

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
OF THE STATE OF WYOMING

**FILED**

DEC 26 2007

IN THE MATTER OF THE APPEAL )  
OF CLABAUGH RANCH, INC )  
FROM WYPDES PERMIT NO. WY0049697 ) Docket No. 06-3811

**Terri A. Lorenzon, Director**  
**Environmental Quality Council**

**Stipulated Order of Dismissal Without Prejudice**

The parties have stipulated as follows:

1. This appeal to the Environmental Quality Council involves the issuance of WYPDES Permit No. WY0049697 to Lance Oil & Gas Company, Inc. and a modification of that permit issued by the Wyoming Department of Environmental Quality.

2. Clabaugh Ranch, Inc. filed petitions for review with the Environmental Quality Council appealing the issuance and modification of the permit.

3. The permit at issue expires January 31, 2008.

4. The parties have conferred and agree that the permit expires on January 31, 2008, and that it will not be possible for the Environmental Quality Council to conduct a hearing on Clabaugh Ranch, Inc.'s petition for review before the permit expires.

5. Lance Oil & Gas Company, Inc. has filed an application to renew and modify the permit, and that application has not been acted upon by the Department of Environmental Quality.

6. The Department of Environmental Quality has agreed to provide the counsel for Clabaugh Ranch, Inc. a copy of the Department of Environmental Quality's draft permit for the renewal of the permit and, if the renewal permit is issued, to provide counsel for Clabaugh Ranch, Inc. a copy of the issued permit promptly after its issuance.

7. Because the Environmental Quality Council will not be able to act on the permit and modification before its expiration on January 31, 2008, the parties believe that proceeding forward with the matter will not provide the parties with an appropriate or meaningful resolution of the issue.


8. For these reasons the parties agree that this appeal may be dismissed without prejudice. If Clabaugh Ranch, Inc. later determines that it is necessary to appeal the renewal of this permit, the dismissal of this appeal shall not affect Clabaugh Ranch, Inc.'s appeal of the issuance of the renewal permit.

It is, therefore, hereby ordered that the above captioned case is dismissed without


prejudice with each party to bear their own costs.

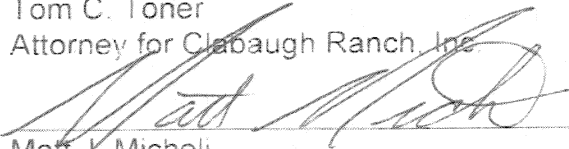
Dated this 20 day of December, 2007.

Environmental Quality Council

By:   
Title: \_\_\_\_\_

Approved as to form:

  
Tom C. Toner  
Attorney for Clabaugh Ranch, Inc.

  
Matt J. Micheli  
Attorney for Lance Oil & Gas Company, Inc.

  
John S. Burbridge  
Attorney for Department of Environmental Quality

## CERTIFICATE OF SERVICE

I, Joe Girardin, certify that at Cheyenne, Wyoming, on the 26<sup>th</sup> day of December, 2007, I served a copy of the foregoing **STIPULATED ORDER OF DISMISSAL WITHOUT PREJUDICE** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to;

Lance Oil and Gas Company, Inc.  
1099 18<sup>th</sup> Street, Suite 1200  
Denver, CO 80202-1955

Tom C. Toner  
Attorneys for Protestant  
319 W. Dow St.  
P.O. Box 6288  
Sheridan, WY 82801-1688

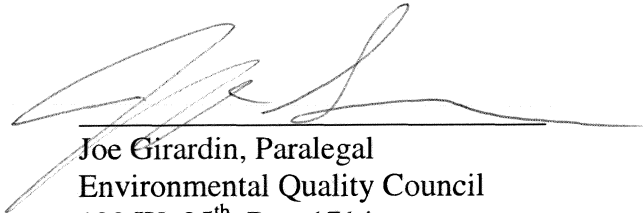
Mark Ruppert  
Matt Micheli  
Holland & Hart  
2515 Warren Ave., Ste. 450  
Cheyenne, WY 82001

also to the following persons via interoffice mail:

John Burbridge  
Office of Attorney General  
123 State Capitol  
Cheyenne, WY 82002

John Wagner, Administrator  
WDEQ  
122 W. 25<sup>th</sup>, 4-W  
Herschler Bldg.  
Cheyenne, WY 82002

John Corra  
Director, DEQ  
122 W. 25<sup>th</sup>, 4-W  
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Cheyenne, WY 82002



Joe Girardin, Paralegal  
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