

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

FILED

FEB 14 2007

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE APPEAL AND)
REVIEW OF THE DECISION REGARDING)
THE RECLASSIFICATION OF EIGHT)
MAIN STREAM DRAINAGES TO POWDER)
RIVER AND OTHER TRIBUTARIES IN THE)
POWDER RIVER BASIN, DATED)
DECEMBER 22, 2004)

Docket No. 05-3203

**JOINT MOTION TO VACATE DATES
SET OUT IN FINAL SCHEDULING ORDER**

Anadarko Petroleum Corporation (“Anadarko”), through its counsel, Holland & Hart LLP, the Department of Environmental Quality (“DEQ”), through its counsel, John Burbridge, and Petitioners, through their counsel, Kirven & Kirven P.C., respectively request the Environmental Quality Council (“EQC”) to revise its Final Scheduling Order for the following reasons:

1. John Burbridge, counsel representing the Department of Environmental Quality in this matter, has a conflict with the currently set May 21, 2007 hearing date. Mr. Burbridge is involved in a First Judicial District Court case, Docket No. 167-76, in which a trial date was previously set for May 21, 2007. Please see the attached District Court Order Setting Trial Schedule.

2. Lance Oil & Gas Company (“Lance”) has recently been acquired by Anadarko, and Counsel for Lance, Randall T. Cox, filed a Motion to Withdraw as Counsel on January 19, 2007, and Anadarko has requested that Jack D. Palma, II and Hadassah M. Reimer of Holland & Hart LLP be substituted as counsel for Anadarko.

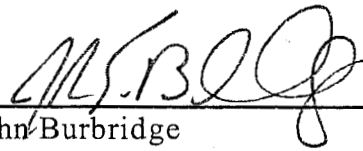
3. Counsel for Anadarko will need sufficient time to review the issues in this case. The parties also request additional time to confer to determine what issues might be resolved prior to the hearing.

WHEREFORE, Anadarko Petroleum Corporation, the Department of Environmental Quality, and Petitioners respectfully move the Environmental Quality Council to extend all deadlines set out in its Final Scheduling Order. The parties have conferred and suggest the hearing in this matter be set for the week of August 20, 2007. A proposed revised scheduling order is attached.

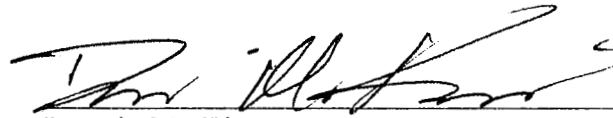
DATED this 14 day of February, 2007.



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IN THE FIRST JUDICIAL DISTRICT COURT
IN AND FOR LARAMIE COUNTY, STATE OF WYOMING

PEOPLE OF THE STATE OF WYOMING,)
and WYOMING DEPARTMENT OF)
ENVIRONMENTAL QUALITY)

Plaintiffs,)

v.)

RON LINCH; SIERRA)
CONSTRUCTION COMPANY, INC.,)
and LINCH ENVIRONMENTAL)
CONTRACTORS, INC.)

Defendants.)

RECEIVED
JAN 23 2007
WYOMING ATTORNEY
GENERAL OFFICE, WWR

Docket Number 167-76

FILED

JAN 18 2007

GERRIE E. BISHOP
CLERK OF THE DISTRICT COURT

ORDER SETTING TRIAL SCHEDULE

Trial on the above captioned matter is set for May 21, 2007, at 9:00 a.m., before the Honorable Kalokathis. Discovery shall be completed by February 1, 2007. Dispositive motions shall be filed by April 16, 2007. A pre-Trial conference will be held on April 30, 2007, at 9:00 a.m. If counsel want the proceedings reported, arrangements for the court reporter should be made at least three working days before the trial. (Rule 904, U.R.D.C.)

DATED this 17 day of January, 2006.

[Signature]
DISTRICT COURT JUDGE

c: John Burbridge
Senior Assistant Attorney General
123 Capitol Avenue
Cheyenne, Wyoming 82002

Keith P. Tyler
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P.O. Box 2671
Casper, Wyoming 82602-2671

STATE OF WYOMING COUNTY OF LARAMIE, SS CHEYENNE
I, Gerrie E. Bishop, Clerk of the District Court in and for the
County of Laramie, Wyoming, do hereby certify that the within and
inclosing is a full and correct copy of the original thereof as
the same appears on the file of record in my office and that the
same is in full force and effect as of this date.
Witness my hand and seal of said court this 17th day of January,
2006.
GERRIE E. BISHOP
Clerk of District Court
[Signature]
CLERK

ORDER FOR PRETRIAL CONFERENCE

Rev. 2/97

IT IS HEREBY ORDERED that pretrial conference is set as listed on the Mass Order, pursuant to Rule 16, W.R.C.P. The provisions of any order pursuant to scheduling conference will be enforced. The jury trial is set as listed on the Mass Order.

THREE BUSINESS DAYS PRIOR TO THE DATE OF THE FINAL PRETRIAL CONFERENCE, counsel shall:

(1) Submit to the Court, **WITH A COPY TO JUDGE'S CHAMBERS** and to the opposing counsel, a pretrial conference memorandum, containing a brief statement of the issues, legal theories and positions of the parties, a list of the names and addresses of the witnesses whom the parties intend to call to testify at the trial, with a complete and specific summary statement of the testimony intended to be elicited from each witness, a list of the exhibits which that party proposes to use at trial and reporting on all other matters referred to in the approved form of pretrial order. If depositions have been taken of a witness listed, counsel may refer to the deposition rather than to repeat a summary of that witness's testimony.

(2) Counsel for the plaintiff(s) will list and mark each exhibit intended to be offered at the pretrial conference with numerals and the number of the case, and counsel for the defendant(s) will list and mark each exhibit intended to be offered at the pretrial conference with letters and the number of the case, e.g., Civil No. _____, Plaintiff's Exhibit 1; Civil No. _____, Defendant's Exhibit A. In the event there are multiple parties, the party's name shall precede the word "Exhibit", e.g., Defendant Jones Exhibit A, Defendant Smith Exhibit A, etc. In cases where defendant's exhibits are numerous, the defendant may use a combination of letter and numerals to designate such exhibits. Although exhibits are marked and numbered at the pretrial conference, they shall again be offered at trial.

(3) If counsel wish to have the pretrial conference reported, they will notify the court reporter immediately upon receipt of the order. If no such request is received, it will be understood that the parties agree that the pretrial conference will be conducted without the presence of the court reporter.

If counsel wish to have the trial reported, arrangements for a court reporter's services should be made by the attorney concerned at least three business days prior to the time of trial.

(4) Counsel for each party shall specify which of the listed witnesses will be present at trial. The opposing party is not required to subpoena witnesses who will be produced by an opponent. All medical witnesses shall be given thirty (30) days notice in writing of the date of their expected trial appearance and failure to do so may result in such witnesses being declared incompetent to testify.

DATED this 18 day of January, 2007.


NICHOLAS G. KALOKATHIS
DISTRICT JUDGE

I hereby certify that I distributed a true and correct copy of the foregoing Order for Pretrial Conference and General Order Setting Cases for Pretrial Conferences and Jury Trials this _____ day of _____, 200____, as indicated. [M-mail; B-box in Clerk's Office, H-hand delivery; F-facsimile transmlsion.]

Deputy Clerk/Judicial Assistant

Exhibit A