

FILED

MAR 16 2007

Terri A. Lorenzon, Director
Environmental Quality Council

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

**IN THE MATTER OF THE APPEAL AND REVIEW OF)
THE DECISION REGARDING THE PROPOSED)
WYOMING POLLUTANT DISCHARGE ELIMINATION)
SYSTEM (WYPDES) PERMIT WY0052761)
(YATES - NEMESIS POD), DATED DECEMBER 17,2005)**

Docket No. 06-3802

SCHEDULING ORDER

The following schedule is set in the above entitled case:

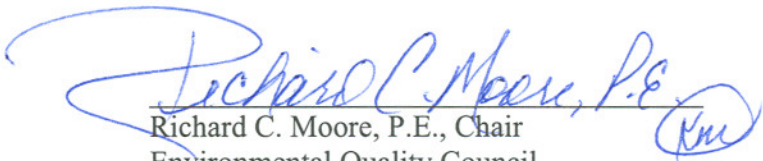
August 31, 2007	Written Discovery Due
September 18, 2007	Dispositive Motions Due
October 5, 2007	Responses to Dispositive Motions
October 16, 2007	Pre-hearing Memorandums Due
October 26, 2007	Pre-hearing Conference and arguments on Dispositive Motions (location and time to be set later)
November 26-28, 2007	Hearing - Location TBA

All parties shall have 10 days from the date hereof to file any objections with regard to the Scheduling Order. Thereafter, the Scheduling Order shall be considered final.

All documents shall be delivered no later than 4:00 p.m. on the above referenced date. For the purposes of this order, delivery shall mean that the recipient has the pertinent documents in hand. Delivery does not mean that the documents were placed in the mail or with a delivery service. Parties may deliver documents via fax or e-mail, if prior arrangements have been made with the recipients and the original is mailed at the same time.

The Council members encourage all parties to clearly define the issues and to work towards settlement prior to the scheduled pre-hearing and hearing.

DATED this 16th day of March, 2007.


 Richard C. Moore, P.E., Chair
 Environmental Quality Council
 122 W. 25th, Herschler Bldg., Rm. 1714
 Cheyenne, WY 82002
 Phone: 307-777-7170
 FAX: 307-777-6134

CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 16th day of March, 2007, I served a copy of the foregoing **SCHEDULING ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:


Eric L. Hiser
Matthew Joy
Jorden, Bischoff & Hiser, P.L.C.
7272 E. Indian School Road, Suite 360
Scottsdale, Arizona 85251

Dennis M. Kirven
Kirven and Kirven, P.C.
P.O. Box 640
Buffalo, WY 82834

also to the following persons via interoffice mail:

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

John Wagner
Administrator
Water Quality Division
122 West 25th Street
Herschler Building
Cheyenne, WY 82002



Kim McGee, Executive Assistant
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