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Counsel for Respondent

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

IN RE APPEAL OF NOV AND ORDER)
POVERTY HILL NORTH, LLC) DOCKET NO. 17-3202A
)
)

JOINT MOTION TO DISMISS

COMES NOW Petitioner Poverty Hill North, LLC and Respondent Department of Environmental Quality, Water Quality Division (jointly “Parties”), by and through undersigned counsel, to hereby move the Environmental Quality Council for an order dismissing this matter. The Parties entered a settlement agreement resolving the allegations in NOV Docket No. 17-3202A on March 30, 2018. The Parties have attached a proposed Order of Dismissal to this Motion.

DATED this 23rd day of April, 2018.

FOR PETITIONER
POVERTY HILL NORTH, LLC

FOR RESPONDENT
DEP’T OF ENVIRONMENTAL QUALITY

/s Conner Nicklas
Conner Nicklas (Wyo. Bar No. 7-5908)
Associate
Budd-Falen Law Offices, LLC
300 East 18th Street
Cheyenne, WY 82003
(307) 632-5105

/s Kelly Shaw
Kelly Shaw (Wyo. Bar No. 7-5624)
Assistant Attorney General
Wyoming Attorney General’s Office
2320 Capitol Avenue
Cheyenne, WY 82002
(307) 777-6946

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of April, 2018, a true and correct copy of the foregoing *Joint Motion to Dismiss* was served by placing the same in the United States Mail, to the following address:

Conner Nicklas
Associate
Budd-Falen Law Offices, LLC
300 East 18th Street
Cheyenne, WY 82003

/s Kelly Shaw
Kelly Shaw
Assistant Attorney General
Wyoming Attorney General's Office

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
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ORDER OF DISMISSAL

THIS MATTER came before the Environmental Quality Council through a joint motion from Petitioner Poverty Hill North, LLC and Respondent Wyoming Department of Environmental Quality (Parties) seeking dismissal of this matter. Having reviewed the parties' Joint Motion to Dismiss,

IT IS HEREBY ORDERED THAT:

1. The joint motion to dismiss is granted, and
2. This matter is dismissed with prejudice.

DATED this _____ day of _____, 2018.

Megan Degenfelder, Hearing Examiner
Environmental Quality Council

CERTIFICATE OF SERVICE

I, James Ruby, certify that at Cheyenne, Wyoming, on the ____ day of _____, 2018, I served a copy of the foregoing **Order of Dismissal** by Electronic delivery to the following:

Kelly Shaw
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