

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
STATE OF WYOMING

FILED

NOV 16 2006

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE MINE PERMIT AMENDMENT)
APPLICATION OF MOUNTAIN CEMENT COMPANY,)
TO PERMIT NO. 298C- A5; TFN 4 4/296.)

ORDER OF DISMISSAL

THIS MATTER having come before the Environmental Quality Council upon the Applicant's *Motion to Dismiss* and the Environmental Quality Council being generally advised in the premises;

IT IS HEREBY ORDERED: That the appeal filed by the Objector in the above-entitled matter should be and is hereby dismissed.

DATED: *Nov. 13*, 2006.

BY THE HEARING OFFICER:



John N. Morris
Environmental Quality Council
122 W. 25th Street
Herschler Building, Rm. 1714
Cheyenne, WY 82002

cc:

Brian R. Waitkus
1105 E. Canby
Laramie, Wyoming

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Anthony, Nicholas & Tangeman, LLC
P.O. Box 928
Laramie, WY 82073

John S. Burbridge, Esq.
Wyoming Attorney General's Office
123 Capitol Building
Cheyenne, WY 82002

CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 16th day of November, 2006, I served a copy of the foregoing **ORDER OF DISMISSAL** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Brian R. Waitkus
80 Eagle Nest Lane
Laramie, WY 82070

Monty Buchanan
Mountain Cement Co.
5 Sand Creek Rd.
Laramie, WY 82070

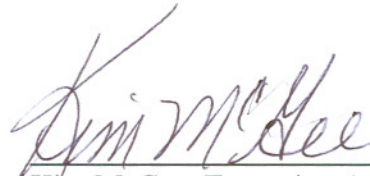
Philip A. Nicholas
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and the following persons via interoffice mail:

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