

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

FILED

AUG 10 2007

**IN THE MATTER OF THE APPEAL OF)
POWDER RIVER BASIN RESOURCE)
COUNCIL OF THE RECLASSIFICATION)
AND DOWNGRADE OF THREE)
DRAINAGES TO CRAZY WOMAN CREEK)
(Kennedy South Area Addition) AND THEIR)
TRIBUTARIES)**

Terri A. Lorenzon, Director
Environmental Quality Council

Docket No. 06-3804

NOTICE OF HEARING AND ORDER

NOTICE IS HEREBY GIVEN THAT:

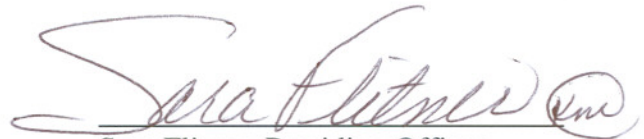
1. The Environmental Quality Council (the Council) will conduct a hearing on September 26-28, 2007 at Casper College, 125 College Drive, Campus Ballroom, Casper, Wyoming commencing at 9:30 A.M. This hearing will be conducted as a contested case hearing under the Wyoming Administrative Procedure Act. Sara Flitner, a member of the Council will serve as presiding officer.
2. This hearing is held pursuant to Sections 35-11-101 through 35-11-1803, W.S. 2004, as amended, regulations promulgated thereunder, and the Department of Environmental Quality Rules of Practice and Procedure.
3. A pre-hearing in this matter will be conducted on September 5, 2007 at Casper College, 125 College Drive, Room 217, Casper, Wyoming, commencing at 1:00 P.M. Failure to appear at the pre-hearing conference may result in dismissal from this case.
4. The purpose of the pre-hearing conference is:
 - a. Identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony;
 - b. Clarification of the legal issues, both substantive and procedural, of all the parties, including identification of the statutory provisions and regulations that form the basis of the appeal;
 - c. Stipulation to uncontested facts;
 - d. Examination and marking of proposed exhibits and entering into stipulations to the foundation and admissibility of the exhibits and testimony; and
 - e. Hear pending motions.

ORDER

IT IS HEREBY ORDERED THAT:

1. All parties shall file and deliver pre-hearing conference memoranda and final witness and exhibit lists on August 10, 2007, as required by the Scheduling Order.
2. All parties shall appear at the pre-hearing on September 5, 2007 at 1:00 P.M. Failure to appear at the pre-hearing will result in dismissal from the case.

DATED this 10th day of August, 2007.

A handwritten signature in cursive script, reading "Sara Flitner" followed by a circled monogram "EF".

Sara Flitner, Presiding Officer
Environmental Quality Council
Herschler Building, Room 1714
122 West 25th Street
Cheyenne, WY 82002
Tel: (307)777-7170
Fax: (307)777-6134

CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 9th day of August, 2007, I served a copy of the foregoing **NOTICE OF HEARING AND ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

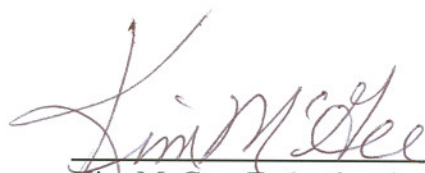
Jill Morrison
Powder River Basin Resource Council
934 North Main
Sheridan, WY 82801

Steve Jones
Watershed Protection Program Attorney
Wyoming Outdoor Council
262 Lincoln St.
Lander, WY 82520

also to the following persons via interoffice mail:

John Burbridge
Assistant Attorney General
123 Capitol Ave.
Cheyenne, WY 82002

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



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