

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

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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- WOD 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