

FILED

DEC 08 2008

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

Jim Ruby, Executive Secretary
Environmental Quality Council

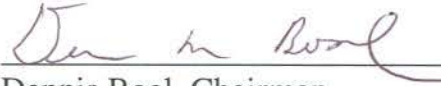
In the Matter of the Appeal)
OF CLABAUGH RANCH, INC.) Docket No. 08-3805
FROM WYPDES PERMIT NO. WY0050601)

ORDER DISMISSING APPEAL WITHOUT PREJUDICE

The Parties to the above-captioned matter having submitted a Joint Stipulation for Withdrawal and Voluntary Dismissal of Appeal, and the Environmental Quality Council ("EQC") having reviewed the Stipulated Motion and being otherwise informed in the premises, hereby finds good cause for granting the Motion.

It is therefore ORDERED that this matter is hereby DISMISSED without prejudice, with each party to bear its own costs, expenses and attorney fees. The dismissal of this appeal shall not affect any subsequent appeal should such occur on renewal of the permit, or any of Yates Petroleum Corporation or the Department of Environmental Quality to any such appeal, nor shall the stipulation or dismissal affect any rights of Yates Petroleum Corporation under the appealed Permit No. WY0050601, or Wyoming statutes and regulations.

DATED this 2 day of ^{December}~~November~~, 2008.


Dennis Boal, Chairman
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
PHONE: 307-777-7170
FAX: 307-777-6134

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 9th day of December, 2008, I served a copy of the foregoing **ORDER** by electronic mail to the following:

John Burbridge
Office of Attorney General
Jburbl@state.wy.us

John Corra
Director, DEQ
jcorra@wyo.gov

Tom C. Toner
Yonkee & Toner, LLP
ttoner@yonkeetoner.com

Matt Joy
Jorden, Bischoff, & Hiser
mjoy@jordenbischoff.com



Kim Waring, Executive Assistant
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134