

Mark Tubbs Edgemont Rec'd 11/1/00
000235 200339 Mtg 1-4 (1)

Thank you for the opportunity to speak at
this hearing. My father, mother, and myself have
a legal ~~par~~ partnership in South Dakota, called
Tubbs Land & Cattle LLC. We have land directly across
the fence from the proposed line in the ^{NE 1/4} sec 21,
NW 1/4 NW 1/4 ^{sec} 22 lot 1 NW 1/4, of ^{sec} 22 all in Township 40N
R 60W Niobrara County Wyo. This property lies in the
Cheyenne River flood plain ^{and} is hay ground. This land
starts at the Wyo, S.D. state line and run west for
 $\frac{3}{4}$ of a mile.

ENTERED
Office of the Secretary

NOV 16 2000

Part of
Public Record

ENVIRONMENTAL

DOCUMENT

this land has been irrigated by runoff from the
21 Divide drainage forever. The proposed line will
drain the water from the hill, down grade with
the railroad into South Dakota, away from our property.

(2)

Tubbs Land & Cattle LLC is in the process of obtaining a water right in Cheyenne, Wyo at the present time. This water right has a priority date of Sept 7, 2000 with a temporary filing # of 30 $\frac{2-5}{170}$.

If this railroad is built, I would think that the drainage should be left the same as it has been for the last 10,000 years. Our land ~~too~~ should be protected, and culverts installed to allow water to pass where needed.

Coal dust has not been addressed in the DEIS. If one thinks there is not a problem, let them sit by a passing BNSF train ~~passing~~, and breathe deeply.

The effects of earth moving on the water quality are not site specific as to what it will do to each given area. Soils, ~~stop~~ grade, and Topography are all different.

The issue of noxious weeds needs to be addressed. We already have leafy spurge, Canada thistle, hoary cress, and russian rapp weed in the Cheyenne river valley.

This new rail line with all the exposed soil will be wonderful seed beds for noxious weed seeds, the ones mentioned and imported new ones. After the rails are built who will take care of the weed problem. D.M.E.

has shown, that they care less about noxious weeds on their ~~existing~~ existing line in Fall River County, So. Dak

This is a very expensive and hard problem to solve. This is not an engineering, but a biological problem. The railroad should have to mitigate the weed problem before they have one, which they will have.

In closing my father, mother, and myself will not be compensated by the railroad for taking of private property.

but we are directly affected because of the water⁽⁴⁾
drainage, air pollution, water sediments from construction,
weed infestation, aesthetic values, and property access.

These issues need to be addressed.

Tubbs Land & Cattle LLC,

Mark K. Tubbs, member

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605-662-7302

WYOMING

NIOBRARA

COUNTY

L-4

L-3

L-2

L-3

L-2

L-1

21

16

PUMP DATA
FRANZEN NO. 1 DITCH
 $Hp = \frac{3960 \times E}{0 \times H}$
 $Hp = 500 \text{ gpm} \times 13.8$
 $3960 \times .6$
 $Hp = 2.9 \text{ Hp}$

FROM THE CHEYENNE
RIVER
PUMP DISCHARGES
DIRECTLY ONTO
THE IRRIGATED
LANDS
SUPPLEMENTAL SUPPLY
NO. 1 DITCH
PUMPED DIVERSION
POINT FOR FRANZEN

POVERTY FLATS
STOCK
RESERVOIR
P.N. 4843SR

SOUTH FORK
CHEYENNE RIVER

