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AFFIDAVIT OF PUBLICATION

STATE OF WYOMING)
) SS.
County of Johnson)

Public Record

SECOND PUBLICATION PUBLIC NOTICE

The Intermountain Construction and Materials of Gillette, Wyoming has applied for a mining permit (amendment) from the Land Quality Division of the Department of Environmental Quality for the State of Wyoming. The mining permit (amendment) area will be located in: SW ¼ SE ¼ Section 15, T. 52N., R. 83W; NE ¼ Section 22, T. 52N, R. 83W; NW ¼ NE ¼ Section 22 T. 52N, R. 83W; Johnson County, Wyoming. The Evitt Pit is approximately 11 miles North West of Buffalo; via I-80 and Shell Creek Road. The proposed operation is scheduled to begin May 2008 and is estimated to continue until 2032. The land, after mining, will be returned to a grazing land use. 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 Sheridan, Wyoming, the office of Intermountain Construction and Materials in Gillette, Wyoming or the Johnson County Clerk's Office, Wyoming. Written 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 October 13, 2008. 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 to by the parties. The Council of Director shall publish notice of the time, date and location of the hearing or conference in a newspaper of general circulation on 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).

Publish: August 21, 28, September 4, 11, 2008

I Susan Carr, of the Buffalo Bulletin, a newspaper of general circulation, published every week at Buffalo, Wyoming, do solemnly swear that the notice attached hereto and which is a part of this affidavit, was published for four (4) consecutive weeks in said newspaper. The first publication having been made in the issue for the week of August 21, 2008 and the last publication having been made in the issue for the week of September 11, 2008 and that said notice appeared in the regular issue of said newspaper.

In Witness Whereof, I have here unto set my hand this 11th day of September 2008.

Susan Carr

Subscribed and sworn to before me this 11th day of September 2008.

Evelyn J. Lack
_____ Notary Public

