

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

IN THE MATTER OF THE APPEAL )  
OF PENNACO ENERGY, INC. FROM )  
CONDITIONS IN RENEWAL OF )  
WYPDES PERMIT NOS. WY0039721, )  
WY0039616, WY0048461, WY0052361, )  
WY0048283, WY0039632, WY0048631 )

Consolidated Docket No. 07-3620

**FILED**

JAN 31 2008

**AMENDED ORDER GRANTING STAY** Terri A. Lorenzon, Director  
Environmental Quality Council

THIS Order arises out of the **JOINT MOTION TO STAY PROCEEDINGS PENDING SETTLEMENT DISCUSSIONS** filed by the Department of Environmental Quality and Pennaco Energy Inc.

After hearing argument on the motion on January 29, 2008, the Presiding Officer finds that staying the proceeding will facilitate settlement discussions between the parties and could lead to a settlement that will avoid unnecessary litigation costs for the parties and the Environmental Quality Council.

**IT IS THEREFORE HEREBY ORDERED** that the proceedings in Docket No. 07-3620 are stayed and all dates set forth in the Council's December 6, 2006, Scheduling Conference Order are vacated. The parties shall file a status report regarding the progress of the settlement discussions on or before March 3, 2008. If a joint status report cannot be filed, the parties shall file individual status reports. Additionally, if settlement has not been reached or is not close to being reached by March 3, 2008, the parties shall include with their status report a proposed schedule for this matter. If a joint proposed schedule cannot be filed, the parties shall file individual proposed schedules.

SO ORDERED this 31<sup>ST</sup> day of January, 2008.

  
Dennis M. Boal, Presiding Officer  
Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Herschler Building, Rm. 1714  
Cheyenne, WY 82002  
Tel: 307-777-7170  
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## CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 31<sup>st</sup> day of January, 2008, I served a copy of the foregoing AMENDED ORDER GRANTING STAY by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to;

Brent R. Kunz  
Hathaway & Kunz, P.C.  
2515 Warren Avenue, Ste. 900  
Cheyenne, WY 82003

Kate M. Fox  
Mark Stewart  
Davis and Cannon  
422 West 26<sup>th</sup> Street  
Cheyenne, WY 82003

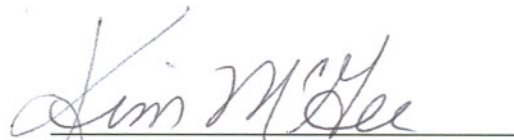
John C. Martin  
Duane A. Siler  
Patton Boggs, LLP  
2550 M. Street NW  
Washington, D.C. 20037

also to the following persons via interoffice mail:

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

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