

Michael J. Wozniak
 William F. Sparks
 BEATTY, WOZNIAK & REESE
 216 Sixteenth Street, Suite 1100
 Denver, Colorado 80202-5115
 Phone: (303) 407-4499
 Fax : (303) 407-4494
 mwozniak@bwenergyllc.com
 wspark@bwenergyllc.com

FILED

AUG 31 2009

Jim Ruby, Executive Secretary
Environmental Quality Council

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

IN THE MATTER OF THE)	
APPEAL OF POWDER RIVER)	DOCKET NO. 09-3807
COUNCIL, AND WILLIAM F.)	
WEST RANCH, LLC FROM)	
WYPDES PERMIT NO.)	
WY0094056)	

RESPONSE TO PETITION

Cedar Ridge, LLC, ("Cedar Ridge") through counsel, hereby responds to the Petition filed by the Powder River Basin Resource Council and William F. West Ranch LLC (collectively "PRBRC"). In response to PRBRC's Petition, Cedar Ridge states as follows:

1. a. Cedar Ridge admits the allegations in paragraph 1a.
- b. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 1b., and therefore denies them.
2. Cedar Ridge admits the allegations in paragraph 2.
3. a. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.a., and therefore denies them.
- b. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.b., and therefore denies them.
- c. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.c., and therefore denies them.
- d. Cedar Ridge admits the allegations in paragraph 3.d.

- e. Cedar Ridge admits the allegations in paragraph 3.e.
 - f. Cedar Ridge denies the allegations in paragraph 3.f..
 - g. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.g., and therefore denies them.
 - h. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.h., and therefore denies them.
 - i. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.i., and therefore denies them.
 - j. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.j., and therefore denies them.
 - k. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.k., and therefore denies them.
 - l. Cedar Ridge denies the allegations in paragraph 3.l.
 - m. Cedar Ridge denies the allegations in paragraph 3.m.
 - n. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.n., and therefore denies them.
 - o. Cedar Ridge lacks sufficient information to form a belief as to the truth of the allegations of paragraph 3.o., and therefore denies them.
 - p. Cedar Ridge denies the allegations in paragraph 3.p.
 - q. Cedar Ridge denies the allegations in paragraph 3.q.
 - r. Cedar Ridge denies the allegations in paragraph 3.r.
 - s. Cedar Ridge denies the allegations in paragraph 3.s.
4. Cedar Ridge has no objections to PRBRC's request for a hearing before the Environmental Quality Council.

Dated this 31 day of August, 2009.

Respectfully submitted,



A handwritten signature in black ink, appearing to read "W. E. Sparks", is written over a horizontal line.

Michael J. Wozniak
William E. Sparks
BEATTY, WOZNIAK & REESE
216 Sixteenth Street, Suite 1100
Denver, Colorado 80202-5115
Phone Number: (303) 407-4499
Fax Number: (303) 407-4494
mwozniak@bwenergyllc.com
wsparks@bwenergyllc.com

Attorneys for Cedar Ridge, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of August, 2009, I sent a copy of the foregoing via facsimile and overnight mail as noted below:

VIA FACSIMILE TO: (307) 778-7118

Kate Fox
J. Mark Stewart
DAVIS & CANNON, LLP
422 West 26th Street
Cheyenne, WY 82003

VIA FEDERAL EXPRESS AND
BY FACSIMILE TO: (307) 777-6134

Chairman Environmental Quality Council
122 West 25th Street
Herschler Building, Room 1714
Cheyenne, WY 82002

VIA FACSIMILE TO: (307) 777-7682

Director, Department of Environmental Quality
122 West 25th Street
Herschler Building, 4th Floor West
Cheyenne, WY 82002

VIA FACSIMILE TO: (307) 777-3542

Mike Barrash
Sr. Assistant Attorney General
Wyoming Attorney General's Office
123 Capitol Building
Cheyenne, WY 82002

