 children that were born and raised in the Campbell County School System.

**I oppose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2.**

- I oppose any rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and thus beneficially used.
- Water has to be in the stream and constantly available to ranchers, livestock and wildlife if it is to be beneficially re-used.

I would also like to make the following points about this rule:

- If this rule is passed, in any form, the financial ramifications to me, my family, my fellow employees and my company will be devastating. In addition, the loss of tax revenue to the county and state from the tremendous reduction in Coal Bed Natural Gas production will change Wyoming's revenue picture from having a surplus to a deficit.
- John Wagner, Administrator of the DEQ's Water Quality Division, has written to the EQC with his understanding of the effects of the proposed rule. Mr. Wagner stated the rule will have the effect of prohibiting most, if not all CBM produced water discharges.
- I oppose any rule that would set stricter standards for Powder River CBM produced water than the existing WYPDES standards for Conventional Oil and Gas Operations. The concept of a standard is self-explanatory...it should be applied over the entire state. The Powder and Tongue Rivers are not any different from the Wind/Big Horn or Shoshone rivers. This rule is bound to be struck down as arbitrary and capricious upon appeal.



- It is well understood by the Pennaco and other CBNG operators in the basin that problems with CBM water on some individuals' properties might exist. I have personally dealt with many of these individuals...in my opinion, their view of rights they are owed is skewed beyond all reasonableness. There are many options available for conflict resolutions that are not being pursued by the petitioners. Changing water quality rules is not a fix for those issues. In nearly every case an engineered solution has been offered to the petitioners. The petitioners seem opposed to anything but a fight.
- The Attorney General's office has repeatedly cautioned the EQC against this petition and the rule it proposes. The EQC would be wise to heed their attorney's advice. Again, upon appeal this rule will be struck down as arbitrary and capricious.

Thank you for the opportunity to comment on this rule. Again, please register my opposition to making this a rule or policy. Please feel free to contact me at 307-680-6990, if you have any questions regarding my opinion. I love Wyoming and do not want to lose my ability to make a living in this wonderful state!

Sincerely,

Leslie Davis, Baker Hughes Centrilift



Jan. 28, 2007

Wyoming Environmental Quality Council  
122 W. 25th St.  
Herschler Bldg. Room 1714  
Cheyenne, WY 82002

**FILED**

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Councilman,

I want to state that I am absolutely opposed to the Petition to Amend Wyoming Water Quality Rule, Chapter 2, Appendix H.

I have been in Gillette longer than some people in the energy industry, (43 yr.), and quite active in the community. Therefore I feel I have a wide spectrum of friends, and feel that the majority of ranchers and landowners have benefited from methane water.

I also feel it would have a terrible economic impact on the area. I was here to witness them selling HUD houses fifty at a time at auction in the mid '80s and have no desire to see a repeat of this.

Respectfully,

Jimmy D. Anderson  
401 Laramie St. Space 6  
Gillette, WY 82716

307-682-8803



**PENNACO ENERGY**

A Wholly Owned Subsidiary Of Marathon Oil Company

**FILED**

JAN 29 2007

January 29, 2007

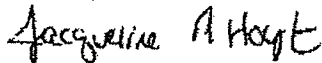
Terri A. Lorenzon, Director  
Environmental Quality CouncilWyoming Environmental Quality Council  
Mr. Mark Gordon, Chairman  
122 W. 25<sup>th</sup> Street  
Herschler Building, Rm 1714  
Cheyenne, WY 82002**RE: Citizen Petition for Rulemaking – Powder River Basin Resource Council et al –  
Proposed Revised Version – WQD Chapter 2**

Dear Mr. Gordon:

The Powder River Basin Resource Council (PRBRC) has proposed a petition to change Wyoming water quality rules to the Environmental Quality Council. This petition is aimed at produced water from coalbed methane wells and may impact traditional produced waters. This letter is a formal response against the proposed petition. I have put substantial analysis into determining the negative impacts of this petition. It is my understanding that the WYDEQ has looked at the petition and that as written it will have the effect of prohibiting most if not all CBM produced water discharges. By changing WQD, Chapter 2, EQC would not be protecting existing use of CBM water by ranchers, livestock and wildlife. I oppose rulemaking that reduces or eliminates the ability for coalbed produced water to be discharged and beneficially used. Finally, I oppose setting standards for water discharge for coalbed produced waters that are more restrictive than for any other discharges. I understand that problems with some individuals may exist; however, changing water quality rules is not a fix for those solutions. The Attorney General's office has repeatedly cautioned against this petition. The EQC would be wise to heed their attorney's advice. This rule will be struck down as arbitrary and capricious.

