

FILED

JAN 19 2007

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

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE APPEAL OF)
DEVON ENERGY PRODUCTION)
COMPANY, L.P. OF CONDITIONS IN)
WYPDES PERMIT NO. WY0054259)

DOCKET NO. 07-3800

NOTICE OF APPEAL AND PETITION FOR HEARING

Devon Energy Production Company, L.P. (“Devon” or “Petitioner”) hereby appeals the conditions contained in WYPDES Permit No. WY0054259 (the “Permit”) issued by the Department of Environmental Quality (“DEQ”) to Devon Energy Production Company, L.P. on November 20, 2006 and requests a hearing pursuant to the Environmental Quality Act, the Wyoming Administrative Procedures Act, and the Environmental Quality Council’s (“EQC”) Rules of Practice and Procedure. In support of this appeal, Petitioner advises the EQC as follows:

I. INFORMATION ABOUT THE PETITIONER

The Petitioner filing this appeal is:

Devon Energy Production Company, L.P.
20 North Broadway
Oklahoma City, Oklahoma 73102-8260

Petitioner is represented in this matter by Margo Harlan Sabec and Nicol Thompson Kramer of Williams, Porter, Day & Neville, P.C., P.O. Box 10700, Casper, WY 82602. Correspondence and information related to this appeal should be served on Devon’s attorneys and on the company, c/o Randy Maxey, Senior Regulatory Specialist, at the address above.

II. ACTION BEING APPEALED

1. Petitioner appeals the end of pipe compliance limits for electrical conductivity (EC), sodium adsorption ratio (SAR), and total dissolved solids (TDS). The limits contained in the permit are arbitrary and capricious and not supported by substantial evidence because they are overly restrictive and not necessary to protect the water quality and agricultural uses in the drainage into which the water will be discharged.

2. Petitioner reserves the right to supplement the grounds for this appeal as those grounds may become apparent at a later date.

WHEREFORE, Petitioner respectfully requests the EQC grant the following relief:

1. Grant Petitioner a contested case hearing on its appeal pursuant to the Environmental Quality Act, the Wyoming Administrative Procedures Act, and the EQC's Rules of Practice and Procedure;

2. Modify the provisions of the Permit referenced herein in a manner that enables Petitioner to reasonably comply with the Environmental Quality Act and the rules and regulations promulgated thereunder.

3. Provide such other relief as the EQC determines just and reasonable under the circumstances.

RESPECTFULLY SUBMITTED this 19th day of January, 2007.

DEVON ENERGY PRODUCTION COMPANY, LP



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Attorneys for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that the above and foregoing **NOTICE OF APPEAL AND PETITION FOR HEARING**, was served this 19th day of January, 2007 as follows:

Mark Gordon, Chairman
Environmental Quality Council
Room 1714
Herschler Building, 1st Floor West
122 West 25th Street
Cheyenne, WY 82002

HAND DELIVERED:
Original plus eight (8) copies

SENT VIA CERTIFIED MAIL:
Two (2) copies

John Corra, Director
Department of Environmental Quality
Herschler Building, 4th Floor West
122 West 25th Street
Cheyenne, WY 82002

SENT VIA CERTIFIED MAIL:
Two (2) copies



Nicol Thompson Kramer