



# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

07-4802

April 20, 2007

**CERTIFIED MAIL #7005 1820 0005 1465 4789**  
**RETURN RECEIPT REQUESTED**

**FILED**

20 km  
**APR 19 2007**

Mr. Farrell Brough  
1680 Riverview Road  
Riverton, WY 82501

Terri A. Lorenzon, Director  
Environmental Quality Council

**RE: 2M Construction, TFN 4 6/333**

Dear Mr. Brough:

We have received your letter regarding the proposed issuance of a mining permit to 2M Construction. As allowed by Wyoming Statute §35-11-406(k), a section of the Environmental Quality Act, we are considering your letter an objection to the issuance of a permit. The Environmental Quality Council will set the date, time and place for a hearing. Terri Lorenzon, the Council's Attorney, will notify you by mail once this has been done.

The hearing will be conducted as a contested case, pursuant to the provisions of the Environmental Quality Act, the Administrative Procedure Act, and Department of Environmental Quality Rules of Practice and Procedure. To obtain a copy of the Department of Environmental Quality Rules of Practice & Procedure, check off the appropriate area of page two and return it to our office at the above address.

Thank you for your interest in this matter.

Sincerely,

Richard A. Chancellor  
Administrator  
Land Quality Division

RC:bb

xc: **Terri Lorenzon**  
John Burbridge  
John Corra  
2M Construction  
Mark Moxley, District 2

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002 • <http://deg.state.wy.us>

ADMIN/OUTREACH  
(307) 777-7758  
FAX 777-3610

ABANDONED MINES  
(307) 777-6145  
FAX 777-6462

AIR QUALITY  
(307) 777-7391  
FAX 777-5616

INDUSTRIAL SITING  
(307) 777-7368  
FAX 777-6937

LAND QUALITY  
(307) 777-7756  
FAX 777-5864

SOLID & HAZ. WASTE  
(307) 777-7752  
FAX 777-5973

WATER QUALITY  
(307) 777-7781  
FAX 777-5973



# AFFIDAVIT OF PUBLICATION

RECEIVED  
APR 10 2007

RECEIVED

APR 09 2007

LAND QUALITY DIV.  
DIST. I

STATE OF WYOMING )

LQ.

) SS.

COUNTY OF FREMONT )

I, Steven R. Peck, do solemnly affirm that I am the Publisher of THE RANGER, a daily paper of general circulation, published six times a week at Riverton, Fremont County, Wyoming, that the

### PUBLIC NOTICE

2M Construction of 1450 Riverview Road, Riverton, Wyoming has applied for a small mining permit from the Land Quality Division of Department of Environmental Quality for the State of Wyoming. The mining permit area for the mining of sand and gravel will be located in Section 33, T1N, R4E, W6M, Fremont County, Wyoming. The area is located approximately 1/2 mile south of the intersection of Major Avenue and Riverview Road. The proposed operation will begin May 2007 and is estimated to continue until 2017. The land, after mining, will be reclaimed and seeded with vegetation similar to the surrounding area for grazing by livestock and wildlife in the area.

Information regarding the proposed mining operation and reclamation procedures may be reviewed in the Office of the Land Quality Division of the Department of Environmental Quality in Cheyenne and Lander, Wyoming, the office of 2M Construction Office, or the Fremont County Clerk's Office in Lander, Wyoming. Objections to the proposed mining operation must be received by the Administrator of the Land Quality Division of the Department of Environmental Quality, Herschler Building, 122 West 25th Street, Cheyenne, WY 82002, before the close of business May 3, 2007. If an objection is submitted a public hearing shall be held within twenty (20) days after the final date for filing objections unless a different period is stipulated by the parties. The notice shall include the time, date and location of the hearing or conference in a newspaper of general circulation in the locality of the proposed operation once a week for two (2) consecutive weeks immediately prior to the hearing or conference. The hearing shall be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act (W.S. §16-3-101 through §16-3-115), and the right of judicial review shall be afforded as provided in that act. All parties as given in W.S. §35-11-406(j) will be mailed a copy of this notice. The Wyoming Oil and Gas Commission will be mailed a copy of the application mine plan map as required in W.S. §35-11-406(j).

PUB: The Ranger  
March 30, and April 3, 2007

notice attached hereto and which is a part of this affidavit, was published in said newspaper 2 consecutive weeks (issues) the first publication having been on the 30 of March, A.D., 2007, and the last publication on the 3 of April, A.D., 2007, that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that notice was published in the newspaper and in a supplement.

*Steven R. Peck*

Subscribed in my presence and affirmed to before me this 3rd day of April, A.D., 2007.

Notary Public.

My commission expires on the 24th day of June,

A.D., 2010.  
2m Construction  
Small Mine Permit  
Apr., 2007

KIM R. DRAPER NOTARY PUBLIC  
STATE OF WYOMING  
COUNTY OF FREMONT  
MY COMMISSION EXPIRES JUNE 24 2010

IK.-2