

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

In the Matter of the Appeal	)	
and Petition for Hearing of:	)	
Croell Redi-Mix, DEQ AQD Permit	)	Docket No. 10-2803
Application No. AP-9645	)	
and DEQ AQD Permit No. MD-9645	)	
dated March 17, 2010	)	

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**ORDER ON CROELL REDI-MIX'S MOTION FOR SUMMARY JUDGMENT**

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This matter came before the Council on Croell Redi-Mix's Motion for Summary Judgment filed on October 20, 2010. A hearing on the Motion was held before the Council on November 18, 2010 at approximately 10:15 a.m. in Laramie, Wyoming with Croell Redi-Mix having been represented by its attorney, J. Mark Stewart, the DEQ/AQD having been represented by its attorney Nancy Vehr, and with Judith Bush appearing on her own behalf via telephone with the permission of the Council.

This Council, having considered the Motion and the responses thereto, having reviewed the file, having heard the oral argument of the Parties, and being otherwise fully advised and informed in the premises, hereby:

ORDERS that Croell Redi-Mix's Motion for Summary Judgment is GRANTED; and  
The contested case hearing set for January 13 and/or 14<sup>th</sup>, 2011 is VACATED  
DONE this \_\_\_ day of \_\_\_\_\_, 2010.

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F. David Searle, Presiding Officer