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Terri A. Lorenzon, Director
Environmental Quality Council
October 24, 2006

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Wyoming Environmental Quality Council
122 W. 25th
Herschler Building
Room 1714
Cheyenne, WY 82002

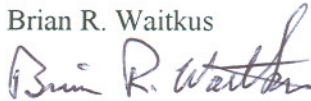
CC Bill Hogg
Land Quality DEQ
122 W. 25th
Herschler Building 3rd Floor West
Cheyenne, WY 82002

RE: Mountain Cement Company TFN 4 4/296 - Docket No. 06-4804

This letter is to inform EQC that on October 19th, 2006 Mountain Cement and Brian Waitkus came to an agreement on the mine sequence change for the Etchepare quarries and as a result I am withdrawing my objection to the permit revision. This is assuming that the Land Quality Division DEQ will place the contents of this agreement in the mine permit to the extent that it is practicable.

The main points of this agreement is that 1. Mountain Cement will be able to mine Area C and Etchepare mine areas 7b, 6a, and 6b contemporaneously beginning when they receive a permit to mine Area C; 2. Mountain Cement will not ask for a mine permit revision to mine Etchepare 5 until after they complete mining in Area C; 3. a berm will be constructed in Area C between their proposed screening activity and my property as described in the agreement; 4. Mountain Cement repeats they consider Area A, east of my property an area they can not mine; and 5. Mountain Cement agrees to reclaim the majority of the Area C mine area within 12 months of the completion of the mining, as described in the agreement.

Brian R. Waitkus



80 Eagle Nest Lane

Laramie, Wyoming 82070