

FILED

OCT 29 2007

Terri A. Lorenzon, Director
Environmental Quality Council

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

IN THE MATTER OF THE APPEAL AND REVIEW OF)
THE DECISION REGARDING THE RECLASSIFICATION)
OF EIGHT MAIN STREAM DRAINAGES TO POWDER) Docket No. 05-3203
RIVER AND OTHER TRIBUTARIES IN THE)
POWDER RIVER BASIN, DATED DECEMBER 22, 2004)

ORDER APPROVING JOINT STIPULATION

This matter was brought before the Environmental Quality Council (EQC) upon Cat Creek Land Company LLC, Tear Drop Cattle Company LLC, Indian Creek Land Company LLC, Camino Ranch Limited Partnership, Simon J. Iberlin and Bette L. Iberline, Falxa Land Company, Inc. and Cato Crazy Woman Ranch LLC's (Petitioners) Petition for Review, appealing the Department of Environmental Quality's (DEQ) decision granting Anadarko Petroleum Corporation's (Anadarko) petition requesting the reclassification and downgrade of eight main stream drainages to the Powder River and other tributaries in the Powder River Basin. The Petitioners, DEQ and Anadarko, collectively the Parties, have filed a Joint Stipulation in this matter requesting the approval of the Stipulation and dismissal of the above captioned appeal with prejudice. WYO. STAT. ANN. § 16-3-107(n) and Chapter 1, 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.

The EQC having considered the Parties' Joint Stipulation, and being advised in the premises, hereby enters the following Order:

IT IS ORDERED that:

The Parties' Joint Stipulation dated August 30, 2007, in this matter (Docket No. 05-3203) is hereby granted, approved and incorporated herein and shall be binding upon them;

The appeal of the reclassification of Coal Creek, Flying E. Creek, Cat Creek, Fourmile Creek, the North Fork of Fourmile Creek, the South Fork of Fourmile Creek, and Indian Creek in this matter are dismissed with prejudice;

The drainages known as Timber Draw and Goble Draw be reclassified as class 3B waters of the state by the Department of Environmental Quality;

Each Party shall bear its own costs and attorney fees

DATED this 24th day of October, 2007.



Chairman
Environmental Quality Council

APPROVED AS TO FORM:

Counsel for Anadarko Petroleum Corporation:

Jack D. Palma II P.C.
Holland & Hart LLP

**Counsel for Cat Creek Land Company LLC, Tear Drop Cattle Company LLC,
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 10-10-07

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**Counsel for the State of Wyoming, Department of
Environmental Quality:**

 10-10-07

John S. Burbridge, Senior Assistant Attorney General

CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 29th day of October, 2007, I served a copy of the foregoing **ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

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also to the following persons via interoffice mail:

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