

FILED

JUN 15 2017

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES**

STATE OF UTAH

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF HUNTINGTON CLEVELAND IRRIGATION COMPANY TO APPEAL THE DECISION OF THE DIVISION OF OIL, GAS, AND MINING APPROVING THE APPLICATION OF CANYON FUEL COMPANY FOR A PERMIT TO UNDERTAKE COAL MINING OPERATIONS IN THE FLAT CANYON LEASE ADDITION FOR THE SKYLINE MINE, LOCATED IN SECTIONS 21, 28, AND 33 IN TOWNSHIP 13 SOUTH, RANGE 6 EAST, AND SECTIONS 4 AND 5 IN TOWNSHIP 14 SOUTH, RANGE 6 EAST, SANPETE COUNTY, UTAH.

AMENDED SCHEDULING ORDER

Docket No. 2017-011

Cause No. C/007/0005 E

Upon the Joint Motion of Huntington-Cleveland Irrigation Company (HCIC), Petitioner; Canyon Fuel Company, LLC, (CFC), PacifiCorp, and Carbon Water Conservancy District (CWCD); each Intervenor; and the Utah Division of Oil, Gas and Mining (Division), Respondent, (hereinafter Parties) for the Board to adopt the proposed Amended Scheduling Order governing the filing of initial pleadings including Responses to the RAA, Reply, and Motions; and in order to accommodate an orderly filing of pleadings, allow for development of the case and consider options for resolution.

Now therefore, for good cause appearing and there being no objection, the Board approves and orders that the Parties abide the following Amended Scheduling Order:

1. Intervenor and the Respondent shall file their Responses to the RAA no later than July 26, 2017;

2. Petitioner may file a Reply to the Responses on or before August 16, 2017;

3. Preliminary Procedural Motions including any Requests to allow discovery, Requests for disclosure of witnesses and experts, Motions for a Pre-hearing Conference and similar motions preliminary to scheduling an evidentiary hearing of the matter must be filed by September 15, 2017.

4. Following the elapse of the forgoing time periods, any party may file any dispositive motions and/or ask the Board to schedule the evidentiary hearing in this matter.

This matter is subject to the continuing supervision of the Board, and it may modify this Amended Scheduling Order for its own cause or upon motion subject to notice to the parties.

Dated this 15th day June, 2017.

Utah Board of Oil, Gas and Mining



Ruland J Gill, Jr. Chair

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of June, 2017, I caused a true and correct copy of the foregoing AMENDED SCHEDULING ORDER for Docket No. 2017-011, Cause No. C/007/0005 E, to be mailed with postage prepaid, via E-mail, Certified Mail, or First Class Mail, to the following:

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