

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

MAR 01 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

IN THE MATTER OF THE )  
NOTICE OF VIOLATION AND ORDER )  
ISSUED TO BLACK DIAMOND )  
ENERGY, INC. )  
410 MOUNT NEBO ROAD )  
PITTSBURGH, PA 15237 )

DOCKET NO. 05-3467

ORDER DISMISSING APPEAL

Black Diamond Energy, Inc. (Black Diamond) appealed the Wyoming Department of Environmental Quality's (DEQ) issuance of Notice of Violation (NOV) and Order No. 3761-05. On April 10, 2006, the DEQ issued Black Diamond a Notice of Compliance that Order. On October 23, 2006, Black Diamond and the DEQ filed a Joint Motion to Dismiss Appeal in this matter. Black Diamond and the DEQ are the only parties in EQC Docket Number 05-3467. Chapter I, Section 11 of the DEQ Rules of Practice & Procedure provides for stipulated disposition of contested cases upon approval of the Environmental Quality Council (EQC or Council). The Council having considered the parties' joint motion,

IT IS ORDERED THAT the Joint Motion to Dismiss Appeal filed by Black Diamond and the DEQ is hereby granted and the appeal in the above-captioned matter is dismissed.

DATED this 27<sup>th</sup> day of February, 2007



Chairman  
Environmental Quality Council

**CERTIFICATE OF SERVICE**

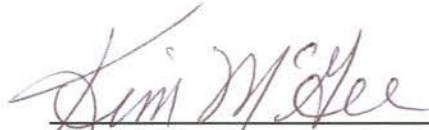
I, Kim McGee, certify that at Cheyenne, Wyoming, on the **1<sup>st</sup> day of March, 2007**, I served a copy of the foregoing **ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Keith Burron  
Associated Legal Group, LLC  
1807 Capitol Ave., Suite 203  
Cheyenne, WY 82001

also to the following persons via interoffice mail:

Mike Barrash  
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Cheyenne, WY 82002

John Wagner  
Dept. Of Environmental Quality  
Water Quality Division  
122 W. 25<sup>th</sup> St.  
Herschler Bldg., Rm. 1714  
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