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FILED

JUL 25 2008

Terri A. Lorenzon, Director
Environmental Quality Council

Bruce S. Asay
Keith S. Burron*
David G. Ditto*
*Admitted in Wyoming and Colorado

July 25, 2008

Joe Girarden
Environmental Quality Council
Herschler Building, 1st Floor East
122 West 25th Street
Cheyenne, WY 82002

HAND DELIVERED

RE: EQC Docket 08-3803—Clabaugh Ranch appeal of Petro-Canada Resources (USA) Inc. (“Petro-Canada”) WYPDES Permit Modification, WY0051985

Dear Joe:

Pursuant to our discussion of last Friday, I enclose for filing an Entry of Appearance for Permittee. I understand that under the EQC’s March 3, 2006 general “Order On Intervention” the Council has concluded that a permittee is an indispensable party to a proceeding challenging its permit, and ordered that the EQC shall join the permittee as a party. If my understanding is incorrect, please let me know what procedure the Council would like Petro-Canada to follow.

I appreciate your calling to let me know that this matter had been docketed. Thank you for your assistance and please let me know if you need anything further from me at this point. Future documents directed to Petro-Canada in this matter may be served upon me at the address provided above.

Sincerely,


Keith S. Burron

cc: Tom Toner, Counsel for Clabaugh Ranch, Inc.
John Burbridge, Attorney General’s Office

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

IN THE MATTER OF THE APPEAL)
OF CLABAUGH RANCH, INC.) Docket No. 08-3803
FROM WYPDES PERMIT NO. WY0051985)

FILED
JUL 25 2008
Terri A. Lorenzon, Director
Environmental Quality Council

ENTRY OF APPEARANCE FOR PERMITTEE

Keith S. Burron of Associated Legal Group, LLC, hereby enters his appearance in the above-captioned matter as counsel for Petro-Canada Resources (USA) Inc. ("Petro-Canada"). Petro-Canada is the permit holder of WYPDES Permit WY0051985, the modification of which is being challenged in this appeal. Service of documents on Petro-Canada in this matter should be made upon undersigned counsel at the address below.

Petro-Canada is aware of the EQC's March 3, 2006 *Order on Intervention*, which Order concludes that "Permittees are indispensable parties to cases in which their permit is at issue or in jeopardy" and which orders that "all persons who are indispensable parties to a contested proceeding before the EQC shall be joined as a party." March 3, 2006 Order on Intervention, pp. 1-2. In view of this Order, and after consultation with EQC staff, Petro-Canada anticipates that the EQC will issue an order joining Petro-Canada as a party and setting a response date for Petro-Canada to respond to the Petition.

By entering an appearance in this matter, Petro-Canada does not waive any defense or argument related to the appeal of its permit or the Petition, including but not limited to any defense based on jurisdictional grounds.

Petro-Canada further advises the EQC that it did not receive a copy of the Petition and was unaware it had been filed until undersigned counsel was contacted by the EQC staff. An incorrect address for Petro-Canada was identified on the face of the Permit and the Petition was served to that address. However, it was not forwarded and Petro-Canada

never received service of the Petition. The correct address was provided by Petro-Canada in its application to modify the permit, but the address on the permit was not changed when the permit was modified. The correct address for Petro-Canada for regulatory matters is:

Sherrri Robbins, CSP
Permitting Manager
Petro-Canada Resources (USA) Inc.
999 18th Street, Ste. 600
Denver, CO 80202

In light of Petro-Canada not having received notice of this appeal at the time it was filed, Petro-Canada requests that any order requiring it to respond to the Petition provide Petro-Canada sufficient time in which to review and respond to the Petition. Petro-Canada requests that the EQC grant it until August 29, 2008 to file a response to the Petition.

Respectfully submitted this 25th day of July, 2008.



Keith S. Burrton
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Counsel for Petro-Canada Resources (USA) Inc.

CERTIFICATE OF SERVICE

I, Keith Burron, do certify that on this 25th day of July, I served a true, full and correct copy of the foregoing Entry of Appearance for Permittee by depositing the same in the US Mail, First Class, Postage Prepaid, and addressed as follows:

Tom C. Toner
319 W. Dow St.
P.O. Box 6288
Sheridan, WY 82801-1688

John Corra, Director
Department of Environmental Quality
Herschler Building, 4 East
122 W. 25th Street
Cheyenne, WY 82002

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Keith S. Burron