

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL - STATE OF WYOMING

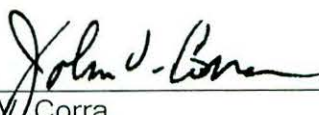
WHEREFORE IT IS HEREBY ORDERED THAT:

1. Wolverine Operating, LLC (Wolverine) shall apply the CBM produced water at agronomic rates and not allow the water to pool and flow into the drainage of Double Crossing Creek.
2. Wolverine shall ensure that a significant buffer zone is present between any defined channel in the Double Crossing Creek watershed and the land where the sprinklers are located to prevent CBM produced water from entering the channel via wind, overland flow, or subsurface flow.
3. Wolverine shall discontinue the use of the sprinklers at any location should the surrounding soil become saturated with water. The sprinklers shall then be relocated and not returned to the previous location until soils have dried sufficiently to utilize additional water.
4. Wolverine shall provide the Division with a written report on or before June 6, 2005 summarizing the actions to be taken to prevent the un-permitted discharge of CBM produced water from reoccurring in the future.
5. W.S. §35-11-301(a)(iii) requires all wastewater treatment and disposal facilities to have a "permit to construct" under Chapter 3 of the Wyoming Water Quality Rules and Regulations. Wolverine shall submit a Chapter 3 permit application for all wastewater treatment or disposal facilities (land application) no later than June 1, 2005. This application shall be submitted to Dennis Lamb in the WQD's Casper office.

This ORDER is final unless, no later than ten (10) days after the date this notice is received, it is appealed by filing a written request for a hearing before the Environmental Quality Council. To appeal this Order and request a hearing, you must file two (2) copies of your written petition. The first petition shall be mailed to the Chairman of the Environmental Quality Council at Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition should be sent to John V. Corra, Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

NOTHING IN THIS NOTICE OF VIOLATION (NOV) AND ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV AND ORDER be interpreted as being a condition precedent to any other enforcement action.

Ordered this 1/7~~4~~ day of May, 2005.



 John V. Corra
 Director
 Department of Environmental Quality



 John F. Wagner
 Administrator
 Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/BRB/MB/bb/5-0573.ltr

cc: Colleen Gillespie, 8ENF-W-NP, EPA Region 8
 James B. Eisenhauer, WQD, Sheridan
 Dennis Lamb, WQD Casper
 Environmental Quality Council
 Director, DEQ
 NOV Docket 3748-05
 Todd T. Parfitt ► Brian K. Lovett ► Leah J. Krafft ► Brian R. Bohlmann