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**Jim Ruby, Executive Secretary
Environmental Quality Council**

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ATTORNEYS FOR BILL BARRETT CORPORATION

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

In the Matter of the Appeal of Powder)
River Basin Resource Council,) Docket No. 09-3802
Bernadette Barlow Bernadette Barlow)
Trust, William L. Barlow Trust and)
Eric Barlow from WYPDES Permit)
No. WY0052299)

BILL BARRETT CORPORATION'S ANSWER TO PETITION

Bill Barrett Corporation (BBC), 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. WY0052299 dated November 25, 2008:

1. To the extent of BBC's information and belief, BBC admits the allegations contained in Paragraph 1 of Protestants' Petition.
2. BBC admits the allegations contained in Paragraph 2 of Protestants' Petition. BBC affirmatively states, however, that WYPDES Permit No. 52299 was renewed, not issued, on November 25, 2008, and that the original permit became effective June 8, 2005.
3. Statement of Facts
 - a. BBC admits that PRBRC is an association of ranchers and citizens. BBC is without knowledge or information sufficient to form a belief as to the truth, and therefore BBC denies the remaining allegations contained in Paragraph 3(a) of Protestants' Petition.
 - b. BBC is without knowledge or information sufficient to form a belief as to the truth of, and BBC therefore denies the allegations contained in Paragraph 3(b) of Protestants' Petition.

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

d. In response to Paragraph 3(d), BBC states that the Permit speaks for itself. BBC affirmatively states, however, that WYPDES Permit No. 52299 was renewed, not issued, on November 25, 2008, and that the original permit became effective June 8, 2005.

e. The Permit speaks for itself. BBC 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. BBC admits that the outfalls are located upstream of the Barlows' properties, but BBC denies the remaining allegations contained in Paragraph 3(f) of Protestants' Petition. BBC affirmatively states that water discharged under the permit could only enter and cross the lands of Barlows in response to a storm event. The permit is a full-containment permit that only allows for overtopping of lower-most reservoirs in response to storm events.

g. BBC denies the allegations contained in Paragraph 3(g) of Protestants' Petition. BBC affirmatively states that water discharged under the permit could only enter and cross the lands of Barlows in response to a storm event. The permit is a full-containment permit that only allows for overtopping of lower-most reservoirs in response to storm events.

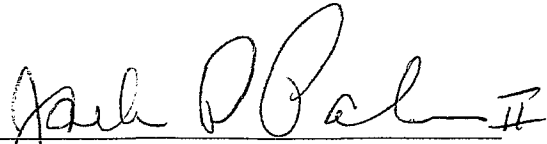
h. BBC denies the allegations contained in Paragraph 3(h) of Protestants' Petition.

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

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

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

Respectfully submitted March 30, 2009.

A handwritten signature in black ink, appearing to read "Jack D. Palma, II". The signature is written in a cursive style with a horizontal line underneath it.

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CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2009, I served the foregoing **Bill Barrett Corporation's Answer to Petition** to the following by:

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