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FILED

FEB 03 2006

February 2, 2006

Terri A. Lorenzon, Director
Environmental Quality Council

Terri A. Lorenzon
Environmental Quality Council
Herschler Building, Room 1714
Cheyenne, Wyoming 82002

RE: In the Matter of the Appeal and Review of the
Decisions Regarding the Proposed Wyoming
Pollutant Discharge Elimination System
Docket No. 06-3808

Dear Terri:

Enclosed please find an original and one copy of "Petition for Leave to Intervene" and "Opposition to Petition for Review, Notice of Appeal and Request for Contested Case Hearing." Please file the original and file stamp receive the copies and return them to our office in the enclosed, stamped, self-addressed envelope.

Very truly yours,



Deb Webb
Randall T. Cox Law Office

RTC/dw

Enclosures

FILED

FEB 03 2006

**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 PROPOSED WYOMING POLLUTANT)
DISCHARGE ELIMINATION SYSTEM)
(WYPDES) PERMITS WYOO52817 AND)
WYOO52833 (KENNEDY OIL), DATED)
NOVEMBER 30, 2005)

Docket Number 06-3808

PETITION FOR LEAVE TO INTERVENE

Kennedy Oil, a Wyoming corporation, by and through its undersigned counsel, herewith moves, pursuant to Chapter 2, Section 7, of the Rules of Practice and Procedure of the Council, for leave to intervene in this matter.

As noted in the Appendices attached to the Petition for Review which was submitted by Mr. Kirven, the permits subject to appeal were issued to Kennedy Oil. Kennedy Oil is operating oil and gas leases on the Adami Ranch in Sections 25 and 26. If the relief sought by the Petitioners were to be granted, Kennedy Oil would be adversely affected.

Further, certain discharges of water by Kennedy Oil in connection with production of coal bed natural gas are (or will be) regulated by the Water Quality Division and therefore the Petitioner has a legal right to appear in this proceeding.

Further, the Petitioner is an indispensable party. Kennedy Oil claims an interest relating to the subject of this action and is so situated that the disposition of the action in the absence of the Petitioner may impair or impede the Petitioner's ability to protect their interests. See Rules 19(a) and Rule 24(a) W.R.C.P.

The Petitioner is attaching its opposition to the petition for review as a separate pleading.

Wherefore, Kennedy Oil prays for leave to intervene in this proceeding, and to file and serveits opposition to the petition for review, and for such other relief as is appropriate.

DATED this 2nd day of February, 2006.



Randall T. Cox
Attorney for Kennedy Oil
400 S. Kendrick, Suite 101
Gillette, Wyoming 82716
Phone: (307) 682-2500

CERTIFICATE OF SERVICE

I, Randall T. Cox, hereby certify that on the 2nd day of February, 2006, I did cause a true and correct copy of the foregoing to be deposited in the U.S. Mail, postage prepaid, addressed to each of the following:

Terri A. Lorenzon
Environmental Quality Council
Herschler Building, Room 1714
Cheyenne, Wyoming 82002

Michael Barrash
Senior Assistant Attorney General
Wyoming Attorney General's Office
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Cheyenne, Wyoming 82002

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Randall T. Cox