

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF A PERMIT)	
APPLICATION FOR,)	
MOBIL COAL PRODUCING,)	Docket No. 1656-85
INC., to construct a coal)	
mining operation in Campbell)	
County, Wyoming.)	

MOTION OF CORDERO MINING CO., INC. TO INTERVENE

COMES NOW, Cordero Mining Co., Inc., ("Cordero"), by and through its attorneys, Vines, Rideout, Gusea & White, P.C., Cheyenne, Wyoming, and moves the Environmental Quality Council for permission to intervene in the above-referenced matter for the limited purpose of cross-examination, argument and submitting a brief and memorandum of points and authorities on the legal issues presented as they may affect Cordero in this or subsequent proceedings, and in support of this motion, states as follows:

1. This Motion to Intervene is made pursuant to The Department of Environmental Quality, Rules of Practice and Procedure (1982), Chapter II, §7(a) and (b).

2. The motion for intervention anticipates participation by Cordero in a limited capacity for the purpose of conducting and cross-examination of the witnesses submitted, argument by counsel for Cordero, and submission of a legal brief and memorandum of points and authorities to the Council to the extent that the legal issues in the above-referenced matter are similar to the legal issues presented in THE MATTER OF A PERMIT APPLICATION FROM THE CARTER MINING COMPANY TO MODIFY THE CARTER CABALLO MINE IN CAMPBELL COUNTY, WYOMING, Docket No. 1723-86.

Cordero is a party to the latter action and to the extent that any legal rulings or decisions are made in this action that might effect the Carter Mining Permit Application, Cordero will be adversely affected by this action and the rulings made by the Council.

3. In addition, Cordero believes that while the legal issues will be adequately placed before the Council, the additional participation of Cordero in the limited capacity noted would be of benefit to the Council and to the ultimate decision, as well as allowing Cordero to adequately protect its interests in this and subsequent proceedings. Without such participation, Cordero believes it will be prejudiced.

4. Notice has been given to all the parties in this action in a timely fashion under the rules and regulations.

WHEREFORE, Cordero Mining Co., respectfully requests an Order of the Council allowing it to intervene in the above matter for the purpose of cross-examination, argument and submission of a legal brief or memorandum on the disputed issues of law.

RESPECTFULLY SUBMITTED this 27th day of May, 1986.

CORDERO MINING, CO., INC.


VINES, RIDEOUT, GUSEA & WHITE, P.C.
Attorneys for Cordero Mining Co.,



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CERTIFICATE OF SERVICE

I, Richard Rideout, do hereby certify that on the 27th day of May, 1986, I hand delivered a true and correct of the above and foregoing Motion of Cordero Mining Co., Inc., to Intervene to Mike Barrash, Assistant Attorney General, 123 Capitol Building, Cheyenne, Wyoming; Steven R. Shanahan, Sr. Assistant Attorney General, 123 Capitol Building, Cheyenne, Wyoming; Ronald Paul Arnold of McCARTNEY & ARNOLD, 203 East 22nd Street, P. O. Box 1364, Cheyenne, Wyoming; Brent R. Kunz of HATHAWAY, SPEIGHT & KUNZ, 2424 Pioneer Avenue, Suite 402, P. O. Box 1208, Cheyenne, Wyoming; David D. Freudenthal of FREUDENTHAL, SALZBURG & BONDS, P.C., 314 East 21st Street, P. O. Box 387, Cheyenne, Wyoming; Charles Collins of the Department of Environmental Quality, Herschler Building, Cheyenne, Wyoming; Terri Lorenzon of the Department of Environmental Quality, Emmerson Building, Cheyenne, Wyoming; Randolph Wood, Department of Environmental Quality, Herschler Building, Cheyenne, Wyoming; Mr. Alan B. Minier of HIRST & APPELEGATE, 1720 Carey Avenue, Suite 200, Cheyenne, Wyoming, 82001, and a true and correct copy was sent by express mail to Dave Park, 907 South Center Street, Casper, Wyoming, 82601 and Steven Youngbauer, 1901 Energy Court, Gillette, Wyoming, 82716.


Richard Rideout