

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

IN THE MATTER OF A MINING PERMIT APPLICATION OF RISSLER & MCMURRY, INC. TFN 2 6/247

FILED

JAN 18 1994

Terri A. Lorenzon, Attorney Environmental Quality Council

RISSLER & MCMURRY, INC. )
Applicant, ) DOCKET NO. 2373-92
vs. )
FRIENDS OF BESSEMER MOUNTAIN )
Protestants. )

MOTION TO ADD EXPERT WITNESS

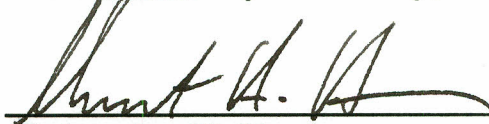
COME NOW THE PROTESTANTS, the FRIENDS OF BESSEMER MOUNTAIN, by and through counsel, LAWYERS AND ADVOCATES FOR WYOMING, and hereby move the Council for an Order allowing them to call an additional expert witness.

Protestant's motion is made on the following grounds:

- 1. The Council adopted new criteria and factors concerning a designation based upon historic value. These criteria and factors were adopted after the deadline to designate expert witnesses.
2. Because the new criteria and factors were not adopted by the witness designation deadline the Protestants were unable to designate an expert witness concerning historic value.
3. The Protestants, in order to adequately present all facts to the council concerning historic value, must call an expert witness on that issue.
4. If said motion is granted the Protestants agree to provide expedited discovery to the applicant so as not to burden applicant in any way.

WHEREFORE, the Protestants respectfully request that they be allowed to designate an additional expert witness.

RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of January, 1994.



Christopher H. Hawks  
Of, Lawyers and Advocates for  
Wyoming, Attorneys for the  
Friends of Bessemer Mountain.  
P.O. Box 548  
Jackson, WY 83001  
307-733-7290

CERTIFICATE OF SERVICE

On the 12<sup>th</sup> day of January, 1994, a true and correct copy of the foregoing motion was delivered to all counsel of record by placing the same in prepaid mail to the following addresses:

Tom Roan  
Assistant Attorney General  
State Capitol  
Cheyenne, WY 82002

Donald Rissler  
P.O. Box 1783  
Riverton, WY 82501



Christopher H. Hawks

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Applicant, ) DOCKET NO. 2373-92  
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vs. )  
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FRIENDS OF BESSEMER MOUNTAIN )  
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Protestants. )

**REQUEST FOR HEARING ON MOTION TO  
ADD EXPERT WITNESS**

COME NOW the Protestants and respectfully request that their  
Motion to Add Expert Witness be set for hearing.

RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of January, 1994.

  
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