Thank you for giving me the opportunity to comment on this important issue. Please contact me at my email address: [jhoyle@marathonoil.com](mailto:jhoyle@marathonoil.com) if you have any questions regarding this letter.

Sincerely,

Jacqueline R. Hoyt, Technician Assistant  
Marathon Oil Company

cc: Governor; State Legislative Body



1413 Carmel Court  
Gillette, WY 82716  
hyekel@hotmail.com

January 29, 2007

Mr. Mark Gordon, Chairman  
Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Dear Mr. Gordon,

This letter is in regards to the proposed modification to Chapter 2 of the Wyoming Water Quality Rules and Regulations. My name is Heather Yekel-Ivory and I am an Occupational Therapist for Campbell County School district, and I work with children who have special needs. I am overwhelmingly appose the Citizen Petition for Rulemaking - Powder River Basin Resource Council et al - WQD chapter 2 as both a private citizen and as an advocate for the young children of the State of Wyoming.

The results of this ruling would be devastating to the educational system due to the funding that is provided to education from the states CBM resources. This funding has allowed for the building of new schools, raises for teachers in order to recruit the best teachers to our rural state along with educating staff and teachers on the special needs of student with Autism/Aspberger's syndrome, AD/ID, learning disabilities, emotional disturbances, and mental and physical handicaps. I feel that the wellbeing of my students as well as the students around the state would be negatively impacted by the results of the proposed modifications to CBM production regulations.

As a private citizen I cannot even imagine what a rule like this would do to the livelihood of my family, friends and neighbors due to the economic and emotional impact that would result. I would just like to thank you for the opportunity to comment on this important matter.

Sincerely,

*Heather Yekel-Ivory*  
Heather Yekel-Ivory



**FILED**

January 26, 2007

JAN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality CouncilWyoming Environmental Quality Council  
122 W. 25<sup>th</sup> St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

To Whom it May Concern:

My name is Richard Seabolt,  
I'm a field foreman for Tri-State Industries.  
Basically, I insulate the pipes and buildings  
in the oil and methane fields. I oppose for the  
EQC to ~~not~~ change the Rule Making that  
reduces or eliminates the ability for coalbed/methane  
produced water. Yes, I understand that  
some problems exist with other people, but  
why make more problems for the people  
who don't have problems. By passing this  
petition would put me out of a job and  
in doing that I wouldn't be able to provide  
for my family. You would also be taking  
away "millions" of dollars from the state.  
The Attorney General's <sup>office</sup> has repeatedly cautioned  
against the petition and the rule that is being  
proposed. So you should listen. You would be  
making the unemployment rate in Wyoming  
to sky rocket and be higher than it has ever  
been.



Mr. Mark Gordon  
Wyoming Environmental Quality Council  
Chairman  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

January 26, 2007

**RE: Citizen Petition for Rulemaking – PRBRC Revised Version WQD Chapter 2**

Dear Mr. Gordon:

I am writing to voice my objection to the recently proposed changes to Chapter 2 of the Wyoming Water Quality Rules and Regulations. This proposed amendment, if adopted, would basically halt CBM development in the Powder River Basin. Since my graduation from the University of Wyoming School of Environment and Natural Resources, (Master of Science in Agricultural and Applied Economics), I have been gainfully employed in the CBM industry since September of 2000 and have learned a great deal about this kind of development.

The primary thing I have learned is that the majority of landowners are praising the water production as a means to alleviate the effects of drought. There is a silent minority at work in the Powder River Basin (PRB) whose sole intent is to halt development, whether it is responsible or not. These proposed rule changes are not going to protect existing use by ranchers, livestock, and wildlife. To the contrary, they are going to cause harm. The proposed rule changes are going to directly impact the amount of CBM produced water that can be discharged and beneficially used. I personally know many different ranchers on active ranching operations who have come to embrace the CBM water production on their lands as a means to keep their operations viable. Recently we have been approached by ranchers asking for more water, not less. The discharge of CBM water has granted these ranches the flexibility to grow two and sometimes three cuttings of hay where without CBM water they would have to purchase all of their winter feed.

The proposed rule changes are going to make it virtually impossible for CBM development and production to continue in the PRB. As I'm sure you are aware, the State of Wyoming has enjoyed a very strong economy with the increase of CBM development over the past 7 years. I have been a lifelong Wyoming resident and I have a deep emotional attachment to this fine state. My own family comes from a ranching background in the PRB. The same ranches that my family once operated are under CBM development that has saved their operation multiple times from the effects of drought, including astronomical losses caused by lightning fires in 2006. If CBM had not been present, most if not all of the structures and forage on the ranch would have been lost. It was CBM discharge water along with the CBM presence in the area that saved the ranch. How is this not a beneficial use?

As a lifelong resident of Wyoming, I wanted to remain here after college. In the absence of CBM development, the opportunities for me were very scarce. CBM production and development has allowed myself and multiple other UW alumni to remain in their home state and give something back to it. We are the ones who have made Wyoming what it is – our home. We want to stay here, but



Addressee  
Company  
15 April 2004  
Page 2

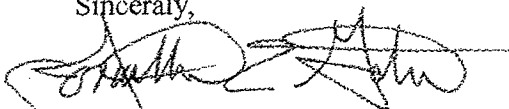
without an economy it wouldn't be possible. I am now a homeowner who is active in my community and I pay my bills. CBM development affords me and all of my colleagues a comfortable living and a future in the State of Wyoming. We all want to stay and continue to invest in Wyoming's future, but if these rule changes are to pass, that future will come up very short and it is a very strong probability that we will be forced to relocate to a stronger economy elsewhere.

I've attached some photos for your review that may help illustrate just what CBM development has done for Sheridan County alone. The first photo is of the people employed in my company (There are now 73). One year's annual earnings for this group of people is approximately \$4.2 million. It is safe to assume that each of those dollars earned is circulated at least three times within the community, whether it be in Buffalo, Story, Big Horn, Sheridan, Dayton, Ranchester, Clearmont, or Arvada. All of the businesses within the area benefit from this wage base, and we are just a small portion of the overall workforce associated with CBM development in Sheridan County alone.

Other attached photos are of the new Sheridan Administration Building, Sheridan Junior High School, Highland Park School. Each of these facilities was significantly funded by tax revenues generated by CBM development in Sheridan County. The picture with the truck and ATV in the back is taken in front of the Board of Control here in Sheridan. That truck, ATV, and the UW graduate who operate them are specifically tasked by the State to inspect CBM discharge impoundments permitted by the State Engineer's Office. The position was created by CBM and funded through CBM revenues to specifically address CBM discharge matters. Lastly, I've attached a photo of the new WDEQ office in Sheridan. It was constructed about two years ago and has already been enlarged to accommodate more than a dozen additional employees whose primary purpose is to monitor CBM discharges. You might find it interesting that several of these individuals are also recent University of Wyoming Graduates as well.

In summary, I implore you to reject the proposed rule changes by the PRBRC to the Wyoming Chapter 2 Water Quality Rules and Regulations. These changes will not help sustain agriculture, they will hinder it. These changes will force Wyoming natives and alumni from the University of Wyoming (funded largely by Wyoming taxation and donations from Wyoming residents and former alumni) to go and apply their talents in other states where there is an economic base that can support them. The proposed rules are going to cause a significant impact to local and small businesses due to a reduced level of circulating income, which will in turn lead to additional unemployment. Finally, the proposed changes will harm all other Wyoming residents across the state due to diminished funding for schools, infrastructure, emergency services, and domestic improvements that are received by mineral taxation.

