

UNITED STATES COURT OF APPEALS

January 7, 2010

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

PENNACO ENERGY, INC.;
MARATHON OIL COMPANY; DEVON
ENERGY CORPORATION,

Petitioners – Appellees,

v.

No. 09-8103
(D.C. No. 2:06-CV-100-CAB)

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY; ROBERT
ROBERTS, in his official capacity as
United States Environmental Protection
Agency Region 8 Regional Administrator,

Respondents – Appellants.

STATE OF WYOMING; WILLIAMS
PRODUCTION RMT COMPANY;
YATES PETROLEUM CORPORATION;
ANADARKO PRODUCTION
COMPANY; CARLTON DEWEY;
MIKE COULTER; JESS ANDERSON;
JOANN TWEEDY; CHARLES
TWEEDY,

Intervenors – Petitioners –
Appellees,

STATE OF MONTANA,

Intervenor,

and

TONGUE RIVER WATER USERS'
ASSOCIATION,

Intervenor – Respondent.

ORDER

Appellant's motion to dismiss is granted. 10th Cir. R. 27.3(A)(9).

A copy of this order shall stand as and for the mandate of the court.

Entered for the Court,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal flourish line.

ELISABETH A. SHUMAKER, Clerk