

**FILED**

OCT 17 2008

LAW OFFICES  
**LONABAUGH AND RIGGS, L.L.P.**

SUITE 110, 50 EAST LOCKS STREET  
DRAWER 5050  
SHERIDAN, WYOMING 82801

Jim Ruby, Executive Secretary  
Environmental Quality Council  
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October 17, 2008

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RETRIEVE:  
R. E. LONABAUGH

Administrator of Land Quality Division  
Department of Environmental Quality  
Herschler Building  
122 West 25<sup>th</sup> Street  
Cheyenne, Wyoming 82002

via U.S. Mail and Fax to 777-6134

Permittee: Intermountain Construction and Materials of Gillette, Wyoming  
Protestant: Chuck Evitt  
Permit Area: SW¼ SE¼ Section 15, T. 52N, R. 83W; NE¼ Section 22, T. 52N, R. 83W; NW¼ NE¼ Section 22 T. 52N, R. 83W; Johnson County, Wyoming


Administrator:

I understand that the above Permittee, Intermountain Construction and Materials of Gillette, Wyoming, has withdrawn its application to amend its mine permit upon the lands identified above. That being the case, please accept this as a withdrawal of Chuck Evitt's objection thereto, and as his request that the matter be removed from your docket.

If you should require anything further, please do not hesitate to give me a call.

Very truly yours,

LONABAUGH & RIGGS, L.L.P.

By:  Thomas J. Klepperich  
Attorney for Chuck Evitt