

**BEFORE THE**  
**WYOMING ENVIRONMENTAL QUALITY COUNCIL**

Wyoming Outdoor Council and )  
Powder River Basin Resource Council, )  
 )  
Petitioners, )  
 )  
vs. )  
 )  
Wyoming Department of Environmental )  
Quality, Water Quality Division, )  
 )  
Respondent. )

**FILED**

SEP 20 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

Docket No. 06-3804

**PETITIONERS' AMENDED LIST OF EXHIBITS**

Comes now the Petitioners in this matter, Wyoming Outdoor Council and Powder River Basin Resource Council, by and through their attorney, Steve Jones, and hereby present their Amended List Of Exhibits:

The Petitioners expect to use the following exhibits during the course of the hearing:

Exhibit 1. DEQ Proposed Reclassification of Three Drainages to Crazy Woman Creek (Kennedy Oil South Area Addition), Johnson County, Wyoming, dated November 15, 2006

Exhibit 2. Use Attainability Analysis, Kennedy Oil South Area addition, Johnson County, Wyoming, dated August 3, 2005.

Exhibit 3. Respondent's Response to Petitioners' First Set of Requests for Admission, filed May 11, 2007.

Exhibit 4. Response of the Department of Environmental Quality to Petitioner's First Set of Interrogatories, filed June 29, 2007.

Exhibit 5. Letter from Nikki Lohse at Lake DeSmet Conservation District to Bill DiRienzo at Wyoming DEQ, dated December 20, 2005.

Exhibit 6. Letter from Bill Wuerthele at United States Environmental Protection Agency to Bill DiRienzo at Wyoming DEQ, dated December 19, 2005.

Exhibit 7. Letter from Brian T. Kelly at United States Department of the Interior to Bill DiRienzo at Wyoming DEQ, dated December 12, 2005.

Exhibit 8. Letter from John S. Burbridge at Office of the Attorney General to Robert E. Roberts at U.S. Environmental Protection Agency, dated April 14, 2006.

Exhibit 9. Letter from Robert E. Roberts at U.S. Environmental Protection Agency to John V. Corra at Wyoming Department of Environmental

Exhibit 10. Letter to Robbie Roberts from DEQ/WQD dated April 17, 2006.

Exhibits 11 to 18:

These exhibits are a number of infra-red aerial photography maps showing the area of the three tributaries. They were taken from publicly available data, and were taken during the late summer of 2001 and 2002, during which the area was under extreme drought conditions. They can be found at the following web site urls:

July 2001: <http://www.drought.unl.edu/dm/archive/2001/drmon0731.htm>

July 2002: <http://www.drought.unl.edu/dm/archive/2002/drmon0730.htm>

Exhibit 19. A drought condition map for July 31, 2001 that includes Wyoming, that can be found at:

[http://www.drought.unl.edu/dm/dmconus\\_archive.htm](http://www.drought.unl.edu/dm/dmconus_archive.htm)

Exhibit 20. A drought condition map for July 30, 2002 that includes Wyoming, that can be found at:

[http://www.drought.unl.edu/dm/dmconus\\_archive.htm](http://www.drought.unl.edu/dm/dmconus_archive.htm)

Exhibits 21 to 47: Photographs taken by Jill Morrison on Sept. 10, 2007, showing portions of the three tributaries observed by her that day, or plants found growing within those drainages.

Additionally, the Petitioners may use as an exhibit any document found in the file of the DEQ/WQD on this matter, any document referenced by the DEQ/WQD in their Responses to Interrogatories or Requests for Admission, any exhibit listed or used by the DEQ/WQD, and may use other evidence or documents developed or discovered after the date of this submission.

Dated this 20th day of September 2007.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing Petitioners' Amended List of Exhibits by placing a copy of the same in the U.S. mail, postage prepaid, on the 20<sup>th</sup> day of Sept. 2007, and by forwarding to them an electronic version of the same, addressed to the following:

John Burbridge  
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Steve Jones