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Counsel for Respondent

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

IN RE APPEAL OF NOV AND ORDER)
POVERTY HILL NORTH, LLC) DOCKET NO. 17-3202A
)
)

JOINT MOTION FOR CONTINUANCE

COMES NOW Petitioner Poverty Hill North, LLC and Respondent Department of Environmental Quality, Water Quality Division (jointly "Parties"), by and through undersigned counsel, to hereby move the Environmental Quality Council (Council) for an order continuing this matter to allow the Parties additional time for settlement discussions. The Parties request that the Council schedule another status conference at their next scheduled meeting to allow the Parties to advise the Council whether they have reached a settlement by that time. In support of this motion, Parties advise the Council that:

1. The Parties began settlement discussions shortly after Petitioner initiated this matter.
2. The Parties believe that settlement of this matter is possible but need additional time for settlement negotiations.

3. In jointly requesting a continuance, neither Party admits nor denies any issue of fact or law.

4. This requested continuance will not prejudice either Party.

5. The Parties will provide an update on settlement negotiations to the Council on or before March 27, 2018.

WHEREFORE, the Parties respectfully request a continuance of this matter until at least March 30, 2018. The Parties have attached a proposed Order of Continuance to this Motion.

DATED this 24th day of October, 2017.

FOR PETITIONER
POVERTY HILL NORTH, LLC



Conner Nicklas (Wyo. Bar No. 7-5908)
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FOR RESPONDENT
DEP'T OF ENVIRONMENTAL QUALITY



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ORDER OF CONTINUANCE

THIS MATTER came before the Environmental Quality Council through a joint motion from Petitioner Poverty Hill North, LLC and Respondent Wyoming Department of Environmental Quality, Water Quality Division (jointly "Parties") seeking a continuance of this matter to allow for settlement negotiations. The Council finds that such continuance will not prejudice the Parties and is likely to lead to an efficient resolution of this matter.

WHEREFORE, IT IS HEREBY ORDERED THAT:

This matter be continued until March 30, 2018, and that the Parties shall provide the Council with a joint update on the status of negotiations on or before March 27, 2018. Failure to provide a joint update will result in a scheduling conference being set for this matter.

DATED this _____ day of _____, 2017.

Rich Fairservis, Presiding Officer
Environmental Quality Council

CERTIFICATE OF SERVICE

I, James Ruby, certify that at Cheyenne, Wyoming, on the ____ day of _____, 2017, I served a copy of the foregoing **Order of Continuance** by Electronic delivery to the following:

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