

FILED

OCT 22 2008

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE APPEAL)
OF CLABAUGH RANCH, INC.)
FROM WYPDES PERMIT NO. WY0050601) Docket No. 08-3805

**PARTIES JOINT STIPULATION FOR WITHDRAWAL
AND VOLUNTARY DISMISSAL OF APPEAL**

Comes now the Petitioner, Clabaugh Ranch, Inc. (Clabaugh), and Respondents Yates Petroleum Corporation (Yates), and the Department of Environmental Quality (DEQ) (collectively, the Parties), pursuant to the DEQ Rules of Practice & Procedure and Rule 41(a)(ii) of the Wyoming Rules of Civil Procedure, and hereby file this Parties Joint Stipulation for Withdrawal and Voluntary Dismissal of Appeal. Clabaugh, Yates and DEQ are the only Parties to this appeal.

DEQ issued WYPDES Renewal Permit WY0050601 (the contested permit) to Yates for its West Hensley – Wild Horse Creek project on or about July 11, 2008. Clabaugh filed a Petition for Appeal and Request for Hearing, dated August 26, 2008, appealing certain terms and conditions in the permit. Yates and DEQ each filed a Response on or about September 29, 2008. Yates voluntarily terminated the contested permit on or about October 14, 2008.

Chapter II, Section 14 of the DEQ Rules of Practice and Procedure provides that the Wyoming Rules of Practice and Procedure are applicable to matters before the Environmental Quality Council (EQC). Rule 41(a)(ii), Wyo. R. Civ. P. provides for voluntary dismissal of action by stipulation of the parties. The parties now jointly stipulate to withdrawal and voluntary dismissal of this appeal before the EQC prior to hearing.

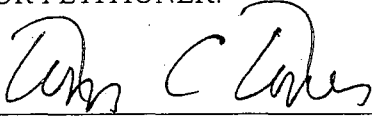
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Parties Joint Stipulation for Withdrawal and Voluntary Dismissal of Appeal
EQC Docket No. 08-3805

Each party shall bear its own costs and attorney fees incurred through filing of
this Joint Stipulation with the EQC.

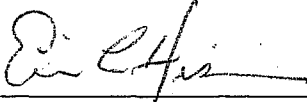
DATED this 22nd day of October, 2008.

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