

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

**IN THE MATTER OF THE APPEAL OF )  
CLABAUGH RANCH, INC. FROM )  
WYPDES PERMIT NO. WY0048917 )**

**FILED**  
**Docket No. 07-3801**  
**DEC 06 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

**SCHEDULING CONFERENCE ORDER**

THIS Order arises out of the scheduling conference conducted by Dennis Boal, presiding officer, for the Environmental Quality Council, on December 3, 2007.

**1. Scheduling.**

(a) The following schedule is set in this matter:

- (1) All discovery, both written and oral, shall be completed by April 30, 2008.
- (2) Dispositive motions shall be filed and delivered on or before May 9, 2008.
- (3) Replies to dispositive motions shall be filed and delivered on or before May 23, 2008.
- (4) Oral argument on dispositive motions is set for May 30, 2008 at 10:00 a.m., location to be determined later. Each party will have ten minutes for oral argument.
- (5) Pre-hearing memorandums and three copies of all exhibits shall be filed with the council and delivered to all parties on or before June 6, 2008.
- (6) The Pre-hearing Conference is set for June 13, 2008 at 1:30 p.m. The location of the Pre-hearing Conference will be determined later. The purpose of the pre-hearing conference is to:

a. Clarify the issues

b. Stipulate to facts

c. Examine and discuss the proposed exhibits and enter into stipulations to the foundation and admissibility of the exhibits.

d. Identify witnesses and the substance of their proposed testimony.

(7) Hearing is set for June 23–27, 2008 in Sheridan, Wyoming. The exact location and time of the hearing will be determined later.

(b) All documents shall be delivered no later than 4:00 p.m. on the above referenced date. For the purposes of this order, delivery shall mean that the recipient has the pertinent documents in hand. Delivery does not mean that the documents were placed in the mail or with a delivery service. The parties may deliver documents via fax or e-mail, if prior arrangements have been made with the recipients and the original is mailed at the same time.

## **2. Objections to Scheduling Conference Order.**

The parties shall have ten days from the date of service to serve and file any objections to this Scheduling Conference Order.

**SO ORDERED** this 6 day of December, 2007.



Dennis M. Boal, Presiding Officer  
Environmental Quality Council

## CERTIFICATE OF SERVICE

I, Alyx Reed, certify that at Cheyenne, Wyoming, on the 6<sup>th</sup> day of December, 2007, I served a copy of the foregoing SCHEDULING CONFERENCE ORDER by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to;

Tom C. Toner  
Yonkee & Toner, LLP  
P.O. Box 6288  
Sheridan, WY 82801

Brent R. Kunz  
Hathaway & Kunz, P.C.  
2515 Warren Avenue, Ste. 900  
Cheyenne, WY 82003

John C. Martin  
Duane A. Siler  
Patton Boggs, LLP  
2550 M. Street NW  
Washington, D.C. 20037

also to the following persons via interoffice mail:

John Burbridge  
Office of Attorney General  
123 State Capitol  
Cheyenne, WY 82002

John Wagner, Administrator  
WDEQ  
122 W. 25<sup>th</sup>, 4-W  
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