



(2) After discussion with the parties and review of the issues and facts related to the intervention, specifically whether Intervenors timely filed for intervention and whether Intervenors' interests were adequately protected by the Department of Environmental Quality (DEQ), the hearing examiner finds that intervention is appropriate.

(3) In further discussion, the parties agreed that Intervenors would not seek extension of the time deadlines established by the Amended Scheduling Order entered in this case. Additionally, because intervention may create more issues for Petitioner to respond to, Petitioner should have until August 22, 2007 to reply to DEQ's and Intervenor's responses to the Petitioner's motion for Summary judgment. Likewise, Intervenor's and DEQ would share the time allotted to the respondent at the hearing on the motion for summary judgment.

**THEREFORE, IT IS HEREBY ORDERED:**

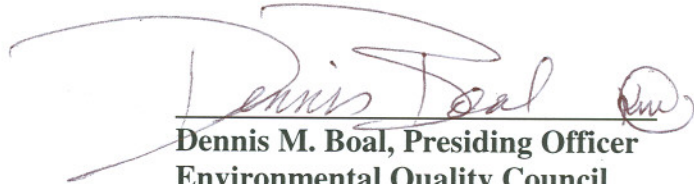
(1) **PETITIONER'S MOTION TO RECONSIDER ORDER FOR LEAVE TO INTERVENE** is denied;

(2) Intervenors shall comply with all time deadlines set by the Amended Scheduling Conference Order issued June 13, 2007.

(3) Petitioner shall have until August 22, 2007, to file and serve its reply to DEQ's and Intervenor's responses to Petitioner's motion for summary judgment.

(4) DEQ and Intervenor will split, as they see fit, the half hour allotted to respondent for argument of Petitioner's Motion for Summary Judgment. If DEQ and Intervenors cannot agree to the split of time, they may request that the hearing examiner apportion the time. Petitioner will still have a full half hour for argument.

SO ORDERED this 14<sup>th</sup> day of August.

A handwritten signature in dark ink, appearing to read "Dennis Boal", with a circled initial "DB" to the right.

**Dennis M. Boal, Presiding Officer  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Room 1714  
Herschler Bldg.  
Cheyenne, WY 82002  
PHONE: 307-777-7170  
FAX: 307-777-6134**

## CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 14<sup>th</sup> day of August, 2007, I served a copy of the foregoing **ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to;

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

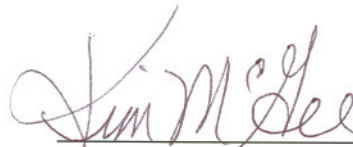
Jorden, Bischoff & Hiser, P.L.C.  
Eric L. Hiser  
Matthew Joy  
7272 East Indian School Road, Ste. 360  
Scottsdale, AZ 85251

also to the following persons via interoffice mail:

Mike Barrish  
Office of Attorney General  
123 State Capitol  
Cheyenne, WY 82002

John Wagner, Administrator  
WDEQ  
122 W. 25<sup>th</sup>, 4-W  
Herschler Bldg.  
Cheyenne, WY 82002

John Corra  
Director, DEQ  
122 W. 25<sup>th</sup>, 4-W  
Herschler Bldg.  
Cheyenne, WY 82002



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Kim McGee, Executive Assistant  
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