

**FILED**

**FEB 19 2009**

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Jim Ruby, Executive Secretary  
Environmental Quality Council

Attorneys for Williams Production  
RMT Company

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

In the Matter of the Appeal of Powder )  
River Basin Resource Council, ) Docket No. 09-3801  
Bernadette Barlow Bernadette Barlow )  
Trust, William L. Barlow Trust and )  
Eric Barlow from WYPDES Permit )  
No. WY0051268 )

**WILLIAMS PRODUCTION RMT COMPANY'S ANSWER TO PETITION**

Williams Production RMT Company (Williams), by and through counsel, Holland & Hart LLP, submits the following answer in response to Petition of Powder River Basin Resource Council, Bernadette Barlow Bernadette Barlow Trust, William L. Barlow Trust and Eric Barlow (Protestants) in appeal of DEQ's issuance of Permit No. WY0051268 dated January 21, 2009:

1. To the extent of Williams' information and belief, Williams admits the allegations contained in Paragraph 1 of Protestants' Petition.
2. Williams admits the allegations contained in Paragraph 2 of Protestants' Petition.
3. Statement of Facts
  - a. Williams denies allegations contained in Paragraph 3(a) of Protestants' Petition.
  - b. Williams is without knowledge or information sufficient to form a belief as to the truth of, and Williams therefore denies, the allegations contained in Paragraph 3(b) of Protestants' Petition.

c. Williams is without knowledge or information sufficient to form a belief as to the truth of, and Williams therefore denies, the allegations contained in Paragraph 3(c) of Protestants' Petition.

d. To the extent Paragraph 3(d) refers to WYPDES Permit No. 52299, Williams denies any allegations not relating to Williams' permit (WYPDES Permit No. WY0051268). To the extent Paragraph 3(d) refers to WYPDES Permit No. 51268<sup>1</sup>, Williams states that the Permit speaks for itself.

e. The Permit speaks for itself. Williams denies that Paragraph 3(e) of Protestants' Petition is a fair or accurate summary of the Permit, and therefore denies the allegations contained in Paragraph 3(e) of Protestants' Petition.

f. Williams admits that the outfalls are located upstream of the Barlows' properties, but Williams denies the remaining allegations contained in Paragraph 3(f) of Protestants' Petition.

g. Williams denies the allegations contained in Paragraph 3(g) of Protestants' Petition.

h. Williams denies the allegations contained in Paragraph 3(h) of Protestants' Petition.

i. Williams denies the allegations contained in Paragraph 3(i) of Protestants' Petition.

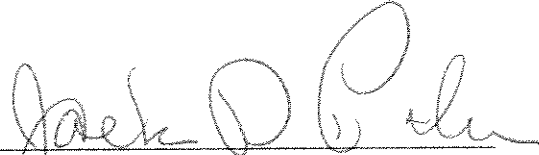
j. Williams denies the allegations contained in Paragraph 3(j) of Protestants' Petition.

4. A hearing has been requested in this matter. Williams denies that Protestants are entitled to the remaining relief requested in Paragraph 4 of Protestants' Petition.

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<sup>1</sup> Although Paragraph 3(d) of Protestants' Petition defines "the Permit" as WYPDES Permit No. WY0052299, for purposes of answering Protestants' Petition, Williams answers presume Protestants intended to define the "the Permit" as WYPDES Permit No. WY0051268 and Williams' answers relate only to WYPDES Permit No. WY0051268.

Respectfully submitted February 19, 2009.

A handwritten signature in cursive script, appearing to read "Jack D. Palma", written over a horizontal line.

Jack D. Palma, P.C.  
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ATTORNEYS FOR WILLIAMS  
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**CERTIFICATE OF SERVICE**

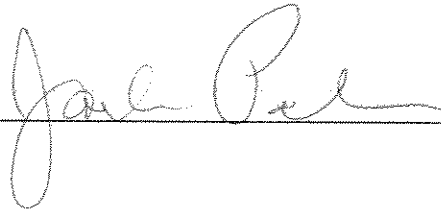
I hereby certify that on February 19, 2009, I served the foregoing **Williams Production RMT Company's Answer to Petition** to the following by:

John Corra, Director  
DEQ

- U.S. Mail, postage prepaid
- UPS – overnight delivery
- Hand Delivery
- Fax
- E-mail (jcorra@wyo.gov)

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