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BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

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)

File No. 05-3203

**YATES PETROLEUM CORPORATION'S
MOTION FOR LEAVE TO WITHDRAW**

Yates Petroleum Corporation (Yates) by and through counsel undersigned, moves the Environmental Quality Council (the Council) for leave to withdraw as a party from the above-captioned matter.

Yates, together with Kennedy Oil¹, intervened in this matter in order to protect its interests and rights in the relevant drainages. Based on proceedings so far, Yates no longer believes participation is necessary to protect its interests or rights. Yates' request to withdraw as a party is consistent with the Council's Rules of Practice and Procedure (RP&P) and the Wyoming Rules of Civil Procedure (as incorporated at 2 RP&P § 14). First, because Yates' interests are substantially similar to those of parties already involved in the matter, Yates interests are adequately represented by existing parties. *See* WRCP Rule 24(a). Second, for the same reason, complete relief will be accorded among those already parties in Yates' absence. *See* WRCP Rule 19(a). Third, because Yates' interests are substantially similar to the interests of other parties and because the claims brought by Yates are identical to those sought by existing parties, no parties will be subject to the risk of incurring double, multiple or otherwise inconsistent obligations by

¹ As the result of various mergers and acquisitions, Anadarko Petroleum Corporation has been substituted as a party in the place of Kennedy Oil.

reason of Yates' interests. *See Id.* Finally, counsel for Yates has spoken with counsel for all other parties involved in the matter and none have objected to Yates' withdrawal as a party.

For the foregoing reasons, Yates respectfully requests that the Council **grant** Yates' Motion for Leave to Withdraw as a Party.

DATED this 9TH day of March, 2007.



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ATTORNEYS FOR YATES PETROLEUM CORPORATION

CERTIFICATE OF SERVICE

I certify that on this 9th day of March, 2007, service of a true and complete copy of Yates Petroleum Corporation's Motion for Leave to Withdraw in case matter number 05-3203 was made upon each party or attorney of record herein as indicated below via U.S. Mail, postage prepaid and properly addressed.

The ORIGINAL and two (2) copies were filed by U.S. Mail on March 9th, 2007 with:

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COPIES were served by U.S. Mail on March 9th, 2007 with:

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