

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

IN THE MATTER OF THE APPEAL OF 4W RANCH, MAJOR ROBERT L. HARSHBARGER, AND JEAN SHERWIN HARSHBARGER AND THEIR OBJECTIONS TO NPDES PERMIT NOS. 51217, 51233 AND 51373

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FILED

SEP 21 2006

Terri A. Lorenzon, Director
Environmental Quality Council

DOCKET NO. 04-3801

STIPULATED WITHDRAWAL OF PETITIONERS' APPEAL OF MERIT ENERGY COMPANY'S NPDES PERMIT NO. 51373

COME NOW the Petitioners, 4W Ranch, Major Robert L. Harshbarger, and Jean Sherwin Harshbarger, Respondent Merit Energy Company, The Department of Environmental Quality, and Bill Barrett Corporation, through their attorneys, and stipulate and consent to the withdrawal of Petitioners' appeal of Merit Energy Company's NPDES Permit Number 51373 as to Merit Energy Company only. This stipulation and consent may be signed by the parties in counterpart.

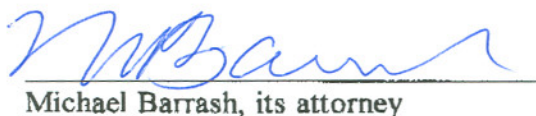
DATED this 21st day of SEPTEMBER 2006.

4W Ranch by:

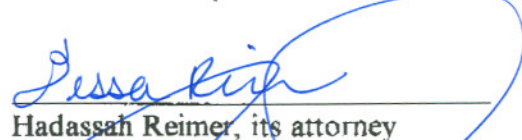

Major Robert L. Harshbarger


Jean Sherwin Harshbarger

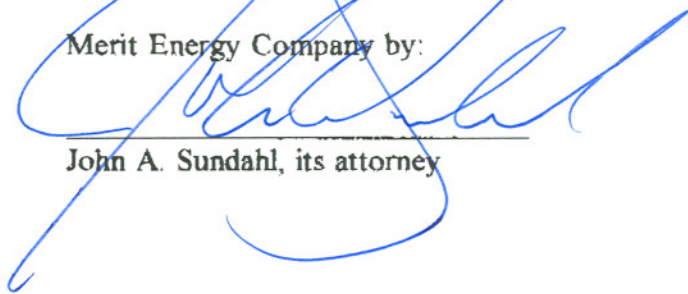
Department of Environmental Quality


Michael Barrash, its attorney

Bill Barrett Corporation:


Hadassah Reimer, its attorney

Merit Energy Company by:


John A. Sundahl, its attorney