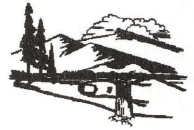




Department of Environmental Quality



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

**CERTIFIED MAIL #7008 0150 0001 1179 3193
RETURN RECEIPT REQUESTED**

October 10, 2008

Steve Wuthier
279 Shell Creek Road
Buffalo, WY 82834

RE: Intermountain Construction & Materials, TFN 4 1/361

Dear Mr. Wuthier:

We have received your letter regarding the proposed issuance of a mining permit to Intermountain Construction & Materials. 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. Jim Ruby, 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,

Donald R. McKenzie
Administrator
Land Quality Division

RC:bb

xc: Jim Ruby
John Burbridge
John Corra
Intermountain Construction & Materials
Mark Rogaczewski, District 3

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002 • <http://deq.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

