

IN THE FIRST JUDICIAL DISTRICT COURT  
IN AND FOR LARAMIE COUNTY, STATE OF WYOMING

PEOPLE OF THE STATE OF )  
WYOMING, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
BLACK BUTTE COAL COMPANY, )  
a Wyoming joint venture )  
 )  
Defendant. )

Docket No. 182-021

**FILED**

**MAR 20 2014**

**SANDY LANDERS**  
CLERK OF THE DISTRICT COURT

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**ORDER TERMINATING AND DISMISSING CONSENT DECREE WITH  
PREJUDICE**

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The Wyoming Department of Environmental Quality, Air Quality Division (DEQ/AQD), in the name of the People of the State of Wyoming as Plaintiff, under Sections 901(a) and 903(c) of the Wyoming Environmental Quality Act (Act) Wyo. Stat. Ann. §§ 35-11-901(a) and 903(c) (2012), filed a Complaint against Defendant Black Butte Coal Company, a joint venture between KCP, Inc. and Bitter Creek Coal Company, a subsidiary of Anadarko Petroleum Corporation (Black Butte), alleging that Black Butte failed to comply with Chapter 3, Section 2(f) of the Wyoming Air Quality Standards and Regulations (Air Quality Rules), and various permit conditions at its Black Butte Mine facility (Facility) located in Sweetwater County, Wyoming. The DEQ/AQD and Black Butte, by and through respective counsel, agreed to terms resolving this litigation prior to trial without taking evidence and without an adversarial proceeding, as set forth in a Consent Decree filed by this Court on February 18, 2014. This Court received notice from the State that Black Butte has fully complied with the terms of the Consent Decree.

It is therefore **ORDERED, ADJUDGED and DECREED** that:

Black Butte has complied in all respects with the Consent Decree. Accordingly, consistent with the provisions of Section V thereof, the Consent Decree is hereby terminated and the matter is dismissed with prejudice. Each party shall bear its own costs and attorneys fees.

DATED this 18<sup>th</sup> day of March, 2014.

*R. G. Arnold*  
District Court Judge

STATE OF WYOMING COUNTY OF LARAMIE, SS CHEYENNE  
I, Sandy Landers, Clerk of the District Court in and for the County of Laramie, Wyoming, do hereby certify that the within and foregoing is a true and correct copy of the original thereof as the same appears on file or of record in my office and that the same is in full force and effect as of this date.  
Witness my hand and seal of said court this 20 day of Mar, 2014  
SANDY LANDERS  
Clerk of District Court  
By *B. Wells*  
Deputy

### CERTIFICATE OF SERVICE

I hereby certify that on the 20 day of March, 2014, a true copy of the foregoing *ORDER TERMINATING AND DISMISSING CONSENT DECREE WITH PREJUDICE* was mailed, postage prepaid to the following:

John Thomas, General Counsel  
KCP, Inc.  
170 S. Main St. Suite 700  
Salt Lake City, UT 84101

Wyoming Attorney General's Office  
Attn: Matthias L. Sayer  
123 Capitol Building  
Cheyenne, WY 82002

*B. Wells*  
CLERK OF DISTRICT COURT / *deputy*