

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUL 12 2006

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE OBJECTION)
TO THE SMALL MINE PERMIT OF) DOCKET NO. 06-4802
WESTERN WYOMING CONSTRUCTION,)
COMPANY, TFN 4 4/267)

PRE-HEARING DISCLOSURES

The Department of Environmental Quality, Land Quality Division (Division), through the Office of the Attorney General, pursuant to the Environmental Quality Council's (Council) Notice of Hearing and Order, hereby submits its Pre-Hearing Disclosures.

SUMMATION OF THE FACTS

Western Wyoming Construction Company (Western) filed its amendment application with the Division, small mine permit application TFN 4 4/267, to expand its limited mining operation No. 1043 to a small mining operation not to exceed 40 acres. After proper notification of Western's application, Dan Ratigan, M.D. an interested party, timely filed a general objection with the Division. The objection only identifies "many issues that deserve to be addressed" regarding Western's proposed mining operation. The Division has determined that the application is complete, in full compliance with Wyoming Law and is ready to issue the permit.

LEGAL ISSUES

Whether or not a small mining permit should be issued to Western.

WITNESSES

WILL CALL:

Mr. Steve Platt
District 2, Environmental Senior Analyst
Wyoming Department of Environmental Quality
Land Quality Division
Lander Field Office
510 Meadow Drive
Lander, Wyoming 82520
307-332-6940

Mr. Platt is expected to testify regarding his knowledge of the Western's small mining permit application, its compliance with Wyoming Law and the Division's decision to issue the permit.

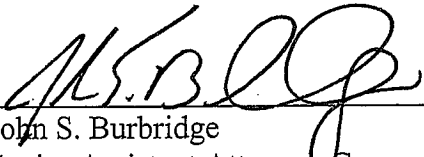
MAY CALL:

The Division may call any witness listed by the objectors in the above captioned matter. In addition, the Division may call any witness needed for rebuttal testimony.

EXHIBITS

Western's permit application.

DATED this 12th day of July, 2006.



John S. Burbridge
Senior Assistant Attorney General
Wyoming Attorney General's Office
123 Capitol Building
Cheyenne, Wyoming 82001
307-777-7823

CERTIFICATE OF SERVICE

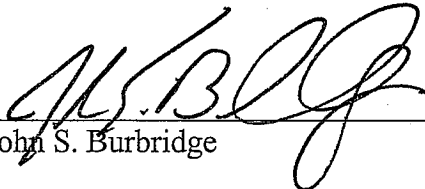
I, John S. Burbridge, certify that the foregoing Pre-Hearing Disclosures was served by U.S.

Mail, postage prepaid, and by e-mail to the following people on the 12th day of July,

2006:

Dan Ratigan
Black Mountain Ranch
548 North Fork Road
Lander, Wyoming 82520
e-mail: blackmtnranch@tcinc.net

D. Scott Sims
Western Wyoming Construction Co.
1290 N. 2nd Street
P.O. Box 490
Lander, Wyoming 82520
Facsimile: 307-332-7735



John S. Burbridge