

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

MAY 06 2008

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE APPEAL)
AND REVIEW OF THE ISSUANCE)
OF WYOMING POLLUTANT DISCHARGE)
ELIMINATION SYSTEM (WYPDES))
PERMITS WY0056146 AND WY0056201)
(Yates Permits, Gauge and Wormwood))
DATED February 4, 2008)
)
)

Docket No. 08-3801

RESPONDENT WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S
MOTION FOR EXTENSION OF TIME TO FILE RESPONSE

Respondent Wyoming Department of Environmental Quality (DEQ) moves for an extension of time until May 30, 2008 to file a Response to Petitioner Yates Petroleum Corporation's (Yates) Notice of Appeal and Request for Hearing in the above-captioned matter before the Wyoming Environmental Quality Council (EQC). The grounds for this motion are as follows:

1. Yates filed a Notice of Appeal and Request for Hearing (Petition) on April 3, 2008, regarding two individual permits to discharge coal bed methane (CBM) produced water into ephemeral tributaries in the Pumpkin Creek drainage.
2. By Order dated April 14, 2008, the EQC ordered the DEQ to file a Response to Yates' Petition on or before May 14, 2008.
3. The Certificate of Service for the April 14, 2008 Order indicates that a copy was served to the Attorney General's Office by inter-office mail on April 14, 2008.
4. For whatever reason, the Attorney General's Office did not receive a copy of the EQC's April 14, 2008 Order until May 5, 2008, when a copy was picked up from the Attorney General's Office basket at the EQC's office in the Herschler Building.
5. As it now stands, Respondent DEQ's Response is due a week from tomorrow (Wednesday, May 14, 2008).

6. For the foregoing reasons, Respondent DEQ requests an extension of time until May 30, 2008 to file a Response to Yates' Petition.

DATED this 6th day of May, 2008.

A handwritten signature in black ink, appearing to read "Mike Barrash", written over a horizontal line.

Mike Barrash
Senior Assistant Attorney General
123 State Capitol Building
Cheyenne, Wyoming 82002
(307) 777-6946

CERTIFICATE OF SERVICE

This certifies that a true and correct copy of the foregoing RESPONDENT WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE was served this 6th day of May, 2008, by United States mail, first class postage prepaid, and by email, addressed as follows:

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W. B. Am