

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


**IN THE MATTER OF THE APPEAL )  
FROM THE PERMIT TO CONSTRUCT # 2023-025 )  
PROTECT OUR WATER JACKSON ) Docket No. 23-3801  
HOLE )**

**ORDER REQUIRING SEPARATE  
MOTION CONCERNING PETITIONER'S  
REQUEST TO STAY THE PERMIT PENDING APPEAL**

Petitioner, Protect Our Water Jackson Hole, sought a stay of Permit Number 2023-025 pending appeal in its appeal/petition filed with the Council on August 11, 2023. Because Petitioner requested a stay in its petition and because no responsive pleading is required in response to a petition, the Council requests that Petitioner, if it still requests a stay, to file a separate motion in support of its request. Filing a separate motion will allow the parties an opportunity to fully brief the issue and allow the Council to fully consider the request.

The Petitioner's motion must cite to specific relevant legal authority that Petitioner contends grants the Council the ability to stay a permit pending appeal. The motion must also describe in detail the legal standard that the Council must apply when considering a request to stay a permit pending appeal. DEQ shall file its response within ten (10) working days from the date Petitioner files its motion. In addition to serving a copy of the motion or response upon the other party, each party must also serve a copy of its filing upon Basecamp via U.S. mail.

**DATED** this 15th day of September, 2023

*Shane True* 

Vice Chairman Shane True, Hearing Examiner  
Environmental Quality Council