



on June 7, 2006.

Based on the statements and testimony presented and the exhibits introduced into evidence by the parties relating to the specific issues identified by Petitioner Joe Geringer, pursuant to the Council's Order dated March 10, 2006 and raised at the hearing, the Council finds, concludes, and orders as follows:

THE COUNCIL FINDS:

1. Permit No. 04-316, dated June 9, 2005, authorizes the Town of Wheatland to construct wastewater reuse pipelines and two storage reservoirs, and to land apply the treated wastewater to irrigate certain lands in accordance with the terms and conditions specified in the permit and the approved permit application.

2. Permit No. 04-316 also incorporates the requirements of Chapter 21 of the Wyoming Water Quality Rules & Regulations.

3. W.S. 35-11-112(c)(ii) authorizes the Council to order that a permit be modified.

4. Permit No. 04-316, as previously modified by the Joint Stipulation approved by the Council on June 7, 2006, should be further modified by adding the following condition:

A. Paragraph (d) of the Additional Conditions for Application of Wastewater on Shepard Farm shall read as follows:

Soil testing shall be accomplished before any manure or fertilizer application or planting each growing season. The soil sampling shall be supervised by a certified crop advisor (CCA) and the soil analyzed and tested by a recognized commercial laboratory that performs agricultural soil testing;

- B. Paragraph (e) of the Additional Conditions for Application of Wastewater on Shepard Farm shall read as follows

The soil testing may be done anytime after the crop for the previous season is harvested. Composite soil tests shall be taken for each quadrant of each sprinkler for the top 12 inches, and the 12-24 inch depth. In addition, composite soil tests shall be taken for each quadrant of each sprinkler for the 24-48 inch depth and tested for nitrates only.

THE COUNCIL CONCLUDES:

1. Permit No. 04-316, as previously modified by the Joint Stipulation approved by the Council on June 7, 2006, and as further modified by adding the above condition, complies with the Wyoming Environmental Quality Act and applicable Wyoming Water Quality Rules & Regulations.

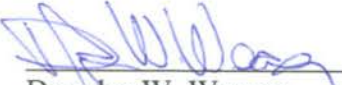
THE COUNCIL ORDERS:

1. Permit No. 04-316, as previously modified by the Joint Stipulation approved by the Council on June 7, 2006, and is hereby further modified by adding the above condition.
2. Permit No. 04-316, as previously modified by the Joint Stipulation approved by the Council on June 7, 2006, and as further modified by this Order, is hereby approved and final.
3. All proceedings before the Council in any pending appeals of Permit No. 04-316 are concluded and disposed of by this Order.

DATED this \_\_\_ day of \_\_\_\_\_, 2006.

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APPROVED AS TO FORM:

  
\_\_\_\_\_  
Douglas W. Weaver  
Attorney for Town of Wheatland

  
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Mike Barrash  
Senior Assistant Attorney General

  
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Joe Geringer, Petitioner