



Jim Ruby <jim.ruby@wyo.gov>

RE: Eagle Butte

Shannon Anderson <sanderson@powderriverbasin.org>

Thu, Nov 19, 2015 at 7:45 AM

Reply-To: sanderson@powderriverbasin.org

To: "David M. Bagley" <Bagley@uwo.edu>, Jim Ruby <jim.ruby@wyo.gov>, andrew kuhlmann <andrew.kuhlmann@wyo.gov>

Cc: james kaste <james.kaste@wyo.gov>, Mackenzie Williams <mackenzie.williams@wyo.gov>

*Thank you Chairman Bagley – we will hopefully have a filing for you to review soon. Regards,
Shannon*

From: David M. Bagley [mailto:Bagley@uwo.edu]

Sent: Wednesday, November 18, 2015 9:49 PM

To: sanderson@powderriverbasin.org; 'Jim Ruby'; 'andrew kuhlmann'

Cc: 'james kaste'; 'Mackenzie Williams'

Subject: Re: Eagle Butte

FILED

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Jim Ruby, Executive Secretary
Environmental Quality Council

To all parties,

This is a complicated case. I have carefully evaluated the submissions and opinions and determined:

1. The short hearing scheduled for November 19 will proceed, unless the parties resolve this among themselves.

2. The original argument framework was constructed quickly. I have determined that it is too broad for the November 19 hearing. Many of the issues raised in the original argument framework are more appropriate for a subsequent hearing, if that is determined by the Council to be necessary.

3. The November 19 hearing will therefore focus on the following two points that are directly relevant to the Council at this time:

(a) Whether to grant the Petitioner's request for a full hearing related to their concerns. So the November 19 hearing is not the full hearing requested by the Petitioners but instead will determine whether to have the full hearing. The required schedule for holding the full hearing will still be valid, depending on the Council's decision on this point.

(b) Whether to grant the Petitioner's request for a temporary order. This was a separate request of the Petitioners and can be addressed tomorrow.