

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL, STATE OF WYOMING

IN THE MATTER OF THE APPEAL OF ) DOCKET No: 08-3601  
DALE RUBY AND JM LAND AND ) ORDER  
DEVELOPING, INC. )

**FILED**  
APR 22 2009  
Jim Ruby, Executive Secretary  
Environmental Quality Council

ON THE 20<sup>TH</sup> DAY OF APRIL, 2009 at 4:00 p.m. the above entitled matters came on for scheduling conference before the presiding officer of the Council, Dr. Fred Ogden. Present were Randall T. Cox, counsel for the Petitioner; and Mike Barrash, Asst. Attorney General on behalf of the Department of Environmental Quality . Also present for the conference were James Ruby, Exec. Secretary for the Council and Joe Girardin, the Council's Paralegal.

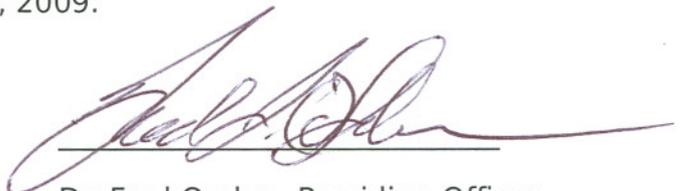
The Parties represented to the Council that they believed the matter may well be resolved without the need for hearing if the parties were given 90 days to receive an expert report from an engineer retained by the Petitioner.

WHEREFORE, the Parties are hereby granted until July 20<sup>th</sup>, 2009 to resolve this matter without further hearing. On or before the 20<sup>th</sup> day of July, 2009 the Parties shall file with the Council a written status report regarding the progress of their negotiations.

FURTHER, on the 20<sup>th</sup> day of July, 2009 the parties shall file with the Council a proposed schedule for the case in the event negotiations do not resolve all matters involved in the above docket.

All filings shall be made no later than 4:00 p.m. on the date set forth in this Order.

SO ORDERED this 20<sup>th</sup> Day of April, 2009.

  
Dr. Fred Ogden, Presiding Officer

**CERTIFICATE OF SERVICE**

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 22nd day of April, 2009, I served a copy of the foregoing **ORDER** by electronic mail to the following:

Mike Barrash  
Office of Attorney General  
[mbarra@state.wy.us](mailto:mbarra@state.wy.us)

John Corra  
Director, DEQ  
[jcorra@wyo.gov](mailto:jcorra@wyo.gov)

by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to;

Randall T. Cox  
400 South Kendrick St., Ste. 101  
Gillette, WY 82716



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Kim Waring, Executive Assistant  
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