

James Kaste (Wyo. Bar No. 6-3244)
Deputy Attorney General
Callie Papoulas (Wyo. Bar No. 7-6302)
Assistant Attorney General
Wyoming Attorney General's Office
2320 Capitol Avenue
Cheyenne, WY 82002
(307) 777-7895
(307) 777-3542 *facismile*
james.kaste@wyo.gov
callie.papoulas1@wyo.gov

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

In the Matter of:)
Citation Oil & Gas Corp.) **Docket No. 20-2601**
Air Quality Permit No. P0027427)
Through Permit No. P00274233)

**DEPARTMENT OF ENVIRONMENTAL QUALITY'S
RESPONSE AND CROSS MOTION FOR SUMMARY JUDGMENT**

Respondent, Wyoming Department of Environmental Quality (Department), hereby moves the Wyoming Environmental Quality Council (Council) to grant summary judgment in favor of the Department under Chapter 2, Section 17 of the Council's Rules of Practice and Procedure and Rule 56 of the Wyoming Rules of Civil Procedure. This motion is based on the pleadings, the affidavits, exhibits, and other materials attached to the parties' respective motions for summary judgment, and all other items of record at this time. These materials establish that there is no genuine issue as to any material fact and that the Department is entitled to judgment as a matter of law.

In support of this motion, the Department has concurrently filed a *Memorandum in Support of Response and Cross-Motion for Summary Judgment*, which is specifically incorporated herein by reference.

WHEREFORE the Department requests that the Council grant its motion for summary judgment, deny Citation Oil and Gas Corp.'s motion for summary judgment, affirm the permit conditions, dismiss Citation's petitions with prejudice, and grant such other relief as the Council deems proper.

Dated this 21st day of December, 2020.



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*Attorney for the Wyoming
Department of Environmental Quality*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Response and Cross Motion for Summary Judgment* was served upon the persons listed below, on this 21st day of December, 2020, addressed as follows:

Wyoming EQC (Original) – **By Inter-Agency Mail**
Attn: Joe Girardin
2300 Capitol Ave.
Hathaway Bldg. 1st, Room 136
Cheyenne, Wyoming 82002

Matt J. Micheli, P.C., WY Bar No. 6-3839 – **By E-mail**
Macrina M. Jerabek, WY Bar No. 7-5757 – **By E-mail**
HOLLAND & HART LLP
2515 Warren Avenue, Suite 450
P.O. Box 1347
Cheyenne, WY 82003-1347
Telephone: (307) 778-4200
Facsimile: (307) 778-8175
mjmiceli@hollandhart.com
mmjerabek@hollandhart.com
ATTORNEYS FOR PETITIONER CITATION OIL & GAS CORP.



Wyoming Attorney General's Office