

FILED

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL SEP 25 2006
STATE OF WYOMING

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE APPEAL OF 4W RANCH,)
ROBERT L. HARSHBARGER, AND JEAN) DOCKET NO. 04-3801
SHERWIN HARSHBARGER AND THEIR)
OBJECTIONS TO NPDES PERMIT NOS. 51217,)
51233 AND 51373)

**ORDER WITHDRAWING PETITIONERS' APPEAL OF MERIT ENERGY
COMPANY'S NPDES PERMIT NO. 51373**

THIS MATTER has come before the Council pursuant the Stipulated Withdrawal of Petitioners' Appeal of Merit Energy Company's NPDES Permit No. 51373, filed on September 21, 2006. All of the parties have agreed to the Stipulated Withdrawal, and the Council being fully advised in the premises:

IT IS HEREBY ORDERED that Petitioners' Appeal of Merit Energy Company's NPDES Permit No. 51373 in the above-captioned matter be, and hereby is, withdrawn with respect to Merit Energy Company, with each party to bear its own costs.

DATED this 25th day of Sept, 2006.


Jon Brady, Hearing Examiner
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 25th day of September, 2006, 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:

Hadassah Marie Reimer
Holland & Hart, LLP
2515 Warren Avenue, Ste. 450
Cheyenne, WY 82001

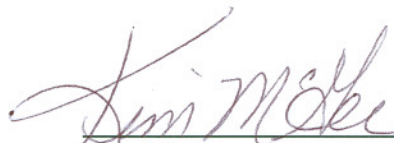
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also to the following persons via interoffice mail:

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