

FILED

APR 13 2009

**Jim Ruby, Executive Secretary
Environmental Quality Council**

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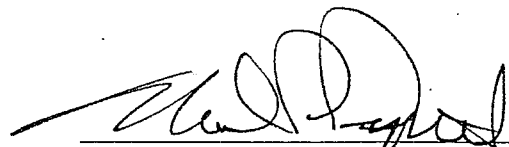
**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

In the Matter of the Appeal of)
Clabaugh Ranch, Inc. from WYPDES) Docket No. 09-3803
Permit No. WY0039616)
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**PENNACO'S WAIVER OF COURT REPORTER FOR PRE-HEARING
CONFERENCE**

Pennaco Energy, Inc. (Pennaco), by and through undersigned counsel, submits its waiver of a court reporter for the pre-hearing conference scheduled on Monday, April 20, 2009 at 1:00 p.m., and requests that the EQC not invoice Pennaco for any costs of the transcript.

Respectfully submitted April 13, 2009.



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CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2009, I served the foregoing Pennaco's Waiver of Court Reporter for Pre-Hearing Conference to the following by:

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