

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JAN 15 2010

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE APPEAL)
OF PENNACO ENERGY, INC. OF CONDITIONS)
IN RENEWAL OF WYPDES PERMIT #WY0040797)

Docket No. 09-3601

ORDER

THIS MATTER came before the Environmental Quality Council (Council) on January 14, 2010, on a Joint Stipulation to Dismiss Appeal filed by the parties. The Council finds that there does not exist any reason that the parties stipulation should not be approved.

WHEREFORE, the Council Orders the above matter dismissed with prejudice.

SO ORDERED this 15th day of January, 2010.



Dennis Boal, Chairman
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 15th day of January, 2010, I served a copy of the foregoing ORDER OF DISMISSAL by electronic mail to the following:

John Corra
Director, DEQ
jcorra@wyo.gov

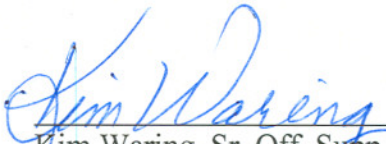
Brent R. Kunz
Hathaway & Kunz, P.C.
brent@hkwyolaw.com

Mike Barrash
Asst. Attorney General
mbarra@state.wy.us

Duane A. Siler
Crowell & Moring LLP
dsiler@crowell.com

also by depositing the same in the United States mail and addressed to:

Pennaco Energy, Inc.
3601 Southern Drive
Gillette, WY 82718



Kim Waring, Sr. Off. Supp. Spec.
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134