

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

JAN 3 1 2008

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

**ORDER APPROVING JOINT STIPULATION FOR  
WITHDRAWAL AND DISMISSAL OF APPEAL**

Devon Energy Production Company, L.P. (Devon) filed a Notice of Appeal and Petition for Hearing before the Wyoming Environmental Quality Council (Council) on January 19, 2007, contesting certain conditions of WYPDES Permit No. WY0054259 issued by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) on November 21, 2006, authorizing Devon to discharge coal bed methane (CBM) produced water to Collins Draw in Campbell County, subject to the contested conditions. The contested permit had an expiration date of June 30, 2008. Devon subsequently submitted an application for a renewal of Permit No. WY0054259, which modifies the contested permit. The DEQ reviewed Devon's application, and on September 14, 2007 put out for public comment a proposed renewal of Permit No. WY0054259, based on that application. Having received no comments on the proposed renewal of Permit No. WY0054259 during the public comment period, the DEQ issued renewal Permit No. WY0054259 on November 7, 2007.

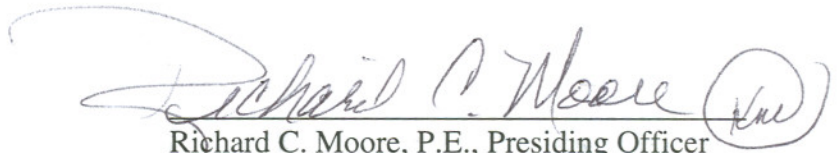
On October 31, 2007 Devon and the DEQ, the only parties in this contested case, filed a Joint Stipulation for Withdrawal and Dismissal of Appeal prior to hearing, whereby upon issuance of renewal Permit No. WY0054259, Devon's pending Notice of Appeal and Petition for Hearing before the Council shall be deemed withdrawn. Chapter I, Section 11 of the DEQ Rules

of Practice & Procedure provides for disposition of contested cases by stipulation of the parties upon approval of the Council. Having reviewed the parties' Joint Stipulation for Withdrawal and Dismissal of Appeal and other pertinent information, and being advised in the premises,

**IT IS ORDERED** that:

1. The parties' Joint Stipulation for Withdrawal and Dismissal of Appeal is approved; 2. Devon's pending Notice of Appeal and Petition for Hearing in this matter before the Council is deemed withdrawn and is hereby dismissed.

**DATED** this 31<sup>st</sup> day of January, 2008.

A handwritten signature in cursive script that reads "Richard C. Moore". To the right of the signature is a circular stamp containing the initials "RCM".

Richard C. Moore, P.E., Presiding Officer  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Rm. 1714  
Herschler Bldg.  
Cheyenne, WY 82002  
Phone: 307-777-7170  
Fax: 307-777-6134

## CERTIFICATE OF SERVICE

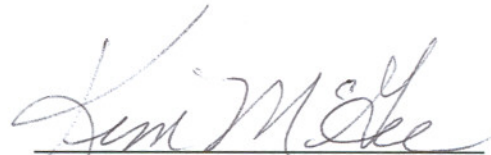
I, Kim McGee, certify that at Cheyenne, Wyoming, on the 31<sup>st</sup> day of January, 2008 I served a copy of the foregoing ORDER OF DISMISSAL by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Nicol Kramer  
Williams, Porter, Day & Neville, P.C.  
159 North Wolcott, Suite 400  
P.O. Box 10700  
Casper, WY 82602-3902

also to the following persons via interoffice mail:

Mike Barrash  
Office of Attorney General  
123 State Capitol  
Cheyenne, WY 82002

John Corra  
Director  
Department of Environmental Quality  
122 W. 25<sup>th</sup> St., Herschler Bldg.  
Cheyenne, WY 82002



Kim McGee, Executive Assistant  
Environmental Quality Council  
122 W. 25<sup>th</sup> Street,  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002  
Tel: (307) 777-7170  
Fax: (307) 777-6134