

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

JUL 18 2005

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)

Terri A. Lorenzon, Director
Environmental Quality Council

Snowy Range Properties LLC)
DBA Albany Lodge)
1148 State Highway 11)
Laramie, Wyoming 82070)

DOCKET NO. 05-3201

ORDER APPROVING ADMINISTRATIVE ORDER ON CONSENT
AND DISMISSING APPEAL WITH PREJUDICE

On March 23, 2005, the Wyoming Department of Environmental Quality (DEQ) / Water Quality Division and Snowy Range Properties LLC, DBA Albany Lodge, filed with the Wyoming Environmental Quality Council (Council) a *Joint Stipulation for Withdrawal of Appeal and Dismissal with Prejudice* and an *Administrative Order on Consent* (DEQ Docket No. 3629-04) in the above-captioned matter. By the *Joint Stipulation*, the DEQ vacates its original, unilateral order (DEQ Docket No. 3629-04), the parties enter into the referenced *Administrative Order on Consent*, Snowy Range Properties LLC agrees not to contest the *Administrative Order on Consent* and withdraws, and stipulates to dismissal with prejudice of, its appeal of the DEQ's original, unilateral order.

WYO. STAT. ANN. § 16-3-107(n) and Chapter I, Section 11 of the DEQ Rules of Practice & Procedure provide for disposition of contested cases by stipulation of the parties, upon approval of the Council. WYO. STAT. ANN. § 35-11-701(c)(ii) provides that DEQ orders are final unless timely appealed to the Council. No petition for review of the referenced *Administrative Order on Consent* has been filed with the Council, and the time for appealing it has expired. This matter having been considered by the Council pursuant to the provisions of WYO. STAT. ANN. § 35-11-112(a)(ii),

IT IS HEREBY ORDERED THAT:

1. *Administrative Order on Consent* (Docket No. 3629-04) entered into by the DEQ / Water Quality Division and Snowy Range Properties LLC, DBA Albany Lodge, in this matter is approved and final; and

2. Snowy Range Properties LLC, DBA Albany Lodge's petition for review of the DEQ's original, unilateral order in this matter is deemed withdrawn and is dismissed with prejudice.

DATED this 6th day of July, 2005.



Chairman
Environmental Quality Council
Room 1714, Herschler Building
1st Floor West
122 W. 25th Street
Cheyenne, WY 82002