

FILED

MAR 15 2006

Terri A. Lorenzon, Director
Environmental Quality Council

Gay Woodhouse
Deborah L. Tyser
Gay Woodhouse Law Office, P.C.
211 West 19th Street, Third Floor
Cheyenne, WY 82001
(307) 432-9399

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE TOWN OF)
WHEATLAND WASTEWATER STORAGE) Docket No. 05-3801
AND LAND APPLICATION)

PETITIONERS' SUPPLEMENTAL NOTICE OF LEGAL ISSUES

COMES NOW the Petitioners, Lorraine Albright, Eugene Birkle, and Mary Birkle, by and through their attorneys, Gay Woodhouse and Deborah L. Tyser, of Gay Woodhouse Law Office, P.C., and hereby submit their Supplemental Notice of Legal Issues. In support of the supplemental notice, Petitioners state as follows:

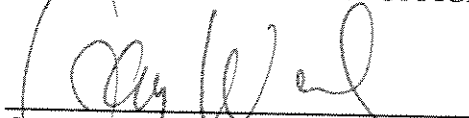
1. On March 10, 2006, Petitioners filed their *Notice of Legal Issues*.
2. In their *Notice of Legal Issues*, Petitioners stated that the boundaries for the application of the treated wastewater in the permits did not correlate to the agreement between the Town of Wheatland and the Shepards and Petitioners were concerned about the transient nature of the agreement.
3. Petitioners also hereby note that the permit itself demarks the Shepards' property as being located in Section 6 T24N R67W. However, the Shepards do not own all of the land within Section 6. Therefore, according to the permit as it stands, the treated wastewater could be used on all property located in Section 6.
4. Petitioners object to the language of the permit which covers property not

owned by the Shepards, as use of the treated wastewater on lands not owned by the Shepards would increase the potential for spray drift and would substantially increase the potential of surface runoff as water from lands west of the pond which forms at the northeast corner of Section 6 would flow directly into that pond.

Based upon the foregoing *Supplemental Notice of Legal Issues* and based upon Petitioners' original *Notice of Legal Issues*, the permits related to the construction of new lagoons and the application of treated wastewater on the Shepard property do not comply with the rules and regulations as set forth by the Department of Environmental Quality. Petitioners would like to reserve the right to add additional legal issues as Petitioners receive further information to support any additional issues.

Respectfully Submitted this 5th day of March, 2006.

GAY WOODHOUSE LAW OFFICE, P.C.



Gay Woodhouse
Deborah L. Tyser
211 West 19th Street, Third Floor
Cheyenne, WY 82001
307/432-9399
Attorneys for Petitioners

CERTIFICATE OF SERVICE

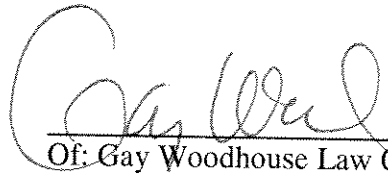
I hereby certify that on this 15th day of March, 2006, a true and correct copy of the foregoing was served by first-class mail, postage prepaid, and addressed to:

Mike Barrash
Senior Assistant Attorney General
123 Capitol Building
Cheyenne, WY 82002

Terri A. Lorenzon, Director
Environmental Quality Council
122 W. 25th St.
Herschler Bldg R. 1714
Cheyenne, Wyoming 82002

Doug Weaver
604 10th Street
P.O. Box 219
Wheatland, WY 82201-0219

Joe Geringer
380 E. Fairview Road
Wheatland, Wyoming 82201



Of: Gay Woodhouse Law Office, P.C.