

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

**FILED**

**MAY 03 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

**IN THE MATTER OF THE OBJECTION            )**  
**TO THE SMALL MINE PERMIT OF            )**        **Docket No. 07-4801**  
**TELETRACTORS, INC., TFN 4 2/261        )**

**NOTICE OF HEARING AND ORDER**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Environmental Quality Council (the Council) will conduct a hearing on May 15, 2007 at the Sublette County Public Library, 155 S. Tyler Ave., Pinedale, Wyoming, commencing at 9:30 A.M. This hearing will be conducted as a contested case hearing under the Wyoming Administrative Procedure Act. Mark Gifford, a member of the Council will serve as hearing examiner.
2. This hearing is held pursuant to Sections 35-11-101 through 35-11-1803, W.S. 2006, as amended, regulations promulgated thereunder, and the Department of Environmental Quality Rules of Practice and Procedure.
3. Teletractors, Inc., (Teletractors) applied for a small mining permit from the Department of Environmental Quality (DEQ).
4. Teletractors and the DEQ contend the permit application is complete and should be granted.
5. The Protestants objected to Teletractors' small mining permit. The particular statutes and rules upon which the Protestants base their objections have not been specified at this time.
6. This matter was scheduled in accordance with the time limitations set forth in Wyo. Stat. § 35-11-406(k). The schedule can only be adjusted at the request and the filing of a joint stipulation and motion for continuance.

**NOTICE IS FURTHER GIVEN THAT:**

1. A prehearing conference in this matter will be conducted on May 11, 2007 at 3:00 p.m. via telephone conference call. The parties shall inform the EQC office of a telephone number where they can be reached for the prehearing on or before May 9, 2007. Failure to appear at the prehearing conference may result in dismissal from this case.

2. The purpose of the prehearing conference is:
  - a. Identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony;
  - b. Clarification of the legal issues, both substantive and procedural, of all the parties, including identification of the statutory provisions and regulations that form the basis of the appeal;
  - c. Stipulation to uncontested facts;
  - d. Examination and marking of proposed exhibits and entering into stipulations to the foundation and admissibility of the exhibits and testimony; and
  - e. Pending motions.
3. To facilitate the hearing process, all parties shall deliver a list of witnesses, their addresses, phone numbers, the substance of their proposed testimony, a list of exhibits, and a summation of the facts and legal issues, to all parties to this case (Teletractors, the Protestants, and the Department of Environmental Quality) and the Environmental Quality Council by 4:00 P.M. on May 9, 2007.

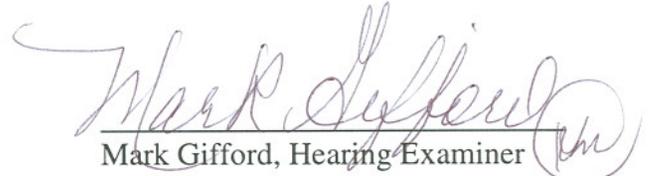
### **ORDER**

#### **IT IS HEREBY ORDERED THAT:**

1. All parties shall appear at the prehearing conference call on May 11, 2007 at 3:00 P.M. Failure to appear at the prehearing will result in dismissal from the case.
2. All parties shall appear on May 15, 2007 at 9:30 A.M. to present evidence. Failure to appear at the hearing will result in dismissal from the case.
3. All parties shall deliver the prehearing document in accordance with the schedule set forth in this Notice of Hearing and Order. All other documents shall be filed with the Environmental Quality Council at the address below, and all documents shall be served to all other parties to the case.
4. Documents may be served or delivered by fax transmission or via-email if prior arrangements for the transmission are made with the recipients, the e-mailed document is in either Word for Windows or WordPerfect 6.0, and the original document is mailed to the Council prior to or at the same time as transmission by fax or e-mail. The fax number for the Environmental Quality Council is 307-777-6134 and the e-mail address is [kmcgee@state.wy.us](mailto:kmcgee@state.wy.us).

5. All motions shall be filed by 4:00 p.m. May 9, 2007, and parties shall be prepared to argue pending motion(s) at the prehearing; and
6. No continuances shall be granted unless a motion showing good cause for the continuance is filed with the EQC no later than 4:00 p.m. on May 9, 2007 and the Hearing Examiner finds that good cause has been shown.

DATED this 3<sup>RD</sup> day of May, 2007.

  
Mark Gifford, Hearing Examiner  
Environmental Quality Council

**CERTIFICATE OF SERVICE**

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 3<sup>rd</sup> day of May, 2007, I served a copy of the foregoing **NOTICE OF HEARING AND ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Sylvia Sandoval  
Mocroft Ranch  
318 West 100 Street  
New York, NY 10025-5372

Sylvia Sandoval  
Mocroft Ranch  
PO Box 1878  
Pinedale, WY 82941

Gordon Reno  
PO Box 598  
Pinedale, WY 82941

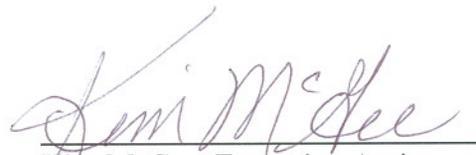
Teletractors, Inc.,  
PO Box 1220  
Pinedale, WY 82941

also to the following persons via interoffice mail:

John Burbridge  
Assistant Attorney General  
123 Capitol Building  
Cheyenne, WY 82002

Richard Chancellor  
Administrator  
Land Quality Division  
122 West 25<sup>th</sup> Street  
Herschler Building  
Cheyenne, WY 82002

John Corra  
DEQ Administrator  
122 West 25<sup>th</sup> Street  
Herschler Building, 4<sup>th</sup> Fl.  
Cheyenne, WY 82002



Kim McGee, Executive Assistant  
Environmental Quality Council  
122 W. 25<sup>th</sup> Street,  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002  
Tel: (307) 777-7170  
Fax: (307) 777-6134