

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

NOV 09 2007

IN THE MATTER OF THE APPEAL OF )  
THE NOTICE OF VIOLATION AND )  
ORDER ISSUED TO: )  
Devon Energy Production Company, L.P. )  
20 North Broadway )  
Oklahoma City, Oklahoma 3102-8260 )

Terri A. Lorenzon, Director  
Environmental Quality Council  
Docket No. 06-3812

**ORDER DISMISSING APPEAL**

This matter came before the Wyoming Environmental Quality Council (Council) on Devon Energy Production Company, L.P.'s (Devon) Notice of Appeal and Petition for Hearing filed August 28, 2006, contesting Notice of Violation (NOV) and Order No. 3878-06 issued by Respondent Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) on August 11, 2006. The DEQ subsequently issued a Notice of Compliance, dated January 23, 2007 and filed with the Council January 25, 2007, confirming Devon's compliance with and satisfaction of all terms and conditions of the contested Order in DEQ Docket No. 3878-06.

On September 13, 2007, the DEQ filed a motion to dismiss Devon's appeal on the grounds that the appeal is moot and should be dismissed because there are no longer any unsatisfied requirements under the contested Order, making adjudication of the issues unnecessary. The Council having considered the motion, with recusal of Kirby Hedrick and Dave Searle, and being fully advised in the premises,

**IT IS ORDERED** that:

Devon's Notice of Appeal and Petition for Hearing in this matter is dismissed.

**DATED** this 31 day of October, 2007.



Sara Flitner, Presiding Officer  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Rm. 1714  
Herschler Bldg.  
Cheyenne, WY 82002  
Phone: 307-777-7170  
FAX: 307-777-6134

CERTIFICATE OF SERVICE

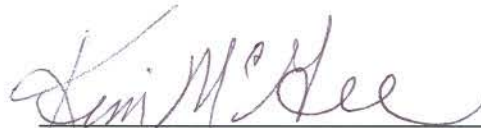
I, Kim McGee, certify that at Cheyenne, Wyoming, on the 9<sup>th</sup> day of November, 2007, I served a copy of the foregoing ORDER by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Margo Harlan Sabec  
Nicol Thompson Kramer  
Williams, Porter, Day & Neville, P.C.  
159 North Wolcott, Suite 400  
P.O. Box 10700  
Casper, WY 82602-3902

also to the following persons via interoffice mail:

Mike Barrish  
Office of Attorney General  
123 State Capitol  
Cheyenne, WY 82002

John Wagner  
Administrator  
Water Quality Division  
122 West 25<sup>th</sup> Street  
Herschler Building  
Cheyenne, WY 82002



Kim McGee, Executive Assistant  
Environmental Quality Council  
122 W. 25<sup>th</sup> Street,  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002  
Tel: (307) 777-7170  
Fax: (307) 777-6134