

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

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
)
Devon Energy Production Company, L.P.)
20 North Broadway)
Oklahoma City, Oklahoma 73102-8260)

DOCKET NO. 06-3812

FILED

OCT 08 2007

*Terri A. Lorenzon, Director
Environmental Quality Council*

CONSENT TO MOTION TO DISMISS APPEAL

COMES NOW Devon Energy Production Company, L.P. (“Devon”), and in response to the DEPARTMENT OF ENVIRONMENTAL QUALITY’S MOTION TO DISMISS APPEAL, states as follows:

1. The Department of Environmental Quality’s (“DEQ”) Notice of Violation and Order (“NOV”) dated August 11, 2007, under DEQ Docket No. 3878-06, alleged Devon violated its WYPDES Permit No. WY0042595, when a landowner opened a discharge valve from a reservoir in which water discharged under the permit was stored.

2. Devon timely appealed the NOV, arguing the release was not a violation of its permit because the reservoir release was not caused by Devon. The release was caused by a third party, without Devon’s knowledge or consent, and did not constitute a violation of the permit.

3. The NOV did not contain a fine, Devon has complied with the requirements in DEQ’s Order and DEQ has issued a notice of compliance; therefore, Devon consents to the dismissal of its appeal.

4. In consenting to the dismissal of this appeal, Devon does not waive its right to appeal any notice of violation in the future and does not admit any liability for the reservoir release at issue in this matter.

WHEREFORE, Petitioner consents the dismissal of is NOTICE OF APPEAL AND REQUEST FOR HEARING in this matter.

RESPECTFULLY SUBMITTED this 8th day of October, 2007.

DEVON ENERGY PRODUCTION
COMPANY, LP



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CERTIFICATE OF SERVICE

The undersigned certifies that the above and foregoing **CONSENT TO MOTION TO DISMISS APPEAL**, was served this 8th day of October, 2007 by United States mail, first class postage prepaid and by email addressed as follows:

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