

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 13-cv-00701-RM-NYW

WALTER MYERS,
KATHERINE MYERS,
AMANDA WEAKLAND, and
PATRICK WEAKLAND,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, an agency of the United States,

Defendant, and

PARK CENTER WATER DISTRICT,

Defendant-Intervenor.

ORDER

This matter is before the Court sua sponte.

On January 13, 2015, the Court granted, in part, and denied, in part, Plaintiffs' motion for summary judgment (ECF No. 125) on Plaintiffs' Clean Water Act, 33 U.S.C. § 1365(a)(1), claim (ECF No. 1 ¶¶ 34-38).

On August 25, 2015, Defendant Bureau of Land Management ("BLM") submitted a report stating that all unpermitted discharges had ceased and that BLM's contractors were finishing site work. (ECF No. 134.) On August 25, 2015, Plaintiffs filed a "Notice of Remaining Claims" stating that no further issues remained for litigation beyond Plaintiffs' claims for litigation costs as authorized by 33 U.S.C. § 1365(d). (ECF No. 135.)

On November 3, 2015, Plaintiffs filed a motion for litigation expenses and attorneys' fees. (ECF No. 141.)

On January 4, 2016, the parties filed a joint motion for a "Consent Order." (ECF No. 146.) The parties advised the Court that the Consent Order would resolve Plaintiffs' motion for litigation expenses and attorneys' fees. (ECF No. 146 ¶¶ 5-6.)

On January 7, 2016, the Court granted the parties' joint motion for a Consent Order. (ECF No. 147.) The Court ordered BLM to pay Plaintiffs the sum of \$92,750.00. (ECF No. 147 at 2.)

In light of the foregoing, the Court:

- (1) DENIES as MOOT Plaintiffs' motion for litigation expenses and attorneys' fees (ECF No. 141);
- (2) DIRECTS the Clerk of the Court to enter JUDGMENT in Plaintiffs' favor and against Defendant BLM with respect to Plaintiffs' Clean Water Act claim; and
- (3) DIRECTS the Clerk of the Court to CLOSE the matter.

DATED this 7th day of January, 2016.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge