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JUL 14 2005

QUARTER CIRCLE FIVE RANCH, LLC
POST OFFICE BOX 1970
PINEDALE, WYOMING 82941

Terri A. Lorenzon, Director
Environmental Quality Council

July 12, 2005

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Terri Lorenzon
Mark Gordon, Chair WEQC
Wyoming Environmental Quality Council
122 West 25th Street
Herschler Building Rm 1714
Cheyenne, WY 82002

CERTIFIED RETURN RECEIPT REQUESTED

RE: Discharge Permit #WY0052515

Dear Ms. Lorenzon and Mr. Gordon:

This letter notifies you of our appeal of Discharge Permit #WY0052515. I am representing Quarter Circle Five Ranch, LLC, owners of the Sand Springs Ranch, which is contiguous to the Sand Draw Industrial Park in Sublette County, Wyoming. This Discharge Permit gives Newpark Environmental Services the right to discharge polluted water into Sand Springs Draw on the Sand Springs Ranch. The unique Sand Springs, after which this draw is named, is the defining feature of the Sand Springs Ranch, an important part of the Quarter Circle Five Ranch operation. In fact, that is why this deeded land is located in the middle of BLM land. Our ranch is watered by a series of contributing natural springs running for five miles on our property and draining into the New Fork River. This precious riparian area is an oasis in the New Fork upland desert. Historically, it has provided fresh water and forage for both livestock and wildlife in a desert environment.

We base our appeal on the following:

Point One: There is an enormous disparity between the Newpark National Pollutant Discharge Elimination System application (approx. 500 TDS) and the subsequent Statement of Basis permit (7500 umhos cm = approx. 5,000 TDS) which remains unexplained. We believe the salinity allowed by this discharge permit would result in the pollution of the springs and decreased agricultural productivity. Further, we are afraid that salt loading will destroy the riparian grassland and turn the area into a wasted salt bed resulting in a loss of land value both ecologically and economically.

Point Two: We do not believe that the Department of Environmental Quality did the necessary scientific analysis to show the possible negative impacts of the salinity

discharge on Sand Springs Ranch. Nothing in the Statement of Basis takes into account the cumulative affect of massive amounts of water discharged onto Sand Springs. Newpark representatives have expressed their goal of doubling the discharge currently permitted over the next few years. We see no evidence that WYDEQ has considered what this will do to Sand Springs Draw and the ecosystem? Has the D.E.Q. taken this potential into consideration?

Point Three: We are concerned that over time, with the quantity of polluted water our ranch is being forced to receive, salinity will also become a problem simply due to depositing to and leaching from the native salts in the soil. We feel we should be able to defend our land from this degradation.

We have negotiated in good faith with the discharge permittee to reach an accord based on their initial representation to us of their "fresh water" discharge. We have expressed a willingness to listen to Newpark's goal that has been represented to the DEQ inaccurately as "cooperation" on my part of the entire project.

Since we have not been successful in reaching an agreement with Newpark we are now notifying your department of our appeal. Since the WYDEQ has issued the permit, we seek a stay in an effort to resolve these matters and avoid unnecessary damage to this valuable land.

I am enclosing a map of the subject area for you and will attempt to provide a more comprehensive map in the near future for purposes of the upcoming process.

Sincerely,

A handwritten signature in blue ink that reads "Jackson Schwabacher". The signature is fluid and cursive, with a long horizontal line extending to the right.

Jackson Schwabacher, Manager
Quarter Circle Five Ranch, LLC
encl.

cc. S. Modic
G. Schwabacher
Newpark