

**BEFORE THE OFFICE OF THE STATE ENGINEER
STATE OF COLORADO**

IN THE MATTER OF RULES AND REGULATIONS FOR)
THE DETERMINATION OF THE NONTRIBUTARY NATURE) **2 CCR 402-17**
OF GROUND WATER PRODUCED THROUGH WELLS)
IN CONJUNCTION WITH THE MINING OF MINERALS)

EIGHTH PREHEARING ORDER

On January 20, 2010, during the rulemaking on Produced Nontributary Ground Water, the State Engineer, Dick Wolfe, made the following determinations and set the following deadlines regarding the conduct of the hearing for the D-J Basin proposed alternate rule.


On January 19, 2010, the Proponents of the D-J Basin proposed alternate rule filed a Notice of Showing of Confidentiality of Data to protect certain data relating to the proposed alternate rule. Responses to the Notice of Showing of Confidentiality of Data are due January 22, 2010.

The hearing on the D-J Basin proposed alternate rule is continued to January 28 and 29, 2010, at 8:30 a.m. At that time the State Engineer will hear responsive testimony on the proposed alternate rule for the D-J Basin Formations including testimony and cross-examination on the confidential data, as well as rebuttal testimony except there will be no rebuttal testimony on the confidential data.

Please note that the hearing location on January 28 and 29 is at: **The Department of Natural Resources, Centennial Building, 1313 Sherman Street, Room 318, Denver, Colorado, 80203.**

Written closing statements regarding the D-J Basin proposed alternate rule are due February 3, 2010.

Dated this 22nd day of January, 2010.



Dick Wolfe, State Engineer