

Brent R. Kunz  
Hathaway & Kunz, P.C.  
2515 Warren Avenue, Suite 900  
Cheyenne, WY 82003  
Phone: (307) 634-7723  
Fax: (307) 634-0985

H&K, P.C.  
FILE COPY

John Martin  
Patton Boggs LLP  
2550 M Street N.W.  
Washington, D.C. 20037  
Phone: (202) 457-6000  
Fax: (202) 457-6315

FILED

JAN 14 2008

Terri A. Lorenzon, Director  
Environmental Quality Council

*Counsel for Pennaco Energy Inc.*

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
OF THE STATE OF WYOMING

\_\_\_\_\_  
)  
IN THE MATTER OF THE APPEAL )  
)  
OF CLABAUGH RANCH, INC. )  
)  
FROM WYPDES PERMIT NO. )  
)  
WY0048917 )  
\_\_\_\_\_

Docket No. 07-3801

MOTION TO ADMIT JEFFREY A. WERTKIN  
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 Jeffrey A. Wertkin ("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 Jeffrey A. Wertkin as counsel *pro hac vice* in the above-captioned action.

Dated: January 11, 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

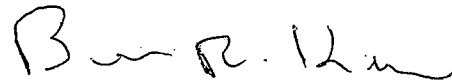
*Attorneys for Pennaco Energy, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 11, 2008 a copy of the foregoing Motion for Admission Pro Hac Vice was served by email and first class mail, upon:

Tom C. Toner  
319 W. Dow St.  
P.O. Box 6288  
Sheridan, WY 82801  
Phone: (307) 674-6250

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



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Brent R. Kunz



**CERTIFICATE OF COMPLIANCE  
WITH RULE 11**


Mr. Jeffrey A. Wertkin  
Patton Boggs LLP  
2250 M Street, NW  
Washington, DC 20037

RE: In the Matter of the Appeal of Clabaugh Ranch,  
Case Number: 07-3801, 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, Admissions Director

Dated: December 17, 2007