

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

In the Matter of the Appeal )  
Of Permit No. WY0051772 ) Docket No. 05-3804  
Fidelity Exploration )  
& Production Co. )

JOINT MOTION FOR DISMISSAL OF PERMIT APPEAL


1. Fidelity Exploration and Production Co.,  
(Fidelity) filed an appeal of Permit No. WY0051772 on  
October 27, 2005. The Council stayed the matter on  
February 7, 2006, to allow the parties an opportunity to  
discuss settling the matter.

2. Fidelity applied for a modification of Permit No.  
WY0051772. Following an opportunity for public comment,  
the Wyoming Department of Environmental Quality Issued  
Modified Permit No. WY0051772 (Modified Permit) on May 2,  
2006. The time for an appeal of this modification has not  
yet run.


3. The Modified Permit resolved the issues raised by  
Fidelity in the pending appeal. Therefore, both parties  
request that the pending appeal be dismissed with  
prejudice, provided, however, that nothing herein precludes  
Fidelity from fully participating in any appeal, including  
raising any claims made in this matter, in the event the  
Modified Permit is appealed.

Respectfully submitted this 16<sup>th</sup> day of June, 2006

FOR THE DEPARTMENT OF  
ENVIRONMENTAL QUALITY

  
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FOR FIDELITY EXPLORATION  
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