

**Larsen Ranch Company**

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**FILED**

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Jim Ruby, Executive Secretary  
Environmental Quality Council

August 20, 2008

Mr. David Waterstreet  
Water Quality Division  
Department of Environmental Quality  
122 West 25<sup>th</sup> Street  
Herschler Building – 4W  
Cheyenne, WY 82002

RE: Proposed Revisions to Chapter 1, Wyoming Water Quality Rules and Regulations,  
Surface Water Quality Standards

Dear Mr. Waterstreet:

My family owns and operates a commercial cow/calf operation near Meeteetse. Larsen Ranch is situated primarily in Park County, but also extends into Hot Springs County. We currently employ 5 full-time people, pay a significant amount of money in property taxes, and contribute in multiple ways to our local economy. The cattle we produce are our sole source of income.

Larsen Ranch has been blessed with produced water discharged from a traditional oil and gas facility for more than forty years. This water has been invaluable to us. The discharge water allows us to utilize forage that would otherwise be unavailable due to lack of water. Our cattle are healthy and we have no unusual sickness or death loss associated with the discharge water. I support the Waste Water Advisory Board's recommendation that only the current livestock watering standards (5000 mg/L TDS, 3000 mg/L Sulfate, and 2000 mg/L Chloride) be included in the Chapter 1, Appendix H (b) rule. I request that the Water Quality Division move the background water quality exemption and livestock watering waiver section back into the Chapter 1, Section 20 rule. These sections relate to Section (b)(i) of Appendix H, and should remain as a rule. I am very supportive of the background water quality exemption and the livestock watering waiver. These provisions allow the landowners to make the best decisions for their operations.

The discharge water also benefits Larsen Ranch through irrigation. Because of the addition of the discharge water to Gooseberry Creek, we are able to irrigate our hay meadows more often and more thoroughly. Our water right is not very early, and without the additional water provided by the discharge, most years we would not be able to irrigate at all. The right of a landowner to waive the water quality standards should be incorporated into the Chapter 1, Appendix H rules and should not be changed to a policy.

The discharge water is extremely beneficial to a wide variety of wildlife. Deer, elk, antelope, moose, coyotes, wolves, bobcats, mountain lions, weasels, beaver, prairie dogs, eagles, ducks,

sage chickens, suckers, and other aquatic life benefit from the discharge water. Gooseberry Creek has a very healthy riparian habitat due to the discharge water. The creek bottom has an abundance of desirable trees and shrubs, such as cottonwood, birch, willow, and silver leaf. This healthy riparian habitat is beneficial to the wildlife and livestock, which are able to use it as shelter and as a food source.

I strongly support the Waste Water Advisory Board's recommendation the effluent limits on discharges that began prior to January 1, 1998 not be affected by Chapter 1, Appendix H in relation to the protection of agricultural uses. It would be very difficult to replace the discharge water in a cost effective manner. Well drilling is extremely expensive and there is no realistic way to haul or pipe water from another location. The effects on the wildlife and the riparian habitat would be devastating, as well. In the event that we were unable to continue our ranching operations due to lack of water and we were forced to sell out, the land values would be considerably less.

I would like to see the Water Quality Division submit a "non-severability" request to the U.S. Environmental Protection Agency (EPA) when submitting the rule for final approval by EPA. The Division should make this request to ensure the rule and the policy portions of the proposed documents remain whole, as the EPA would have to approve or deny all documents together.

My final request is that the Environmental Quality Council holds a public hearing in the Big Horn Basin. I would appreciate the opportunity to participate in this rule making process. It is a hardship to have to travel to Cheyenne to attend hearings.

Thank you for your consideration of my comments.

Sincerely,



Kelly Graham

Cc: **Environmental Quality Council**  
Governor Dave Freudenthal