

FILED

JAN 29 2008

Terri A. Lorenzon, Director
Environmental Quality Council

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

ORDER CONSOLIDATING APPEALS

THIS Order arises out of an unopposed motion to consolidate the Notice of Appeal and Petition for Hearing filed by Pennaco Energy, Inc. on January 10, 2008, with the pending WYPDES appeals previously consolidated under Docket No. 07-3620.

The hearing examiner finds that the Petition regarding WYPDES Permit No. WY0048631 involves common questions of law and fact with the Petitions filed by Pennaco in consolidated Docket No. 07-3620.

The hearing examiner also finds that consolidating the petition regarding WYPDES Permit No. WY0048631 will avoid unnecessary costs and delays by eliminating separate filings and separate hearings.

IT IS HEREBY ORDERED that the petition regarding WYPDES Permit No. WY0048631 filed by Pennaco Energy Inc. on January 10, 2008 shall be consolidated into Docket No. 07-3620.

DATED this 29 day of January, 2008,


Dennis M. Boal, Hearing Examiner
Environmental Quality Council
122 W. 25th Street
Herschler Bldg., Rm. 1714
Cheyenne, WY 82002
Tel: 307-777-7170
Fax: 307-777-6134

CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 29th day of January, 2008, I served a copy of the foregoing **ORDER CONSOLIDATING APPEALS** 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 26th Street
Cheyenne, WY 82003

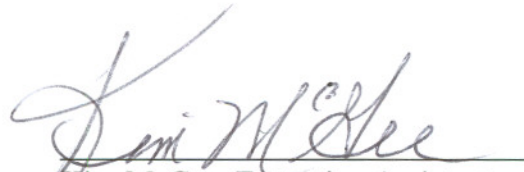
John C. Martin
Duane A. Siler
Patton Boggs, LLP
2550 M. Street NW
Washington, D.C. 20037

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. 25th, 4-W
Herschler Bldg.
Cheyenne, WY 82002

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



Kim McGee, Executive Assistant
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134