

**BEFORE THE
WYOMING ENVIRONMENTAL QUALITY COUNCIL**

FILED

JUL 24 2007

Terri A. Lorenzon, Director
Environmental Quality Council

Wyoming Outdoor Council,)	
)	
Petitioner,)	
)	
vs.)	
)	
Wyoming Department of Environmental)	
Quality, Water Quality Division,)	
)	Docket No. 06-3816
Respondent.)	Docket No. 06-3817

Petitioner's Motion to Reconsider Order for Leave to Intervene

Comes now Petitioner, Wyoming Outdoor Council, by and through its attorney, Steve Jones, and hereby moves that the proposed Intervenor's Petition for Leave to Intervene in the Wyoming Outdoor Council's (WOC) appeal of Pumpkin Creek Watershed General Permit, Permit Number WYG280000 and the Willow Creek Watershed General Permit, Permit Number WYG 290000, be reconsidered, and for its motion states the following:

1. While the proposed Intervenor's petition was dated July 3, 2007, the Wyoming Outdoor Council did not receive the petition to intervene until July 9. (The first page of the proposed Intervenor's petition is attached hereto as Exhibit 1, showing the date it was received by Wyoming Outdoor Council as July 9, 2007.) Pursuant to Wyoming Rules of Civil Procedure (WRCP), Rule 6(c), the Petitioner is allowed 20 days to respond. Further, pursuant to WRCP, Rule 6(d), three days will be added after service by mail. Thus, the Petitioner should have had until July 26 in which to respond to the proposed Intervenor's Petition for Leave to Intervene.

2. Wyoming Outdoor Council was in the process of preparing its Response of Wyoming Outdoor Council to Petition for Leave to Intervene, and had planned on submitting it to the Environmental Quality Council on July 24, 2007.

3. Wyoming Outdoor Council's Response to the proposed Intervenor's petition is meritorious and worthy of consideration by the Environmental Quality Council. This matter should be considered afresh by the hearing examiner after he has reviewed the Response of Wyoming Outdoor Council to Petition for Leave to Intervene.

WHEREFORE, the Petitioner moves that the matter of the intervention of the proposed Intervenor be reconsidered, and the Environmental Quality Council act on this

matter after having considered the Response of Wyoming Outdoor Council, filed herewith.

Dated this 24th day of July, 2007.



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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Petitioner's Motion to Reconsider Order for Leave to Intervene, by placing a copy of the same in the U.S. mail, postage prepaid, on the 24th day of July, 2007, and also by emailing a .pdf version of the same, addressed to the following:

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Steve Jones

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING



IN THE MATTER OF THE APPEAL)
AND REVIEW OF THE ISSUANCE)
OF WYOMING POLLUTANT DISCHARGE)
ELIMINATION SYSTEM (WYPDES))
GENERAL PERMITS)
)
)
)
)

Dockets No. 06-3816, 06-3817

**PETITION FOR LEAVE TO INTERVENE IN WYOMING OUTDOOR
COUNCIL APPEALS OF PUMPKIN CREEK GENERAL PERMIT,
PERMIT NUMBER WYG280000, AND WILLOW CREEK GENERAL
PERMIT, PERMIT NUMBER WYG290000**

Pursuant to the Wyoming Department of Environmental Quality (“DEQ”) Rules of Practice and Procedure, Chapter 2, Section 7, Yates Petroleum Corporation, Marathon Oil Company and Citation Oil & Gas Corp. (“Intervenors”) hereby file this Petition for Leave to Intervene and respectfully request that the EQC allow intervention in the above-captioned petitions filed by Wyoming Outdoor Council (“WOC”).

INTERVENORS

1. Intervenors own and operate coal bed natural gas facilities located in watersheds subject to the General Permits. These facilities are currently permitted under individual permits authorizing discharge of produced water to several on-channel reservoirs located on various unnamed ephemeral tributaries of the watersheds in the Powder River Basin. Discharges of coal bed natural gas produced water in these watersheds are the subject of the General Permits.

2. The Intervenors filing this Motion are:

Yates Petroleum Corporation
c/o Lisa Norton
105 South 4th Street
Artesia, NM 88210

Marathon Oil Company
c/o Gregory A. Smith
Pennaco Energy, Inc.
3601 Southern Drive
Gillette, WY 82718

