

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**

2011 JUN 27 AM 10:16

FILED
EPA REGION VII
HEARING CLERK

QUESTAR EXPLORATION AND
PRODUCTION COMPANY,

Petitioner,

v.

No. 09-9538

ENVIRONMENTAL PROTECTION
AGENCY,

Respondent.

STIPULATION TO DISMISS

Pursuant to discussions held under Tenth Circuit Rule 33.1, Federal Rule of Appellate Procedure 42(b), and the agreement of the parties, the undersigned hereby stipulate that the above appeal may be dismissed with prejudice. Each party shall bear its own costs on appeal.

s/ John D. McCarthy

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CERTIFICATE OF DIGITAL SUBMISSION

In accordance with the court's CM/ECF User's Manual, I hereby certify that all required privacy redactions have been made. In addition, I certify that the hard copies of this pleading that may be required to be submitted to the court are exact copies of the ECF filing, and the ECF submission has been scanned for viruses with the most recent version of a commercial virus scanning program named TREND MICRO OfficeScan, Version 8.0 Service Pack 1, June 20, 2011 being the most recent update and, according to the program, is free of viruses.

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2011, a true and correct copy of the foregoing **Stipulation to Dismiss** was sent to the persons listed below in the manner indicated (check box):

- by U.S. mail;
- by third-party commercial carrier for delivery within 3 calendar days;
- by personal delivery, including delivery to a responsible person at the office of counsel;
- by digital submission via the 10th Circuit Court's ECF program.

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