FILED

APR 13 2009

Jim Ruby, Executive Secretary Environmental Quality Council

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

IN THE MATTER OF THE APPEAL OF)		
JOHN D. KOLTISKA, AC RANCH, INC.)		
A Wyoming Corporation, PRAIRIE DOG)		
RANCH, INC., a Wyoming Statutory Close)	Docket No.	09-3805
Corporation, and PRAIRIE DOG WATER)		
SUPPLY COMPANY, FROM WYPDES)		
PERMIT NO. WY0054364)		

JOINT WAIVER OF REPORTING OF PRE-HEARING CONFERENCE

Pursuant to the Wyoming Environmental Quality Council's (EQC) Order of April 7, 2009, the above-named Petitioners (Petitioners) and Respondents Wyoming Department of Environmental Quality (DEQ) and Pennaco Energy, Inc. (Pennaco) hereby jointly waive reporting of the pre-hearing telephone conference set for April 20, 2009, or an alternate date, in the above-captioned case. DATED this $1 \ 3 \$ day of April, 2009.

FOR PETITIONERS:

Kate M. Fox (Bar No. 5-2646)
J. Mark Stewart (Bar No. 6-4121)
DAVIS & CANNON, LLP
422 W. 26th Street
P.O. Box 43
Cheyenne, Wyoming 82003

FOR RESPONDENT PENNACO:

Mark R. Ruppert (Bar No. 6-3593) HOLLAND & HART LLP 2515 Warren Ave., Suite 450 P.O. Box 1347 Cheyenne, Wyoming 82003 307-778-4200

FOR RESPONDENT DEO:

307-634-3210

Mike Barrash (Bar No. 5-2310)
Wyoming Attorney General's Office
123 State Capitol Building
Cheyenne, Wyoming 82002
307-777-6946

04.12A.09 Joint Waiver of Reporting of Pre-hearing Conference, Page 1