

WHEREFORE, PacifiCorp and DEQ/AQD jointly request that the Council enter an Order:

(a) approving, incorporating, and binding them to the terms of the attached Settlement Agreement, and in accordance therewith;

(b) modifying Permit No. MD-6040 in conformance with paragraph five (5)(b) of the attached Settlement Agreement;

(c) dismissing PacifiCorp's Appeal and Petition for Review of BART permit Nos. MD-6040 and MD-6042; and

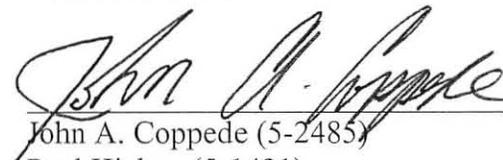
(d) continuing the Council's limited jurisdiction over the Settlement Agreement, in conformance with Section 7 of the attached Settlement Agreement.

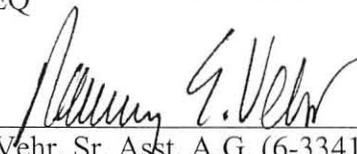
(e) providing that PacifiCorp and DEQ/AQD shall each bear their own costs and attorney fees.

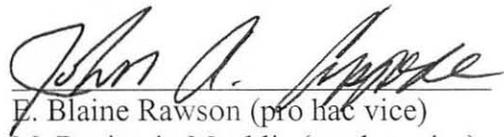
RESPECTFULLY SUBMITTED this 9th day of November 2010.

FOR PACIFICORP

FOR DEQ

 11/9/2010
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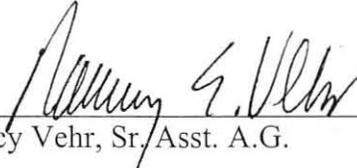
for  11/9/2010
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Salt Lake City, UT 84111
Attorneys for PacifiCorp

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 9th day of November, 2010, a true and correct copy of the foregoing JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT AND DISMISSAL was served as follows:

John Corra, DEQ Director
Herschler Building, 4th Floor
122 West 25th Street
Cheyenne, WY 82002

- U.S. Mail, postage prepaid
- Hand Delivery
- Fax
- Overnight courier
- Electronically via LexisNexis File & Serve



Nancy Vehr, Sr. Asst. A.G.