

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

IN THE MATTER OF THE APPEAL OF)	
PENNACO ENERGY, INC. OF)	
CONDITIONS IN REVEVAL OF)	Docket Nos. 07-3616
WYPDES PERMIT NOS.WY0039721,)	07-3617, 07-3618
0039616, 0048461, 0052361 AND)	07-3819, and 07-3620
0048283)	

AFFIDAVIT OF JILL MORRISON

I, JILL MORRISON, being duly sworn upon oath, do depose and say as follows:

1. The facts set forth in this declaration are based upon my personal knowledge. If called as a witness, I could and would testify to these facts. As to those matters which reflect an opinion, they reflect my personal opinion and judgment on the matter.
2. I am over 18 years of age. I am a community organizer for the Powder River Basin Resource Council (Powder River) and have acted in that capacity since 1990. My office address is 934 North Main, Sheridan, WY 82801
3. I submit this Declaration in support of Powder River's Petition for Leave to Intervene in the above captioned matter.
4. Powder River was founded in 1973 by ranchers and citizens dedicated to ensuring the viability of Wyoming's agricultural heritage and rural lifestyle. Powder River is also dedicated to working for the conservation and protection of our land, air and water and for the careful and responsible development of Wyoming's valuable and important mineral resources.
5. Powder River's membership includes over 1000 members, many of whom are

EXHIBIT A

Wyoming ranchers and citizens. Specifically, Bill and Marge West who ranch on Spotted Horse Creek are members of Powder River and have been since 2001. Bob Spellman who ranches on the Middle Prong of Wild Horse Creek is a member of Powder River and has been so since 2001. Ken Clabaugh also ranches on Wild Horse Creek, is a member and has been since 2005.

6. These and other members of Powder River have been adversely affected by CBM development in the Powder River Basin. On behalf of its members, Powder River has taken an active role in regulatory matters regarding the permitting of CBM discharges since the mid to late 1990s. In December 2005, Powder River petitioned to amend Wyoming Water Quality Rule, Chapter 2, Appendix H, which the Environmental Quality Council considered throughout 2006 and approved in an amended form in February 2007.
7. Powder River has also been an active participant in the proceedings of the Water and Waste Advisory Board regarding the Department of Environmental Quality's [DEQ] Agricultural Use Policy and establishment of electrical conductivity [EC] and sodium adsorption ratio [SAR] limits.
8. On behalf of our affected landowner members and our concern for water quality in the main stem rivers, Powder River reviews and comments on a monthly basis and participates in the public comment process for WYPDES CBM permits. In regard to the permits that are the subject of Pennaco's appeal, Powder River submitted comments on each permit as follows:
 - June 24, 2005 – Permit WY0048461


- August 21, 2006 – Permit WY0039616
- September 19, 2006 – Permits WY0052361 and WY0048283
- February 20, 2007 – Permit WY0039721

9. I have reviewed Pennaco's Notices of Appeals consolidated into this action and am familiar with Pennaco's claims and the relief they seek. Should the relief they seek be granted, it would adversely affect Powder River's members, specifically those identified above. The modifications Pennaco seeks would lessen the protection of water quality discharging onto and flowing across these members lands, damaging the soils and jeopardizing agricultural production.

10. Powder River's interests in this matter are distinct from those of DEQ and those interests are not adequately represented by DEQ. Powder River therefore believes that it is necessary that it be granted leave to intervene in this action.

Further, affiant saith not.

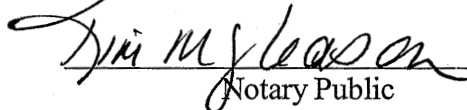
DATED this 18 day of January, 2008.



 Jill Morrison

Subscribed and sworn to before me this 18 day of January, 2008.

WITNESS my hand and official seal.



 Notary Public