Sincerely,



Jonathan Gates  
P.O. Box 303  
Story, WY 82842



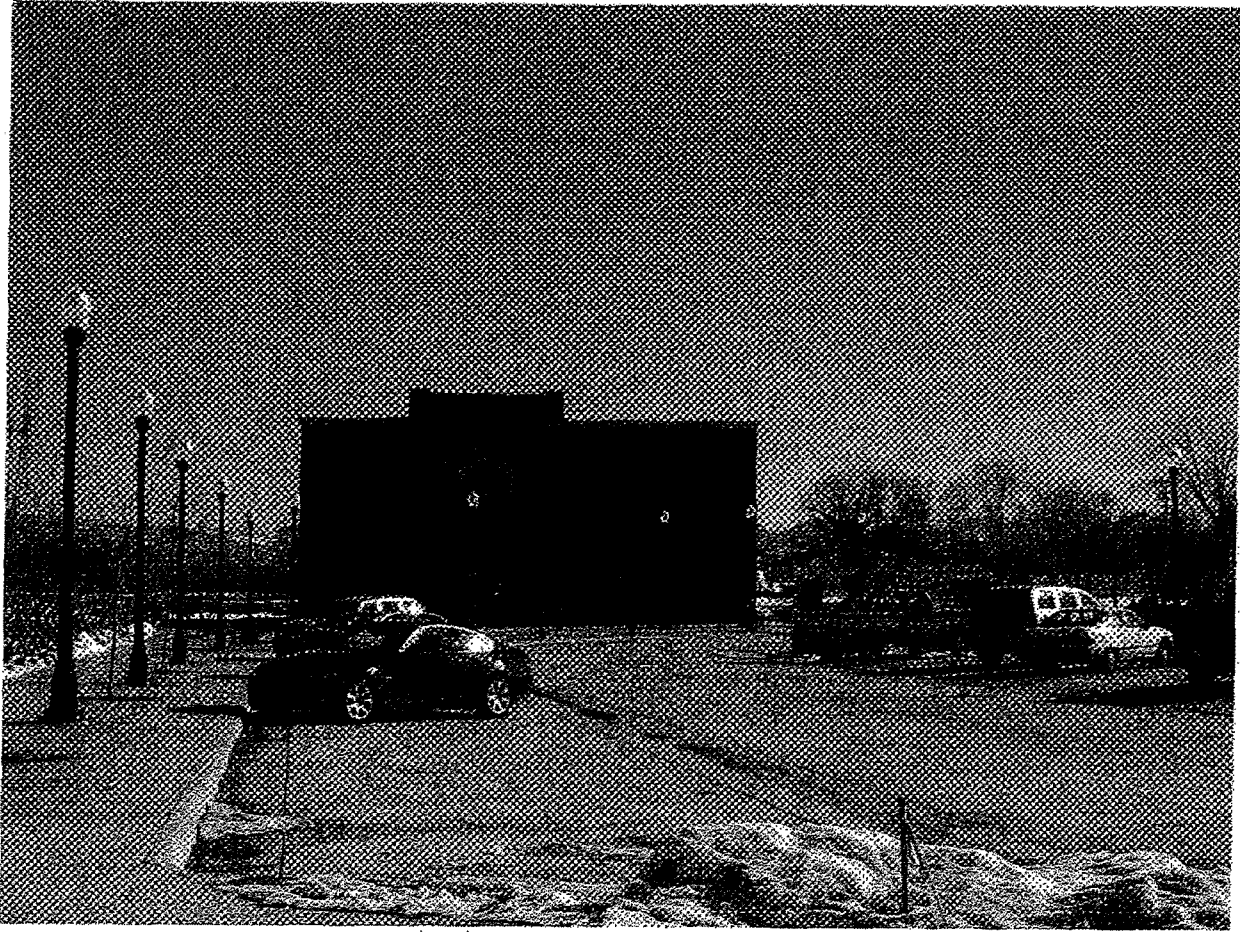


*J. M. Huber and Baker Energy*

*"Partners in Success"*

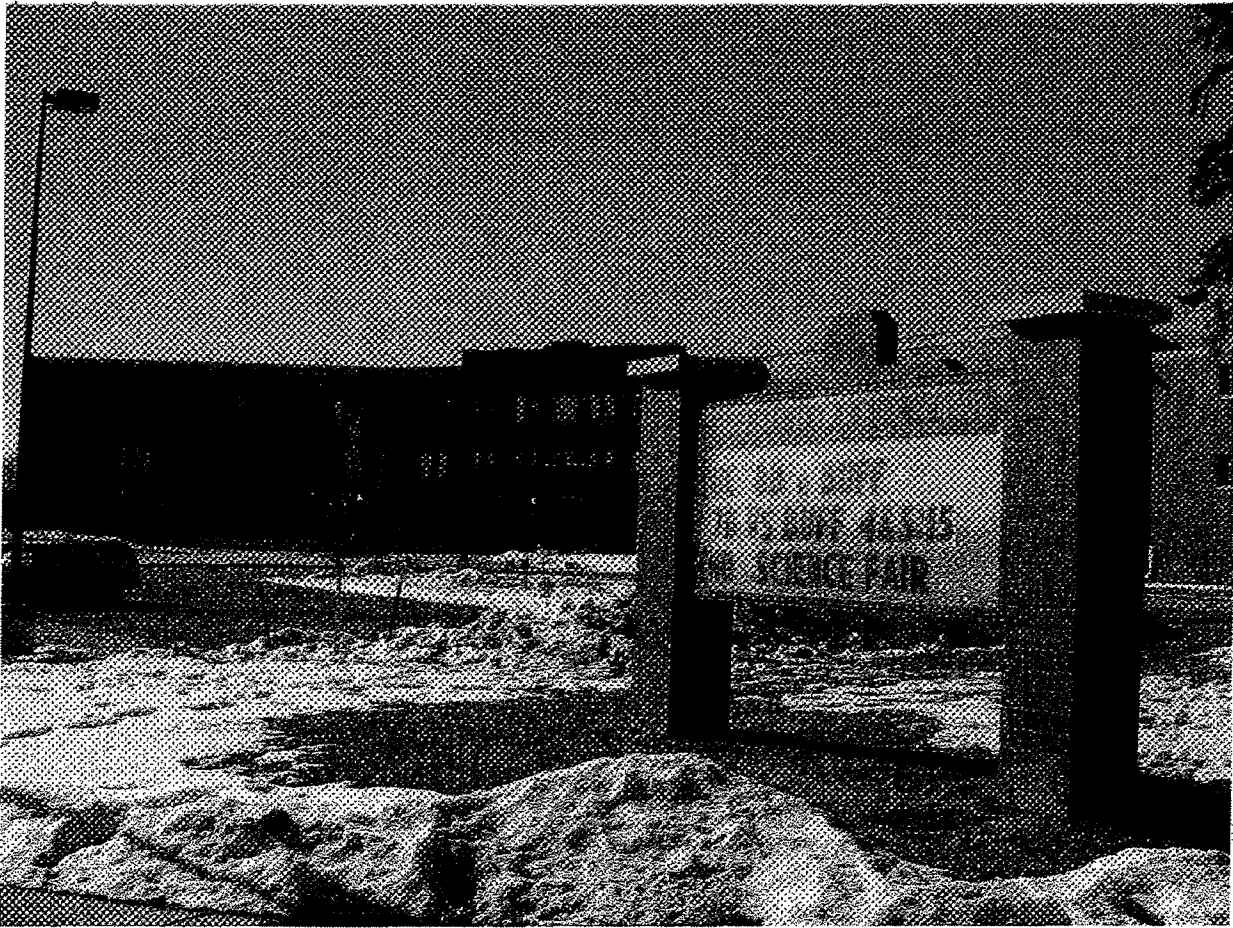
*Powder River Basin, Sheridan, Wyoming*





Sheridan Administration Building





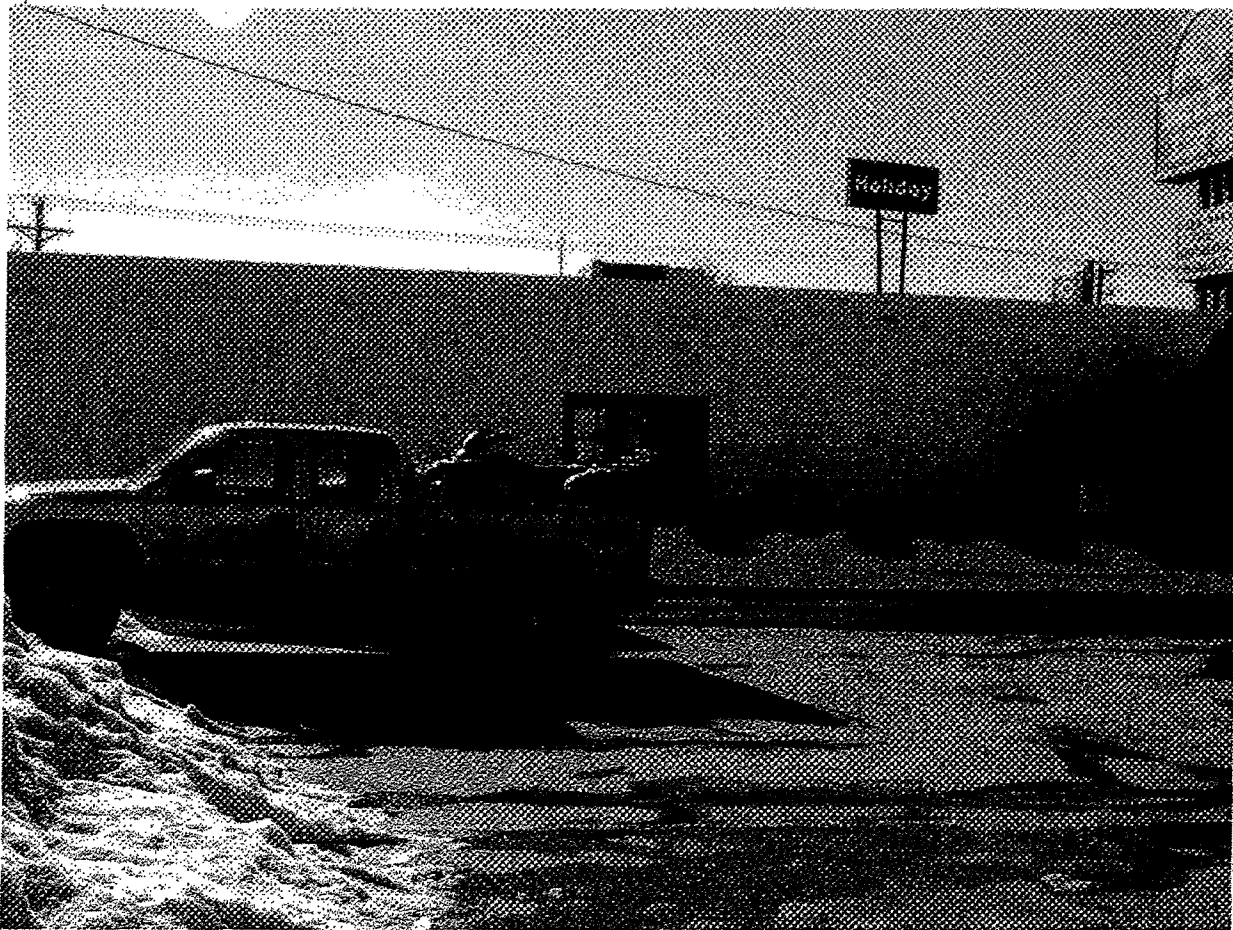
Sheridan Junior High School





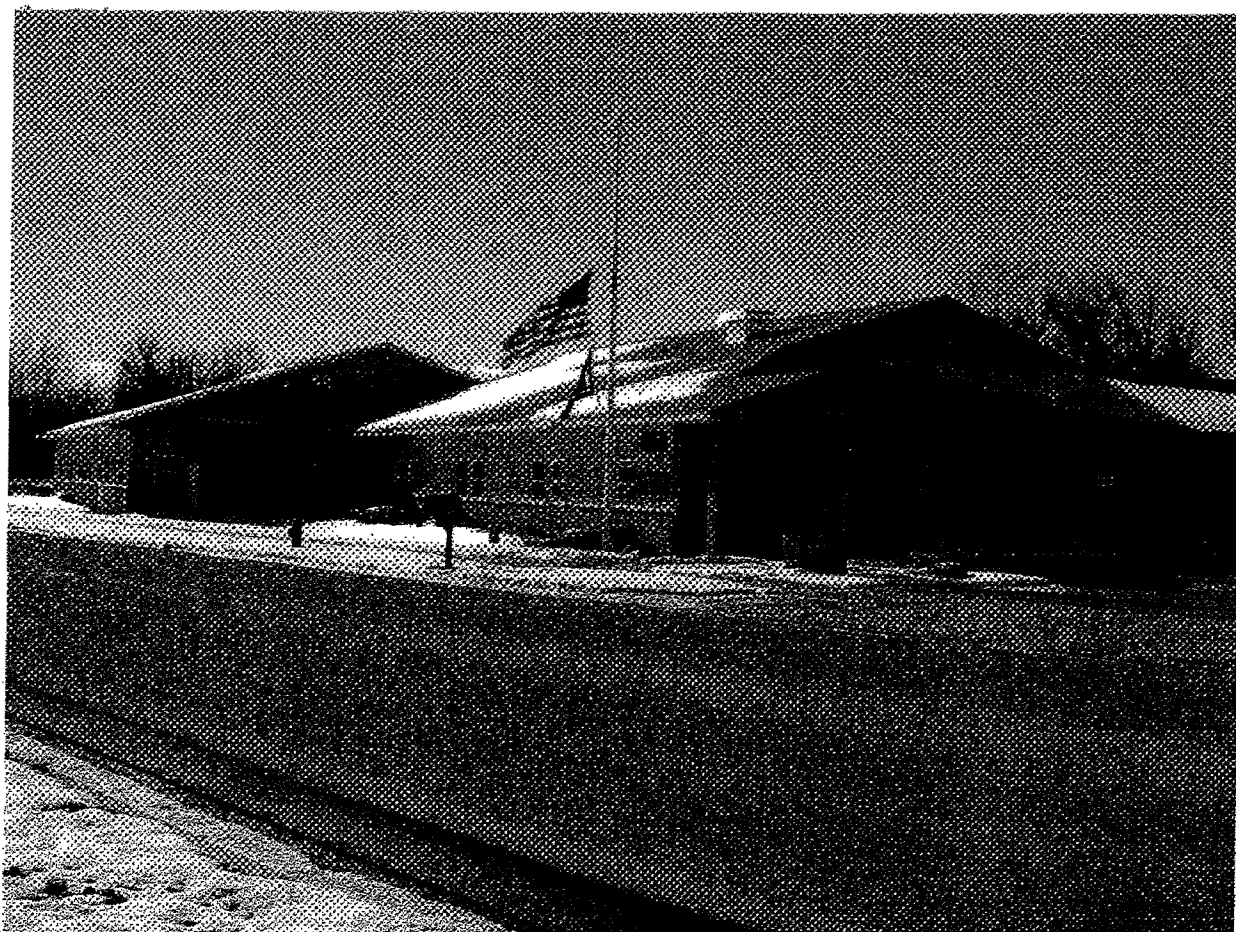
Highland Park Elementary School





Board of Control





WDEQ - Sheridan office



222 S. GILLETTE AVE., STE. 502  
GILLETTE, WY 82716

OFFICE: 307-686-2082  
FAX: 307-686-0565



COLEMAN OIL & GAS, INC.

January 29, 2007

**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon  
Wyoming Environmental Quality Council  
122 W 25th St.  
