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

In the Matter of Notice of Violation)	
and Order Issued to)	Docket 20-2201
Black Diamond Energy of Delaware, Inc.)	
5975-19, COR)	

STIPULATED MOTION TO DISMISS WITH PREJUDICE

Petitioner, Black Diamond Energy of Delaware, Inc. (Black Diamond), and Respondent, Wyoming Department of Environmental Quality (Department) (collectively, the "parties"), through their authorized representatives, hereby move the Environmental Quality Council (Council) for an Order dismissing this matter with prejudice. In support of this motion the parties state as follows:

1. The Department issued a Notice of Violation and Order to Black Diamond on February 14, 2020. A corrected version of that Notice of Violation and Order was issued on March 31, 2020. Black Diamond appealed the corrected Notice of Violation and Order to the Council on April 14, 2020, and requested a hearing.

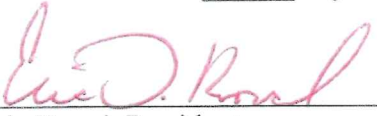
2. Following a scheduling conference on June 4, 2020, the Council granted a continuance until such time as the parties file a motion to dismiss or a motion for scheduling conference and request for final hearing.


3. Over the past fifteen months the Department has conducted the appropriate monitoring and testing and Black Diamond has obtained the necessary permits to come into compliance with the Order and Wyoming Air Quality Standards and Regulations. Black Diamond's compliance with the order renders this case moot.

4. Accordingly, the parties now agree that this appeal should be dismissed with prejudice.

WHEREFORE, the parties jointly request the Council enter an order dismissing Black Diamond's Appeal with prejudice, with each party to bear their own costs and attorney fees. A proposed order is submitted concurrently herewith.

Dated this 12th day of October, 2021.



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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2021, a copy of the foregoing document was filed electronically with the Wyoming Environmental Quality Council's online docket system and copies were served by electronic mail and United States mail, postage pre-paid, addressed as follows:

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