

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

IN THE MATTER OF THE APPEAL AND REVIEW OF )  
THE DECISION REGARDING THE PROPOSED )  
WYOMING POLLUTANT DISCHARGE ELIMINATION )  
SYSTEM (WYPDES) PERMIT WY0052761 )  
(YATES-NEMESIS POD), DATED DECEMBER 17, 2005)


File No. 06-3802

**NOTICE OF WITHDRAWAL OF YATES PETROLEUM CORPORATION'S  
MOTION TO DISMISS FOR LACK OF PROSECUTION**

The undersigned intervenor-party, Yates Petroleum Corporation ("Yates"), hereby files this Notice with the Environmental Quality Council (the Council) stating that Yates hereby withdraws its Motion to Dismiss for Lack of Prosecution, dated September 27, 2006 and filed with the Council on September 28, 2006.

As Yates is withdrawing its Motion, Tear Drop is not obligated to respond to the Motion. Yates does not waive any rights it may have under applicable law.

RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of October, 2006.



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ATTORNEYS FOR YATES PETROLEUM CORPORATION

**Certificate of Service**

I certify that on this 17<sup>th</sup> day of October, 2006, service of a true and complete copy of this Notice of Withdrawal of Yates Petroleum Corporation's Motion to Dismiss for Lack of Prosecution in File No. 06-3802 was made upon each party or attorney of record herein as indicated below.

The ORIGINAL and ten (10) copies were filed by private carrier on October 17<sup>th</sup>, 2006 with:

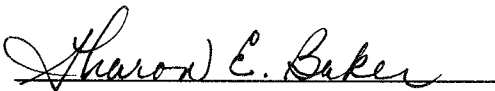
Terri Lorenzon, Director / Attorney  
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Cheyenne, Wyoming 82002

COPIES were served by U.S. Mail on October 17<sup>th</sup>, 2006 with:

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