

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

JUL 6 1 2008

Terri A. Lorenzon, Director  
Environmental Quality Council

IN THE MATTER OF THE APPEAL )  
OF PENNACO ENERGY, INC. FROM )  
CONDITIONS IN RENEWAL OF )  
WYPDES PERMIT NOS. WY0039721, )  
WY0039616, WY0048461, WY0052361, )  
WY0048283, WY0039632, WY0048631 )

Docket No. 07-3620

**ORDER APPROVING SETTLEMENT AGREEMENT AND WITHDRAWAL OF  
APPEAL OF WYPDES PERMITS WY0039721, WY0052361, WY0048283,  
WY0039632, AND WY0048631**

This matter was brought before the Environmental Quality Council (EQC) upon Pennaco Energy, Inc's (Pennaco) Petitions for Review, appealing WYPDES permits WY0039721, WY0039616, WY0048461, WY0052361, WY0048283, WY0039632, and WY0048631 as issued by Respondent, Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) to Pennaco. The DEQ, Pennaco and PRBRC, collectively the Parties, have filed a Joint Motion for Approval of Settlement Agreement in this matter. WYO. STAT. ANN. § 35-11-901(a)(ii), 16-3-107(n) and Chapter 1, Section 11 of the DEQ Rules of Practice & Procedure provide for disposition of contested cases by stipulation of the Parties upon approval of the Council.

The EQC having considered the Parties Joint Motion for Approval of Settlement Agreement, and being advised in the premises, hereby enters the following Order:

IT IS ORDERED that:

The Parties' Joint Motion for Approval of Settlement Agreement with regard to WYPDES permits WY0039721, WY0052361, WY0048283, WY0039632, and

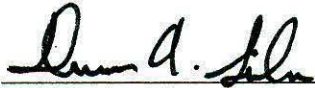
WY0048631 in this matter (Docket No. 07-3620) is hereby granted and Exhibit A is hereby approved and incorporated herein and shall be binding upon them.

DATED this 14 day of June, 2008.

  
Chairman  
Environmental Quality Council

APPROVED AS TO FORM:

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## CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 1<sup>st</sup> day of July, 2008, I served a copy of the foregoing **ORDER APPROVING SETTLEMENT AGREEMENT AND WITHDRAWAL OF APPEAL OF WYPDES PERMITS WY0039721, WY0052361, WY0048283, WY0039632, AND WY0048631** by electronic mail to the following:

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