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ATTORNEY FOR PETITIONER

**FILED**

SEP 17 2008

Jim Ruby, Executive Secretary  
Environmental Quality Council

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

In the Matter of the Appeal )  
Of the Denial of June 2, 2008 ) Docket No. 08-3804  
Force Majeure Claim by )  
Frontier Refining Inc. )

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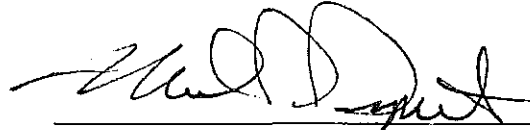
**MOTION TO ADMIT KYLE BALLARD *PRO HAC VICE***

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Mark R. Ruppert, local counsel for Petitioner, hereby moves the Environmental Quality Council for an Order permitting Kyle Ballard, Guida, Slavich & Flores, P.C., 750 North Street, Suite 200, Dallas, Texas 75201 to practice in the above-captioned matter, 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 the District Courts of the State of Wyoming. This Motion is supported by the attached Certificate of Compliance with Rule 11 provided by the Wyoming State Bar. Mr. Ballard will associate with local counsel, Mark R. Ruppert.

For the foregoing reasons counsel for Petitioner requests an Order admitting Kyle Ballard as counsel *pro hac vice* in the above-captioned matter.

DATED September <sup>17</sup>~~8~~, 2008.



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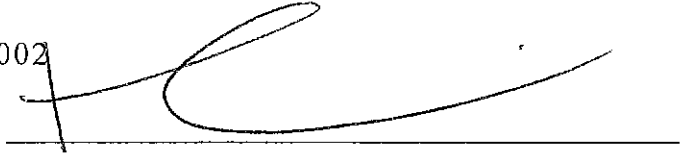
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ATTORNEY FOR PETITIONER

**CERTIFICATE OF SERVICE**

I hereby certify that on September 7, 2008, I served the foregoing by placing a true and correct copy thereof in the United States mail, postage prepaid and properly addressed to the following:

Department of Environmental Quality  
122 West 25<sup>th</sup> Street, Herschler Building  
4<sup>th</sup> Floor West  
Cheyenne, WY 82002

A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be a cursive name.



**CERTIFICATE OF COMPLIANCE  
WITH RULE 11**

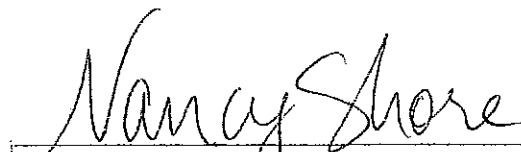
Mr. R. Kyle Ballard  
Guida, Slavich & Flores, PC  
750 North St. Paul Street, Suite 200  
Dallas, TX 75201

RE: In the Matter of the Appeal of the Denial of June 2, 2008  
Case Number: 08-3804, Environmental Quality Council, State of Wyoming

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:

**Mark Richard Ruppert 6-3593**  
**Holland & Hart, LLP**  
**P.O. Box 1347**  
**Cheyenne, WY 82003-1347**

  
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Nancy Shore, Admissions Director

Dated: September 15, 2008