Brent R. Kunz Hathaway & Kunz, P.C. 2515 Warren Avenue, Suite 900 Cheyenne, WY 82003 Phone: (307) 634-7723

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Counsel for Pennaco Energy Inc.

# P.C. FILE OPY

JAN 1 4 2008

Terri A. Lorenzon, Director Environmental Quality Council

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

IN THE MATTER OF THE APPEAL OF PENNACO ENERGY, INC. FROM CONDITIONS IN RENEWAL OF WYPDES PERMIT NOS. WY0039721, WY0039616, WY0048461, WY0052361, WY0048283

Consolidated Docket No. 07-3620

#### MOTION TO ADMIT DUANE A. SILER AS COUNSEL PRO HAC VICE

Pursuant to Rule 11 of the Rules Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming and Rule 104 of the Uniform Rules for District Courts of the State of Wyoming, Brent R. Kunz, counsel for Petitioner Pennaco Energy, Inc. ("Pennaco") in the above captioned matter, hereby applies to the Court for an order permitting Duane A. Siler ("Applicant") to be admitted as counsel *pro hac vice* and to appear in the above-captioned case, and states as follows:

- A. Applicant is familiar with the Wyoming rules of evidence and procedure, including available local rules.
  - B. Applicant is available to opposing parties.
- C. Applicant has particular familiarity with the legal affairs of the party relevant to the case.
  - D. Applicant is in compliance with the rulings and orders of the court.
  - E. Applicant has not caused delay or been disruptive.
- F. Applicant has not been disciplined in any other jurisdiction within the prior seven years.
- G. Applicant attaches a Certificate of Compliance with Rule 11 from the Wyoming State Bar.

For the foregoing reasons counsel for Pennaco requests an Order admitting Duane A. Siler as counsel *pro hac vice* in the above-captioned action.

Dated: January 1, 2008.

Respectfully submitted,

Brent R. Kunz

Hathaway & Kunz, P.C.

2515 Warren Avenue, Suite 500

P.O. Box 1208

Cheyenne, WY 82001

(307) 634-7723

John C. Martin (Wyo. Bar # 5-1794) Patton Boggs LLP 2550 M Street, N.W. Washington, D.C. 20037

(202) 457-6000

Attorneys for Pennaco Energy, Inc.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on January (), 2008 a copy of the foregoing Motion for Admission Pro Hac Vice was served by email and first class mail, upon:

John S. Burbridge Senior Assistant Attorney General Attorney General's Office 123 Capitol Avenue Cheyenne, Wyoming 82002 Phone: (307) 777-6946

Brent R. Kunz

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## CERTIFICATE OF COMPLIANCE WITH RULE 11

Mr. Duane A. Siler Patton Boggs LLP 2250 M Street, NW Washington, DC 20037

RE:

In the Matter of the Appeal of Pennaco Energy,

Case Number: 07-3620, Environmental Quality Counsel

The above attorney has submitted an Application for Admission Pro Hac Vice to the Wyoming State Bar, along with supporting documentation. This attorney is compliant with Rule 11 of the Rules Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming.

The above attorney has associated with the following local counsel, who is an active member of the Wyoming State Bar:

Brent R. Kunz 5-1193 Hathaway & Kunz, PC P.O. Box 1208 Cheyenne, WY 82003-1208

Nancy Shore, Amissions Director

Dated: December 17, 2007