

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

AUG 12 2008

Jim Ruby, Executive Secretary  
Environmental Quality Council

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 )

Docket No. 06-3804

**ORDER**

The Department of Environmental Quality/Water Quality Division (DEQ) filed a Petition for Rehearing on December 19, 2008. At a public meeting held on June 24, 2008 in Sundance, Wyoming, the Environmental Quality Council (Council) heard oral arguments and considered the petition.

The Council having reviewed the record and being fully advised in the premises finds that the questions raised by the DEQ were not new questions of fact or law raised by the Council's November 30, 2007 written decision.

**THEREFORE, IT IS HEREBY ORDERED** that the petition is denied.

DATED this 12<sup>th</sup> day of August, 2008.

  
Dennis Boal, Chairman  
ENVIRONMENTAL QUALITY COUNCIL  
Herschler Building, Rm 1714  
122 W. 25<sup>th</sup> Street  
Cheyenne, WY 82002  
Tel: (307) 777-7170  
Fax: (307) 777-6134

**CERTIFICATE OF SERVICE**

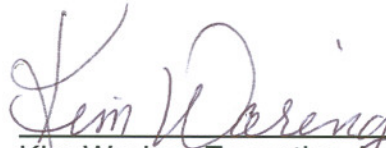
I, Kim Waring, certify that at Cheyenne, Wyoming, on the 12<sup>th</sup> day of August, 2008, I served a copy of the foregoing **ORDER** by electronic mail to the following parties:

Jack Palma  
Holland & Hart, LLP  
[jpalma@hollandhart.com](mailto:jpalma@hollandhart.com)

Steve Jones  
Watershed Protection Program Attorney  
Wyoming Outdoor Council  
[Steve@wyomingoutdoorcouncil.org](mailto:Steve@wyomingoutdoorcouncil.org)

John Burbridge  
Assistant Attorney General  
[jburb1@state.wy.us](mailto:jburb1@state.wy.us)

John Wagner, Administrator  
Water Quality Division  
[Jwagne@state.wy.us](mailto:Jwagne@state.wy.us)



---

Kim Waring, Executive Assistant  
Environmental Quality Council  
122 W. 25<sup>th</sup> Street,  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002  
Tel: (307) 777-7170  
Fax: (307) 777-6134