

FILED

MAY 18 2006

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL John A. Lorenzon, Director
Environmental Quality Council

PETITION TO AMEND WYOMING)
WATER QUALITY RULE, CHAPTER 2,) 05-3102
APPENDIX H)

**PETITIONERS' RESPONSE TO JOINT MOTION TO DENY AND
TERMINATE PROCEEDINGS**

COME NOW, Petitioners, and on this 18th day of May, 2006, respectfully submit their Response to the Joint Motion to Deny and Terminate Proceedings filed May 5, 2006 by nine gas production companies.

Petitioners request that the Motion to Deny and Terminate Proceedings be denied. The advice of the Attorney General, even if the Council chose to follow it, does not preclude this rulemaking proceeding. This is an extremely important matter to the State of Wyoming, and to the Petitioners, and should proceed. The Council is well within its authority to proceed with such rulemaking, for the reasons set forth in Petitioners' First Status Report, which is adopted and incorporated by reference.

Wherefore, Petitioners respectfully request that the Environmental Quality Council set this Petition for rulemaking for hearing as expeditiously as possible.

Dated this 18~~th~~ day of May, 2006.

Kate M. Fox
Kate M. Fox
Davis & Cannon
422 W. 26th St.
P.O. Box 43
Cheyenne, WY 82003
(307)634-3210

CERTIFICATE OF SERVICE

I hereby certify that I served, via e-mail and United States Mail, a true and correct copy of the foregoing Petitioners' Response to Joint Motion to Deny and Terminate Proceedings, dated May ~~18th~~ 2006, addressed as follows:

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

Keith S. Burron
Associated Legal Group
1807 Capitol Avenue, Suite 203
Cheyenne, WY 82001

Jack D. Palma II
Holland & Hart
2515 Warren Ave., Suite 450
P.O. Box 1347
Cheyenne, WY 82003-1347

John A. Sundahl
Sundahl, Powers, Kapp & Martin
P.O. Box 328
Cheyenne, WY 82003

Brad Basse, Chairman
Hot Springs County
Commissioners
415 Arapahoe
Thermopolis, WY 82443

Brent Kunz
Hathaway & Kunz, P.C.
P.O. Box 1208
Cheyenne, WY 82003

Pat Crank
Wyoming Attorney General
123 State Capitol
Cheyenne, WY 82002

Kate M. Fox
Kate M. Fox