Filed: 12/7/2017 11:01:20 AM WEQC

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

IN RE BLACK HILLS BENTONITE)	
PERMIT TO MINE NO. 248c)	DOCKET 17-160

SCHEDULING ORDER

The Parties in the above matter have reached a stipulated agreement for timelines of discovery and final hearing. The final hearing has been scheduled for a final hearing at 9:00 a.m. on February 22, 2018. The final hearing will be held in room 1699 of the Herschler Building, 122 West 25th St. Cheyenne Wy. The due dates agreed to by the parties are as follows:

- 1. Dec 31 2017 Deadline for service of Interrogatories, Document Requests and other written discovery.
- 2. Jan 31 2018 Responses to discovery to be served 30 days after receipt, but no later than Jan 31.
- 3. Jan 15 2018 Parties to file expert witness disclosures with summary of expert witness testimony.
- 4. Jan 31 2018 Discovery cutoff for other discovery (depositions, subpoenas, etc.). Feb 10 2018 Parties to file notice of rebuttal experts with summary of expert witness testimony.
- Feb 10 2018 Last day to file Prehearing Disclosure Statements in accordance with Chap 2 Sec. 18 of DEQ Practice and Procedure for Contested Case Hearings.
- 6. Feb 22 2018 Hearing in Cheyenne.

DATED this 6th day of December 2017.

Meghan Lally, Hearing Examiner Environmental Quality Council

CERTIFICATE OF SERVICE

I, James Ruby, certify that at Cheyenne, Wyoming, on the 1th day of December 2017, I served a copy of the foregoing Scheduling Order by electronic mail to the following:

Dave Ditto Attorney for the Petitioner dditto@ALGLaw.us

Debbie Jones and James H. Crossingham Respondent Surface owner djones@spencers.com jhcrossingham@spencers.com

Scott Klosterman sklosterman@wpdn.net

Jim Ruby

Environmental Quality Council

122 W. 25th, Rm. 1714

Herschler Bldg.

Cheyenne, WY 82002 Phone: 307-777-7170