

**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 )

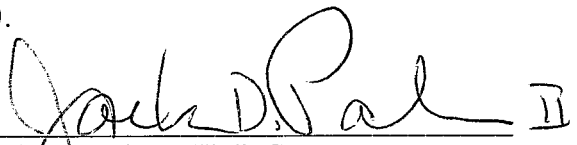
**BILL BARRETT CORPORATION'S  
DESIGNATION OF EXPERT WITNESS**

Bill Barrett Corporation, by and through undersigned counsel, submits its designation of expert witness who may be called to testify at hearing:

Paul McElvery  
Water Resources Engineer  
Bill Barrett Corporation  
1414 E. Lincoln Street  
Gillette, WY 82716

Mr. McElvery is a Water Resources Engineer with Bill Barrett Corporation. He was responsible for the discharge permit which is the subject of this appeal. Mr. McElvery may testify regarding the permit history, production history, and water management associated with this permit, and he may provide his opinion regarding whether or not the permit has caused or is likely to cause a measurable decrease in crop or livestock production under Chapter 1, Section 20, WQRR and more generally regarding matters within his technical expertise and specialized knowledge. Mr. McElvery has not prepared a report.

Respectfully submitted January 22, 2010.

  
\_\_\_\_\_  
Jack D. Palma, II, P.C.  
Mark R. Ruppert, P.C.  
Matt J. Micheli  
HOLLAND & HART LLP  
P. O. Box 1347  
Cheyenne, WY 82003-1347  
Telephone: (307) 778-4200

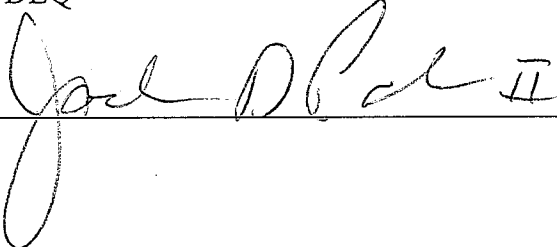
ATTORNEYS FOR BILL BARRETT  
CORPORATION

## CERTIFICATE OF SERVICE

I certify that on January 22, 2010, I served a copy of the foregoing document to the following by email:

Kate M. Fox  
J. Mark Stewart  
kate@davisandcannonchey.com  
mark@davisandcannonchey.com  
DAVIS & CANNON, LLP  
422 W. 26th St.  
P. O. Box 43  
Cheyenne, WY 82003  
Telephone: (307) 634-3210  
ATTORNEYS FOR PETITIONERS

John Burbridge  
Jburbl@state.wy.us  
Senior Assistant Attorney General  
Attorney General's Office  
123 Capitol Avenue  
Cheyenne, WY 82002  
Telephone: (307) 777-6946  
ATTORNEY FOR DEQ



A handwritten signature in black ink, appearing to read "John Burbridge II", is written over a horizontal line. The signature is cursive and includes a Roman numeral "II" at the end.