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Terri A. Lorenzon, Director
Environmental Quality Council

**GUARDIANS OF THE RANGE
217 ROAD 6EH
CODY, WY 82414**

FEBRUARY 16, 2006

Office of the Executive Director

February 16, 2006

**Mr. Mark Gordon
Chairman
Environmental Quality Council
Herschler Building 1W
Cheyenne, Wyoming 82002**

RE: Powder River Basin Resource Council Petition For Rulemaking

Dear Mr. Gordon:

The Guardians of the Range is a 501(c)3 non-profit organization dedicated to the use of sound science and community partnership in public land management.

Guardians of the Range supports continued surface discharge of conventional oil and gas produced water in the Big Horn Basin of Wyoming. Guardians of the Range recognizes the benefit of this produced water for livestock, irrigation, and wildlife beneficial uses.

Oil field discharge water is very important to many livestock operators. Presence of this discharge water allows for more flexibility in livestock operations, by providing a perennial water source in pastures and allotments, which do not have other sources of natural water. The presence of this water also helps improve range conditions, as it better distributes livestock across the landscape. Improved economics exist because operators do not have to haul water to many pastures.

The water is generally warm, which keeps it from freezing in all but extreme conditions. This helps the cattle maintain body condition in the winter because they do not have to use as much energy to warm this water to body temperature. They also maintain weight better because they do not have to travel long distances to find a water source.

The value of many ranches and farms is directly related to the presence of this water. Several ranchers have filed and received water appropriations, for this

discharge water, from the State Engineer's Office. A loss of this water will result in reduced property values and taxes paid to the state and counties.

Conventional oil field water discharges have historically provided a significant and perennial source of water, for many areas of the Big Horn Basin. This is particularly true for the interior of the basin, where perennial water sources are limited. In several drainages, this discharged water is an important source of irrigation for alfalfa and other grassy meadows. These fields and meadows provide an important food source for cattle as well as wildlife. This is especially true in the lower Cottonwood and Gooseberry Creek drainages. These discharges also provide ribbons of riparian habitat and significant wetlands, which are beneficial to livestock, wildlife, fish, and migratory birds.

We encourage the Environmental Quality Council and the Wyoming Department of Environmental Quality, to consider this important water source, when setting water quality standards for waters of the state. Water quality standards should not be set at such strict limits, which will cause the elimination of these important historical water sources and associated uses. Wildlife and agriculture water standards need not be as restrictive as aquatic life or human consumption standards. This was the rationale in originally providing the beneficial use exemption under the Clean Water Act.

The Guardians of the Range request that the PREBC Petition for Rulemaking be denied. The rulemaking proposed in this petition would result in elimination of historic surface discharge of produced water from conventional oil and gas fields in the Big Horn Basin. Loss of these historic water supplies would be detrimental to livestock operators, irrigators, and wildlife in the Big Horn Basin.

Sincerely,



**cc: John Corra - WDEQ
John Wagner - WDEQ
Todd Parfitt - WDEQ
Office of the Governor**