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BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

In the Matter of the Bond Forfeiture of)	
High Plains Gas, LLC, Bond No.)	Docket No. 14-3501A
LPM9050903)	
)	

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

On April 25, 2014, High Plains Gas, LLC (High Plains) requested a hearing before the Environmental Quality Council (Council) to challenge the Department of Environmental Quality's (Department) forfeiture of High Plains's bond for certain CBM discharge reservoir permits. Fidelity & Deposit Company of Maryland (F&D), as surety on the bond, joined in the High Plains request on April 28, 2014. An evidentiary hearing in the matter has been set for April 8-9, 2015.

Under Chapter 1, Section 11 of the Council's Rules of Practice and Procedure, the parties to a hearing before the Council may informally resolve the matter by settlement. Additionally, Wyo. Stat. Ann. § 35-11-901(a)(ii) gives the Department the authority to negotiate stipulated settlements in lieu of litigation. In accordance with the above cited provisions, the Department, High Plains, and F&D have reached settlement of this matter.

Chapter 2, Section 14 of the Council's Rules of Practice and Procedure incorporates the Wyoming Rules of Civil Procedure, which allow for stipulated dismissal of any matter when all parties in the case agree to the dismissal. Wyo. R. Civ. Pro. 41.

WHEREFORE, the Department, High Plains, and F&D stipulate that the above titled matter shall be dismissed without prejudice. The parties request the Council dismiss this matter without prejudice and grant any further relief the Council deems appropriate.

Dated this 24 day of March, 2015.

FOR HIGH PLAINS GAS, LLC

Sustan #7-5372

Mary A. Throne

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FOR FIDELITY AND DEPOSIT COMPANY OF MARYLAND

David W. Slaughter Snow, Christensen & Martineau 10 Exchange Place, 11th Floor Salt Lake City, UT 84111 (801) 521-9000

FOR THE DEPARTMENT OF ENVIRONMENTAL QUALITY

Jeremy A. Gross Wyoming Attorney General's Office 123 State Capitol Cheyenne, Wyoming 82002 (307) 777-6946 WHEREFORE, the Department, High Plains, and F&D stipulate that the above titled matter shall be dismissed without prejudice. The parties request the Council dismiss this matter without prejudice and grant any further relief the Council deems appropriate.

Dated this <u>24</u> day of March, 2015.

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