

**State of Vermont**  
**WATER RESOURCES BOARD**

**RE: Al J. Frank**  
**Docket No. CUD-2000-02 (DEC #1999-524)**  
RE: Gregory C. Lothrop  
Docket No. CUD-2000-03 (DEC #1999-524) (CONSOLIDATED)

STAY ORDER

A Prehearing Conference Report and Order ("Prehearing Order") was issued in the above-captioned consolidated appeals on May 31, 2000. The Prehearing Order established certain deadlines for the briefing of preliminary issues in anticipation of deliberations before the Water Resources Board ("Board") on June 28, 2000.

On June 12, 2000, Carl H. Lisman, Esq., counsel for John Larkin and Larkin Realty ("Applicant") filed a letter requesting a stay of the deadlines and proceedings in order to facilitate negotiations with the Butler Farms parties. He represented that David L. Grayck, Esq., counsel for Appellant Gregory Lothrop, joined in the request. The Applicant's request did not propose a specific expiration date for the stay.

Vice-Chair David J. Blythe, Esq., who is serving as Acting Chair of this consolidated proceeding, has reviewed the Applicants' request and determined that a stay of limited duration in this matter is likely to further settlement of this matter. Therefore, the issuance of a stay order, on appropriate terms, will foster the expeditious resolution of the pending dispute, consistent with the Board's power to allow informal disposition of contested case matters. 3 V.S.A. § 809(d).

Accordingly, the Applicant's request is granted and it is hereby ordered that:

1. The deadlines set forth Section XV., Items 8 through 11 of the Prehearing Order at 16 and Board deliberations on preliminary issues are hereby stayed.
  2. A telephone status conference shall be convened by the Acting Chair on Wednesday, July 12, 2000, at 10:00 a.m., at which time the parties shall report to the Chair on the progress of negotiations, including whether a settlement has been reached with respect to all or some of the issues before the Board. Any party wishing to participate in this Board-initiated teleconference shall call the Board's Secretary, Karen Dupont, at 828-2870, on or before **4:30 p.m., Monday, July 10, 2000**, identifying the phone number at which he or she can be reached on July 13, 2000.
  3. In all other respects, the requirements of the Prehearing Order remain in full force and effect.
-

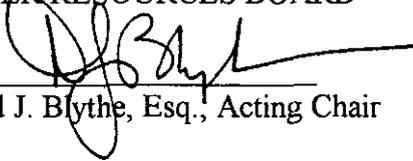
Re: Al J. Frank and Re: Gregory C. Lothrop, Docket Nos. CUD-2000-02 and -03 (Cons.)  
Stay Order, Page 2

---

4. Any party objecting to the terms of this order shall file a written objection, supported by legal memorandum, on or before **4:30 p.m., Wednesday, June 21, 2000**.

Dated at Montpelier, Vermont this 13th day of June, 2000.

WATER RESOURCES BOARD

  
\_\_\_\_\_  
David J. Blythe, Esq., Acting Chair

f:\users\tinab\aljfrank\orders\stay1