

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

DEC 01 2009

Jim Ruby, Executive Secretary
Environmental Quality Council

In the Matter of the Appeal of Clabaugh)
Ranch, Inc. from Permit WY0049697) Docket Nos. 08-3802

FINAL ORDER FOR MODIFICATION OF WYPDES PERMIT NO. WY0049697

This matter was brought before the Wyoming Environmental Quality Council (Council) on Clabaugh Ranch, Inc.'s (Clabaugh) Petition for review of the Wyoming Department of Environmental Quality (DEQ) renewal of WYPDES Permit Nos. WY0049697 issued to Lance Oil and Gas Company, Inc. on March 26, 2008. The parties have signed a Joint Stipulation for Modification of WYPDES Permit No. WY0049697 ("Joint Stipulation").

Chapter 1, Section 11(a) of the DEQ Rules of Practice and Procedure provides for disposition of contested cases by stipulation of the parties upon approval of the Council. For purposes of this case, W.S. § 35-11-112(c)(ii) authorizes the Council to order that a permit be modified, subject to applicable state and federal law.

The Council, having considered the Parties' Joint Stipulation, and any statements made by the Parties at a hearing on this Joint Stipulation FINDS AND ORDERS that:

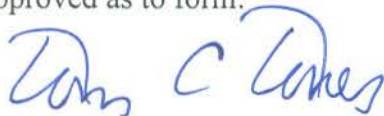
1. WYPDES Permit No. 0049697 is modified as provided in the Parties' Joint Stipulation, and the Parties' Joint Stipulation is approved and is binding upon the Parties, their successors and assigns.
2. Clabaugh's pending Petition is dismissed with prejudice.
3. Each party shall bear its own attorney fees and costs.

Dated this ^{Nov} 27th day of NOVEMBER, 2009.



Presiding Officer
Environmental Quality Council

Approved as to form:



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CERTIFICATE OF SERVICE

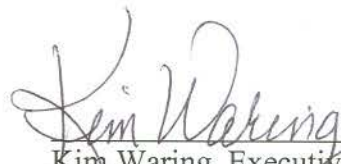
I, Kim Waring, certify that at Cheyenne, Wyoming, on the 1st day of December, 2009, I served a copy of the foregoing **FINAL ORDER FOR MODIFICATION OF WYPDES PERMIT NO. WY0049697** by electronic mail to the following;

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