

FILED

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

APR 10 2006

**Terri A. Lorenzon, Director
Environmental Quality Council**

IN THE MATTER OF THE APPEAL AND)
REVIEW OF THE DECISION REGARDING)
THE RECLASSIFICATION OF EIGHT MAIN)
STREAM DRAINAGES TO POWDER RIVER)
AND OTHER TRIBUTARIES IN THE)
POWDER RIVER BASIN, DATED)
DECEMBER 22, 2004)

Docket Number 05-3203


MOTION TO SUBSTITUTE A PARTY

COME NOW Kennedy Oil, a Wyoming corporation, and Lance Oil & Gas Company, Inc., a Delaware corporation, and move the Council, pursuant to Rule 25 (c), W.R.C.P., and any other applicable rule, for an Order substituting Lance Oil & Gas Company, Inc., for Kennedy Oil as a party in the above-captioned matter.

These parties show the Council that Lance Oil & Gas Company, Inc., has acquired all of the right, title, interest, wells, lease operating rights, surface use and other landowner agreements, rights-of-way and permits held or owned by Kennedy Oil in the lands which are the subject of this matter, from Kennedy Oil.

Substitution of parties will not affect the scheduling of proceedings nor prejudice any other party, and is in the interests of justice.

SO MOVED this 6th day of April, 2006.



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CERTIFICATE OF SERVICE

I, Randall T. Cox, certify that on the 6th day of April, 2006, a true and correct copy of the above Motion to Substitute a Party was served upon the following by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

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Randall T. Cox