

Nicole Budine (Wyo. Bar No. 8-6571)
Assistant Attorney General
Wyoming Attorney General’s Office
109 Capitol Avenue
Cheyenne, WY 82002
Ph: (307)777-3442
nicole.budine@wyo.gov

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

**In the Matter of: Petitioner Big Horn LLC
Permit No. WYW0027731**

)
)
)
)

Docket No. 21-3601

STIPULATED MOTION TO DISMISS WITH PREJUDICE

COME NOW, Vaquero Big Horn, LLC (“Vaquero”), and the State of Wyoming, Department of Environmental Quality, Water Quality Division (“DEQ”) by and through their respective counsel, and 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:

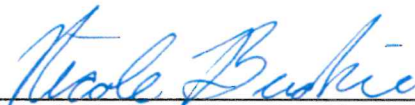
1. On November 23, 2021, Vaquero appealed from Wyoming Pollutant Discharge Elimination System Program (“WYPDES”) Permit No. WYW002731, issued by DEQ on October 26, 2021 (“2021 Permit Renewal”). The 2021 Permit Renewal authorizes discharges associated with an oil production treatment unit located on State 30 Lease 70-1284 in the SW of Section 30, Township 48 North, Range 103 West Park County (“Facility”).
2. The Appeal included a request to stay the 2021 Permit Renewal, to allow Vaquero to operate the Facility under the terms and conditions of the 2016 WYPDES permit

pending resolution of the appeal. DEQ did not oppose Vaquero's request to stay the 2021 Permit Renewal. On January 13, 2022, the Council issued an order granting Vaquero's Request for Stay of the 2021 Permit Renewal.

3. On March 11, 2022, the Council issued an order granting the parties' Request for Stay of the Appeal until the effective date of the Permit Modification. The Order Granting Stay required that the parties file a stipulation of dismissal with prejudice within ten days of the effective date of the Permit Modification.
4. DEQ issued the final Permit Modification on July 15, 2022, accordingly, the parties now file this Stipulated Motion to Dismiss.

WHEREFORE, the parties jointly request the Council enter an order dismissing Vaquero's Appeal with prejudice. A proposed order granting the motion to dismiss is attached.

Submitted this ___ day of July, 2022.



Nicole Budine (Wyo. Bar. No. 8-6571)
Assistant Attorney General
Wyoming Attorney General's Office
109 Capitol Avenue
Cheyenne, WY 82002
Ph: (307) 777-3442
nicole.budine@wyo.gov
Attorney for DEQ



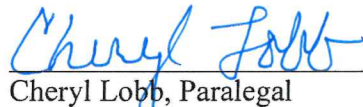
Eric P. Waeckerlin
Brownstein Hyatt Farber Schreck, LLP
1807 Capitol Avenue, Suite 203
Cheyenne, WY 82001
ewaeckerlin@bhfs.com
Attorney for Vaquero Big Horn, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of July 2022, a copy of the foregoing *Stipulated Motion to Dismiss with Prejudice* was filed electronically with the Wyoming Environmental Quality Council's online docket system and copies were served the persons listed below as follows:

Via Mail and Electronic Mail

Eric P. Waeckerlin
Brownstein Hyatt Farber Schreck, LLP
1807 Capitol Avenue, Suite 203
Cheyenne, WY 82001
ewaeckerlin@bhfs.com



Cheryl Lobb, Paralegal
State of Wyoming – Attorney General