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November 22, 2010

Don McKenzie, Administrator
Wyoming Department of Environmental Quality
Land Quality Division
Herschler Building
122 East 25th Street
Cheyenne, WY 82002

RE: EASTFORK RANCH PIT; T31N R106W S/2S/2 Sec. 6, N/2 Sec. 7

This office represents East Fork Limited Partnership ("East Fork LP"). The East Fork LP recently received Notice of Mining Permit Application ("Application") from Aqua Terra Consultants, Inc. regarding a Public Notice publishing period. The Application is for a gravel mine to be operated by McMurry Ready Mix Company ("Applicant"). East Fork LP is fee owner of property that abuts the proposed Eastfork Ranch Pit ("Pit") on the Pit's west boundary. This letter lists East Fork LP's concerns regarding the Pit Application and serves as comment and request for a hearing on the Pit Application.

East Fork LP objects to issuance of the Pit Application prior to Applicant properly complying with the Zoning and Development Regulations Resolutions Sublette County, Wyoming. While it is believed that Applicant obtained a conditional use permit for the small mine now in use, no effort has been made to comply with Sublette County's Zoning and Development Regulations regarding the expanded land use. A zoning and development permit is mandatory under Zoning and Development Regulations Resolutions Sublette County, Wyoming, Chapter IV.

Much of the surrounding property has been subdivided into small 10-acre to 50-acre parcels. These parcels are likely intended for residential purposes. This extreme industrial use should not be located near this type of private property. The Pit is substantial and threatens to devalue all property in the area. The owners of the surrounding private property should have been involved at an earlier date in the permitting process.

It is understood there has been a request that ingress and egress from the mine be through Mathis Lane only. East Fork LP does not support this alternate route as it will increase traffic

over a road that, historically, has seen only limited travel. Further, it is believed that Sublette County abandoned a portion of Mathis Lane in February, 2010, and use of Mathis Lane may be foreclosed by lack of right.

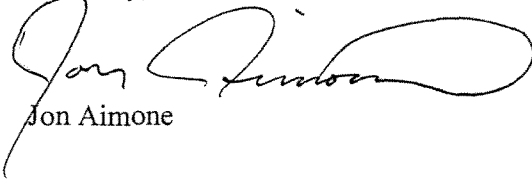
East Fork LP is concerned with Applicant's past failure to comply with gravel mining operation restrictions. East Fork LP views such lack of compliance as willful disregard for neighboring land owners' and the general public's interests in environmental concerns.

Applicant has failed to comply with the requirements of W.S. §35-11-406(j). While East Fork LP did receive mail correspondence from Aqua Terra Consultants, Inc., the correspondence failed to include a "copy of the notice". East Fork LP objects to the issuance of a permit without full compliance with statutory requirements.

Last, East Fork LP agrees with, supports, and incorporates herein the comments submitted October 25, 2010, by Mark Sullivan on behalf of Dave and Sandra Goodwin. Those comments detail concerns regarding sage grouse leks. East Fork LP is concerned that such disregard may inflict the same harm that Executive Order 2010-4 is intended to permit.

Applicant's Pit Application has failed to comply with EO 2010-4. Applicant has failed to provide proper notice under W.S. §35-11-406(j). Finally, Applicant has not complied with Sublette County zoning resolutions by receiving a conditional use permit for a ten-acre pit but failing to receive a zoning and development permit for the proposed expanded operation. East Fork LP respectfully requests that this permit application be placed on hold, the deadline for public comment be extended, and no final action be taken on this permit until such time as your division determines the Applicant has resolved the above issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Aimone", with a large, stylized flourish at the end.

Jon Aimone

cc. Tanya King
Harriet Hageman
East Fork Limited Partnership