

**FILED**

OCT 20 2006

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

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

**PROPOSED SCHEDULING ORDER**

The following schedule is proposed for the above entitled case:

|                   |   |
|-------------------|---|
| January 16, 2007  | Deadline for the completion of all written and oral discovery                               |
| January 31, 2007  | Dispositive Motions and briefs filed and delivered  |
| February 14, 2007 | Responses to Dispositive Motions filed and delivered  |
| February 21, 2007 | Pre hearing conference memorandum and final witnesses and exhibit lists filed and delivered |
| February 28, 2007 | Pre hearing conference and arguments on Disposition Motions, (location to be set later)     |
| March 12-14, 2007 | Hearing   |

All parties shall have 10 days from the date hereof to file suggested modifications to the Scheduling Order. Thereafter, the Hearing Examiner shall issue a final Scheduling Order.

DATED this 20th day of October, 2006.

  
**John Morris, Hearing Examiner**  
Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Bldg., Room 1714  
Cheyenne, WY 82002  
Tel: 307-777-7170  
Fax: 307-777-6134

## CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 20<sup>th</sup> day of October, 2006, I served a copy of the foregoing PROPOSED SCHEDULING ORDER by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

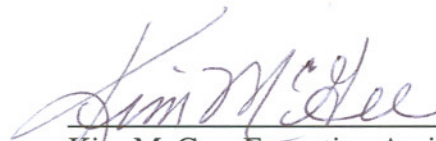
Dennis M. Kirven  
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104 Fort Street  
P.O. Box 640  
Buffalo, WY 82834

Randal T. Cox, Esq.  
400 S. Kendrick, Ste. 101  
Gillette, WY 82716

also to the following persons via interoffice mail:

John Burbridge  
Office of Attorney General  
123 State Capitol  
Cheyenne, WY 82002

John Corra  
Director  
Department of Environmental Quality  
122 West 25<sup>th</sup> Street, 4-West  
Herschler Building  
Cheyenne, WY 82002



Kim McGee, Executive Assistant  
Environmental Quality Council  
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