Sept 21, 2009

To: Chairman Dennis Boal
Environmental Quality Council
Herschler Building, Room 1714
122 W. 25th Street
Cheyenne, Wy. 82002

RE: The Agricultural Use Protection Rule
Policy as of Sept 24, 2009

Dear Mr. Boal,

We would like to offer these
comments in regard to the above
stated policy:

1. We request that the EQC remand the
proposed rule to the Water and Waste
Advisory Board for further review
and revision if EQC decides changes
are needed to Tier 2 of the irrigation
standards.

2. We request that EQC insert a non-
severability provision in the pro-
posed rule saying that EPA must
approve or disapprove the rule in
it's entirety, and if any provision

(continued)

2. of the rule is struck, then the entire rule is invalid.

3. Request that EQC request that the State Department of Administration and Information, Division of Economic Analysis, collect and analyze data related to

   . B. "the character and degree of injury to or interference with the health and well being of the people, animals, wildlife, aquatic life and plant life affected." Stat. #35-11-302 (a)(vi)(A). This would study wheather produced water discharged under existing water quality standards has actually caused harm — and if so, how much and where — and wheather the proposed rule is really necessary.

      In summation we would also

like to state that we as landowners and raisers of livestock support the landowner waiver exemption from the proposed rule and request EQC insert a non-severability provision in the Chapter 2 Appendix H rule saying that EPA must either approve or disapprove the rule in its entirety, and if any provision of the rule is struck (including landover waivers) then the entire rule is invalid.

A final statement we would like to make is that coal bed methane water has been very beneficial to our operation and that we are very concerned that we may lose our water rights

Mr. & Mrs Oscar Ruchi
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