

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

FEB 18 2009

Jim Ruby, Executive Secretary
Environmental Quality Council

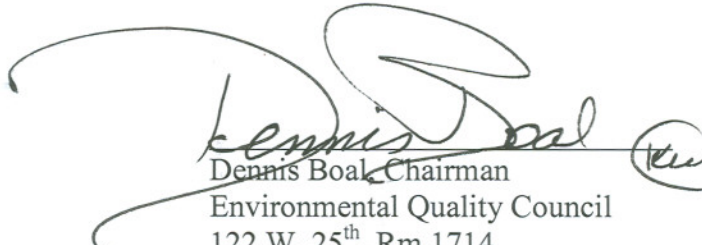
IN THE MATTER OF THE APPEAL)
OF CLABAUGH RANCH, INC.) DOCKET NO. 09-3804
FROM WYPDES PERMIT NO. WY0039519)

RESPONSE ORDER

The Environmental Quality Council has received a request for a hearing in the above captioned matter on February 17, 2009 from Clabaugh Ranch, Inc.

IT IS HEREBY ORDERED: That the Department of Environmental Quality and Pennaco Energy, Inc. shall file a response to the appeal with the EQC and the parties on or before March 19, 2009.

DATED this 18th day of February, 2009.


Dennis Boal, Chairman
Environmental Quality Council
122 W. 25th, Rm.1714
Herschler Bldg.,
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 18th day of February, 2009, I served a copy of the foregoing **RESPONSE ORDER** by electronic mail to the following:

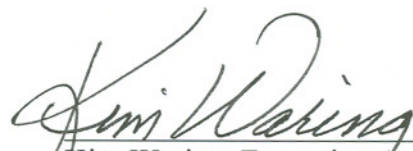
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also by depositing the same in the United States mail and addressed to:

Pennaco Energy, Inc.
3601 Southern Drive
Gillette, WY 82718



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