

**FILED**

APR 01 2009

Jim Ruby, Executive Secretary  
Environmental Quality Council

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

**IN THE MATTER OF THE APPEAL )  
OF POWDER RIVER BASIN RESOURCE )  
COUNCIL, BERNADETTE BARLOW, )  
BERNADETTE BARLOW TRUST, )  
WILLIAM L. BARLOW TRUST AND )  
ERIC BARLOW FROM WYPDES )  
PERMIT NO. WY0051268**

**DOCKET NO. 09-3801**

**ORDER**

A short pre-hearing conference will be held in this matter to discuss time frame for discovery, possible hearing dates and time needed for the Parties to present their case. The conference will be conducted on Monday, April 20, 2009 at 10:00 a.m. via telephone conference call. The parties should provide the EQC office with a telephone number where they can be reached for the pre-hearing on or before April 15, 2009. Failure to appear at the pre-hearing conference may result in dismissal from this case.

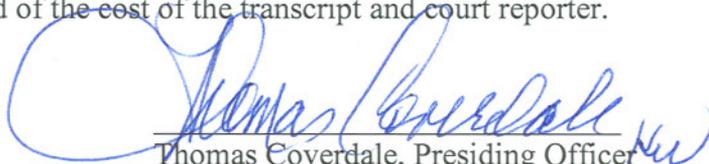
In accordance with the DEQ Rules of Practice and Procedure, Chapter 1, Section 6, "Unless otherwise agreed to by the parties and consented to by the Council, all hearings, including all testimony, shall be reported verbatim by a competent reporter. The compensation of such reporter shall be paid as required by law and as ordered by the Council. The Council may direct any party or parties to assume the cost of the transcript." If the Parties do not file a waiver to this section, the Parties should equally pay the costs of the transcript.

The Presiding Officer having reviewed the record and being fully advised in the premises,

**IT IS HEREBY ORDERED**

1. The Parties shall appear for a short pre-hearing conference in this matter that will be conducted on Monday, April 20, 2009 at 10:00 a.m. via telephone conference call. The parties shall inform the EQC office of a telephone number where they can be reached for the pre-hearing on or before April 15, 2009. Failure to appear at the pre-hearing conference will result in dismissal from this case.
2. If the Parties have not filed a waiver on or before April 15, 2009 a court reporter will transcribe the hearing.
3. Each party shall assume one third of the cost of the transcript and court reporter.

**DATED** this 1<sup>ST</sup> day of April, 2009.

  
 Thomas Coverdale, Presiding Officer  
 Environmental Quality Council

## CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 1<sup>st</sup> day of April, 2009, I served a copy of the foregoing **ORDER** by electronic mail to the following:

Kate Fox  
Mark Stewart  
Attorneys for Protestants  
Davis and Cannon, LLP  
[mark@davisandcannonchey.com](mailto:mark@davisandcannonchey.com)

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;

Williams Production RMT Company  
300 North Works Avenue  
Gillette, WY 82716



Kim Waring, Executive Assistant  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Rm. 1714  
Herschler Bldg.  
Cheyenne, WY 82002  
Phone: 307-777-7170  
FAX: 307-777-6134