Herschler Building, Room 1714  
Cheyenne, WY 82002

Re: Citizen Petition for Rulemaking  
Powder River Basin Resource Council  
et al - Revised Version - WQD Chapter 2

Dear Mr. Gordon:

I am against amending the Wyoming Water Quality Rules. The coalbed methane play in the Powder River Basin benefits many people. It is important to Gillette, Campbell County and Wyoming.

We have seen the play come and go on the eastern flank of the basin and there has been no permanent environmental degradation.

It is my opinion that the petition is directed exclusively at the development in northeast Wyoming for the sole purpose of stopping development. Coalbed methane is a very valuable resource for the nation and I think we have shown from the past eight year history that we can develop it responsibly. As a worker in the Powder River Basin coalbed methane industry, this rule could close down our Gillette office.

If you would like to discuss this matter with me personally, please feel free to contact me at 307-686-2082.

Sincerely,

Robert G. Vergnani  
Operations Manager  
Coleman Oil and Gas, Inc.



**FILED**

**JAN 29 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Mr. Mark Gordon, Chairman

I am writing to you about the Powder River Basin Resource Council's to amend the Wyoming water quality rules. I am a foreman for a Methane production manufacturing company. So all that we do is related to the development of CBM.. I am in charge of 20 + people and our company employs 50+ people. I am also a husband, and father of three children. This rule change would be devastating to our company and the economy of Gillette. It would also be devastating to me, I would lose my career , for which I have worked very hard for the last ten years to achieve, my family would lose our health insurance, and with the massive loss of work this rule would inflict I believe it will be very difficult to find an work. This rule could very well send many people like myself into unemployment and financial ruin. I hope that this rule will not be approved and that there could be a better way of dealing with any water issues that to put thousands of hard working, tax paying, voters out of work.

Thank you for your time  
James Kimbley