

FILED

JUN 16 2010

**Jim Ruby, Executive Secretary
Environmental Quality Council**

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

IN THE MATTER OF THE APPEAL OF)	
POWDER RIVER BASIN RESOURCE)	
COUNCIL, BERNADETTE BARLOW)	
BERNADETTE BARLOW TRUST,)	Docket No. 09-3802
WILLIAM L. BARLOW TRUST AND)	
ERIC BARLOW FROM WYPDES)	
PERMIT NO. WY0052299)	

JOINT STIPULATION FOR DISMISSAL OF APPEAL

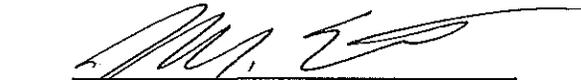
Petitioners Powder River Basin Resource Council, Bernadette Barlow, Bernadette Barlow Trust, William L. Barlow Trust and Eric Barlow and Respondents Wyoming Department of Environmental Quality (DEQ) and Bill Barrett Corporation (BBC) herewith jointly stipulate and move the Wyoming Environmental Quality Council (EQC) to dismiss the above captioned matter prior to hearing. As grounds therefore, the Parties state as follows:

1. The Petitioners' appeal is now set for a contested case hearing for November 16-18, 2010.
2. The Permit appealed in this case expires by its own terms on November 30, 2010.
3. The Permittee BBC has applied for renewal of the permit under different terms.
4. The Permit, if renewed, will likely contain different terms and conditions.
5. Chapter 1, Section 11 of the DEQ Rules of Practice and Procedure provides for disposition of contested cases by stipulation of the parties upon approval of the EQC.
6. The Parties wish to conserve their resources and the resources of the EQC.

WHEREFORE, Petitioners Powder River Basin Resource Council, Bernadette Barlow, Bernadette Barlow Trust, William L. Barlow Trust and Eric Barlow, Respondent DEQ and Respondent Bill Barrett Corporation now jointly stipulate and agree to dismissal of this contested case prior to hearing and request that the EQC enter an Order approving the same and dismissing Petitioners' appeal in Docket No. 09-3802 with prejudice.

DATED this 16th day of June, 2010.

FOR POWDER RIVER BASIN RESOURCE
COUNCIL, BERNADETTE BARLOW,
BERNADETTE BARLOW TRUST,
WILLIAM L BARLOW TRUST AND
ERIC BARLOW:


Kate M. Fox
J. Mark Stewart
Attorneys for Petitioners

FOR WYOMING DEQ:


John Burbridge
Attorney for Wyoming DEQ

FOR BILL BARRETT
CORPORATION


Jack D. Palma
Attorney for Bill Barrett Corporation