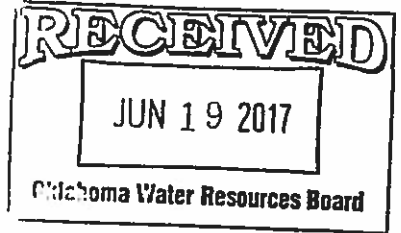


**BEFORE THE OKLAHOMA WATER RESOURCES BOARD
STATE OF OKLAHOMA**



In the Matter of the Application of)	
the City of Oklahoma City for a)	Permit Application No. 2007-0017
Regular Permit to Divert Stream Water)	
In Pushmataha County, Oklahoma)	Hearing Examiner
)	Lyn Martin-Diehl
On Behalf of Kiamichi River Legacy)	
Alliance, an association of Protestants)	

**MOTION FOR PRE-HEARING CONTINUANCE AND
TO SET FORMAL EVIDENTIARY HEARING**

COMES NOW Kiamichi River Legacy Alliance ("KRLA"), an association of Protestants named in the above-reference matter, to move respectfully that this Hearing Examiner grant a pre-hearing continuance under OAC 785:4-505 and set a formal evidentiary hearing for the following reasons.

The Hearing Examiner issued an Order Setting Pre-Hearing Conference (April 27, 2017) for 9:30 a.m. June 28, 2017. Under that Order, August 21, 2017, has been given as a tentative date for a formal evidentiary hearing. There are dozens of individual and governmental Protestants listed in the Order. See Exhibit 1. These include business leaders, environmentalists, elected officials, ranchers, and numerous other leaders from southern and southeastern Oklahoma. Out of that group, KRLA formed during late May and early June of 2017, and then has retained counsel.

The Hearing Examiner may grant a pre-hearing continuance at her discretion after a written request "not more than five (5) days prior to the hearing," under OWRB rules. OAC 785:4-505 KRLA has filed a contemporaneous Entry of Appearance and Notice of Interested Party, as it has formed the association as a way

of aggregating and streamlining the efforts of Protestants to stop the Proposed Permit. This Motion for Continuance comes more than five days before the scheduled Pre-Hearing Conference.

As the Rules state:

Pre-Hearing conferences may be held to facilitate and expedite notice and simplification of issues presented; admissions and stipulations; the identification of documents and witnesses proposed to be offered; discovery and production of relevant documents and other information; and any other matters as may aid in the conducting of the hearing.

OAC 785: 4-5-2.

KRLA intends on providing significant evidence that should be presented at the Pre-Hearing Conference, but its counsel needs at least 90 days to gather, analyze, and organize all evidence so that all parties can have adequate discovery production.

WHEREFORE, KRLA respectfully moves for this Hearing Examiner, under her discretion and for the good causes that has been shown, to continue the Pre-Hearing Conference for at least 90 days and, therefore, set the Formal Evidentiary Hearing later in the Fall of 2017 or early in 2018.

DATED THIS 17th day of June, 2017.

Respectfully submitted

Kevin R. Kemper

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CERTIFICATE OF MAILING

I hereby certify that on the 17th day of June, 2017, a true and correct copy of the foregoing document either was mailed to the following persons electronically (if an email address was provided by the individual or entity) or by depositing it in the First Class U.S. Mail to all the other addresses listed in the Exhibit 1 of the Certificate of Mailing for the Order Setting Pre-Hearing Conference (April 27, 2017).

DATED this 17th day of June, 2017

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Alliance, an association of Protestants)	

**ORDER FOR PRE-HEARING CONTINUANCE AND
TO SET FORMAL EVIDENTIARY HEARING**

In the discretion of this Hearing Examiner and for good cause, the Pre-Hearing Conference for Permit Application No. 2007-0017 is hereby continued until the _____ day of _____, 2017, and the formal evidentiary hearing is hereby set for the week of _____, _____.

IR IS SO ORDERED this _____ day of June, 2017.

Lyn Martin-Diehl

Hearing Examiner

CERTIFICATE OF MAILING

I hereby certify that on this _____ day of June, 2017, a true and correct copy of the foregoing document either was mailed to the following persons electronically (if an email address was provided by the individual or entity) or by depositing it in the First Class U.S. Mail to all the other addresses listed below.

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