

February 14, 2007

Susan James
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Mr. Mark Gordon, Chairman
Wyoming Environmental Quality Council
122 W. 25th St.
Herschler Bldg. Room 1714
Cheyenne, WY 82002
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Terri A. Lorenzon, Director
Environmental Quality Council

Mr. Bill DiRienzo
Wyoming Department of Environmental Quality
Water Quality Division
Herschler Building, 4th Floor West
122 West 25th St.
Cheyenne, WY 82002

RE: Policy/Rulemaking on Chapter 1, Section 20 - "Ag Use Protection Policy"

Dear Mr. Gordon,

I am a landowner in the Powder River Basin and I am opposed to Appendix H because I feel it would eliminate the use of a very important water resource which we currently utilize for livestock and irrigation. With the current drought conditions, eliminating water usage would be devastating to area ranchers, livestock and wildlife that currently use the CBM water. This existing Policy and proposed Rulemaking (if passed) has the potential of affecting current discharges already in use as well as future discharges. Existing reservoirs will be affected and may have to be abandoned and construction of new reservoirs or facilities will cause unnecessary disturbance on our lands. I feel that it should be up to us as private property landowners to establish water management plans that are acceptable and useful with our CBM Service providers to meet our individual needs.

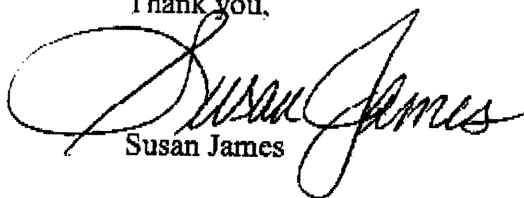
Containment of the 50 year event could result in partially filled reservoirs and this would not benefit any landowners, wildlife or livestock. Landowners would lose their right of choice. The majority of the CBM wells in the basin have a stock water appropriation, filed with the State Engineer, associated with them. This rule infringes upon that right and I am not in favor of this.

The limits proposed have been currently based on California studies and not the more appropriate Bridger study. Would it not be more beneficial to use the Bridger study that addresses our soil types and vegetation, than that of California soils and vegetation?

This rule will not solve any problems, but will create new ones. If this is passed, it will deny us as private property landowners the ability to make decisions concerning our own land and it will eliminate a valuable resource that should be available to us.

Thank you for allowing me to comment on the issue and to express my concerns.

Thank you,


Susan James