

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

OCT 18 2006

Terri A. Lorenzon, Director
Environmental Quality Council

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

YATES PETROLEUM CORPORATION)
105 SOUTH 4TH STREET)
ARTESIA, NM 88210)

DOCKET NO. 05-3218

WDEQ Docket No. 3795-05

**ORDER APPROVING SETTLEMENT
AGREEMENT AND WITHDRAWAL OF APPEAL**

This matter was brought before the Environmental Quality Council (EQC) upon Yates Petroleum Corporation's (Yates) Petition for Review, appealing Notice of Violation (NOV), Docket Number 3795-05 issued by Respondent, Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) to Yates. The DEQ and Yates, collectively the Parties, have filed a Joint Motion for Withdrawal of Appeal and Approval of Settlement Agreement in this matter. WYO. STAT. ANN. § 35-11-901(a)(ii), 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 Motion for Withdrawal of Appeal and Approval of Settlement Agreement, and being advised in the premises, hereby enters the following Order:

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IT IS ORDERED that:

The Parties' Joint Motion for Withdrawal of Appeal and Approval of Settlement Agreement in this matter (Docket No. 05-3218) is hereby granted and Exhibit A is hereby approved and incorporated herein and shall be binding upon them, and, accordingly, the appeal in this matter is dismissed and shall not be re-filed.

DATED this 9 day of October, 2006.



Chairman
Environmental Quality Council

APPROVED AS TO FORM:

Counsel for Yates Petroleum Corporation:



Matthew Joy
Jorden, Bischoff & Hiser, P.L.C.

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



John S. Burbridge, Senior Assistant Attorney General

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