

**FILED**

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

JUL 05 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

IN THE MATTER OF THE APPEAL OF )  
THE COPPERLEAF SUBDIVISION WATER )  
SUPPLY, TREATMENT, STORAGE, AND )  
BOOSTER PUMPING SYSTEMS, )  
Permit No. 06-274RR/Reference No. 06-236RR )

Docket No. 06-3814

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**INTERVENOR'S OBJECTIONS TO PRE-HEARING  
CONFERENCE ORDER**

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COMES NOW, the Intervenor, Worthington Group of Wyoming, LLC, by and through its counsel, Laurence W. Stinson of Bonner Stinson, P.C., and pursuant to the Pre-Hearing Conference Order, paragraph 6, submits its objections to the Pre-Hearing Conference Order as follows:

1. During the hearing of June 22, 2007, the Council granted until June 29, 2007 to identify supplemental witnesses. On June 29, 2007, Intervenor identified Mike Ebsen, or the appropriate person at the State Engineer's Office as a witness. Intervenor intends to call a representative of the State Engineer's Office to testify with regard to the water rights granted to it, and has arranged for a subpoena upon Loren Smith. Petitioner and Respondent were advised of Intervenor's intent to call an individual from the State Engineer's Office and have no objection thereto.

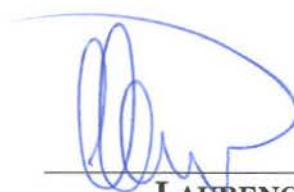
2. Mr. Smith is available on the afternoon of July 10, 2007 and not otherwise available and has been subpoenaed for that time. As such, Mr. Smith needs to be called out of order.

3. In addition to the “primary” issue that was identified in the Pre-Hearing Conference Order, Intervenor submits the following issues remain and were identified in its pre-hearing memorandum and supplemental filing:

- a. If Permit No. 06-27-4RR was improperly issued by the DEQ, is such issuance probable to cause actual or real harm to Petitioners, or any of them, such that Permit No. 06-27-4RR need be remanded to the DEQ for additional consideration of the statutory elements.
- b. Whether Petitioners filed their Petition For Review in bad faith for the purpose of harassing or embarrassing the Permittee.
- c. Those issues raised in the motion section of Intervenor’s Supplemental Pre-Trial submission, dated June 29, 2007.

4. Intervenor moves that the Pre-Hearing Conference Order be amended to correctly reflect the items identified above.

DATED this 2nd day of July, 2007.



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**LAURENCE W. STINSON**  
BONNER STINSON, P.C.  
128 East Second  
P.O. Box 799  
Powell, Wyoming 82435  
Attorney for The Worthington Group  
of Wyoming, LLC

**CERTIFICATE OF SERVICE**

I, Laurence W. Stinson, attorney for the Worthington Group of Wyoming, LLC, hereby certify that on the 2nd day of July, 2007, I served a true and correct copy of the foregoing correctly addressed to the following:

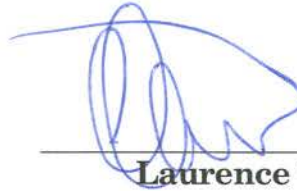
Terri A. Lorenzon  
Director of the EQC  
122 West 25th Street  
Herschler Building, Room 1714  
Cheyenne, Wyoming 82002

John S. Burbridge  
Office of the Wyoming  
Attorney General  
123 Capitol Building  
Cheyenne, Wyoming 82002

John Wagner, Director DEQ  
122 West 25th Street  
Herschler Building  
Cheyenne, Wyoming 82002

Debra J. Wendtland  
Wendtland & Wendtland, LLP  
2161 Coffeen Avenue, Suite 301  
Sheridan, Wyoming 82801

Bryan Skoric  
Park County Attorney  
1002 Sheridan Avenue  
Cody, Wyoming 82414



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**Laurence W. Stinson**