

FILED

OCT 25 2012

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE APPLICATION)
OF STRATA ENERGY FOR AN IN SITU)
MINING PERMIT FOR THE ROSS ISR)
URANIUM PROJECT FROM THE LAND)
QUALITY DIVISION OF THE DEPARTMENT)
OF ENVIRONMENTAL QUALITY FOR THE)
STATE OF WYOMING)

Jim Ruby, Executive Secretary
Environmental Quality Council

Docket No. 12-4803

**ORDER APPROVING JOINT STIPULATION TO AMEND PERMIT CONDITION AND
WITHDRAW REQUEST FOR HEARING**

This case is before the Wyoming Environmental Quality Council ("Council") on objections from Pamela Viviano, Jim Jones, Liliias Jones Jarding, Ph.D., Kathy Durrum, Rebecca R. Leas, Neil and Jennifer Miller, Wilma Tope, Shannon Anderson on behalf of the Powder River Basin Resource Council, Rodney Knudson, Cynthia Patterson, and Merit Energy Company, LLC, Merit Energy Partners, I, LP, Merit Energy Partners, III, LP, Merit Management Partners, I, LP, Merit Management Partners, III, LP, collectively ("Merit") regarding Strata Energy, Inc.'s ("Strata") Application for an In Situ Mining Permit for the Ross ISR Uranium Project approved by the Department of Environmental Quality, Land Quality Division ("LQD") on August 2, 2012.

A prehearing conference was held on October 8, 2012. During the prehearing conference, Pamela Viviano, Jim Jones, Liliias Jones Jarding, Ph.D., Kathy Durrum, Rebecca R. Leas, Neil and Jennifer Miller, Wilma Tope, Shannon Anderson on behalf of the Powder River Basin Resource Council, Rodney Knudson, and Cynthia Patterson waived their right to participate in the hearing set for October 22 and 23, 2012 in Cheyenne, Wyoming.

Prior to the October 22 and 23 Hearing, the remaining parties, Merit, Strata and LQD, resolved Merit's objections before the Council and filed a *Joint Stipulation to Amend Permit Condition and Withdraw Request for Hearing*, which requests the Council approve their stipulated amended permit condition. The Council, having considered the *Joint Stipulation to Amend Permit Condition and Withdraw Request for Hearing* and finding it reasonable under the circumstances, hereby Orders as follows:

IT IS HEREBY ORDERED that:

1. The *Joint Stipulation to Amend Permit Condition and Withdraw Request for Hearing* in this case is approved.
2. The permit condition of page 9-53 of the Mine Plan entitled "Merit Energy Water Supply Wells for Enhanced Oil Recovery" shall be deleted and replaced

with the revised permit condition attached to the *Joint Stipulation to Amend Permit Condition and Withdraw Request for Hearing* as Appendix A.

3. This Order shall be deemed the Council's final action in the contested case for this matter.

THEREFORE, the above entitled matter is Dismissed With Prejudice.

DATED this 25th day of October, 2012



Tim Flitner, Hearing Officer *TF*
Environmental Quality Council
122 W. 25th St.
Cheyenne WY 82001
307-777-7170

CERTIFICATE OF SERVICE

I, James Ruby, certify that at Cheyenne, Wyoming, on the 25TH day of October, 2012, I served a copy of the foregoing ORDER APPROVING JOINT STIPULATION TO AMEND AND ORDER OF DISMISSAL by electronic mail to the following:

John Corra
Director, DEQ
John.Corra@wyo.gov

Luke Esch
Asst. Attorney General
Luke.Esch@wyo.gov

Nancy Nuttbrock, Administrator
Land Quality Division
Nancy.Nuttbrock@wyo.gov

Jane France
Sundahl Powers Kapp & Martin LLC
jfrance@spkm.org

Mary Throne
mthrone@thronelaw.com

Pamela Viviano
735 New Haven Road
Hulett, WY 82720
pamelav@vcn.com

Jim Jones
735 New Have Road
Hulett, WY 82720
pamelav@vcn.com

Lilias Jones Jarding, Ph.D.
418 North 44th Street
Rapid City, SD 57702
liliasj@hotmail.com

Kathy Durrum
1818 S. Fundy Way
Aurora CO 80017
kathydurrum@comcast.net

Rebecca R. Leas
6509 Seminole Lane
Rapid City, SD 57702
rrleas@yahoo.com

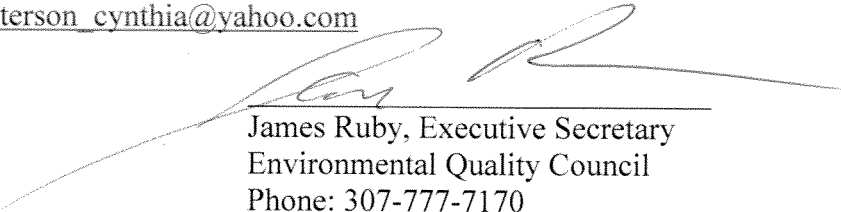
Neil & Jennifer Miller
P.O. Box 742
Basin, WY 82410
njmiller@tctwest.net

Wilma Tope
P.O. Box 2097
Belle Fourche SD 57717
Aladdin, WY 82710
wilto@live.com

Shannon Anderson
934 N. Main Street
Sheridan, WY 82801
sanderson@powderriverbasin.org

Rodney Knudson
P.O. Box 25
145 Bush Street
Hulett, WY 82720
knudson@rtconnect.net

Cynthia Patterson
3122 Enfield Point
Marietta, GA 30068
patterson_cynthia@yahoo.com



James Ruby, Executive Secretary
Environmental Quality Council
Phone: 307-777-7170
FAX: 307-777-6134