

Planning and Zoning Department

County of Sublette
P.O. Box 506, 21 S. Tyler
Pinedale, Wyoming 82941

367-4375 276-3827

November 12, 2009

McMurry Ready Mix Company
Attention: Ron McMurry
P.O. Box 2488
Casper, Wyoming 82602

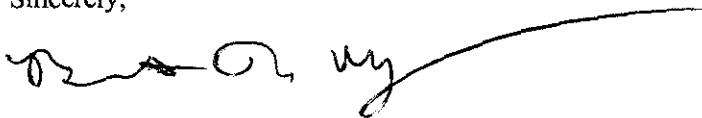
Dear Mr. McMurry:

This letter is written in response to recent complaints regarding the hours of operation and size of your gravel operation on the Bousman property. The Conditional Use Permit issued to McMurry Ready Mix on March 19, 2008 allows for a gravel operation on ten acres, with the hours of operation being restricted to daylight hours. As we have recently discussed the loading of trucks is considered operation of the gravel pit. Therefore the loading of trucks at the gravel pit shall only be allowed during daylight hours. The issue of what constitutes daylight hours has been raised and I have determined that daylight hours are defined as 30 minutes before sunrise until 30 minutes after sunset. I have enclosed a sunrise/sunset calendar for the remainder of 2009 and 2010 for your reference.

Regarding the size of the gravel operation, a recent survey by Rio Verde Engineering established the size of your gravel operation at 10.5 acres. This survey does not include the haul road the Wyoming Department of Environmental Quality included in a Letter of Violation dated September 11, 2009. It is my understanding that the Department of Environmental Quality has not issued a ruling on the haul road or actual size of the gravel operation. I have provided a copy of the Rio Verde Engineering survey to Mark Moxley, Department of Environmental Quality – Land Quality Division District II Supervisor. I have requested that Mr. Moxley keep my office apprised of the final determination of the Department of Environmental Quality regarding the size of your gravel operation. From the Rio Verde Engineering survey it is apparent the size of the operation exceeds ten acres and a portion of the operation will require reclamation in order to continue to be permitted as a ten acre exemption. This office will require that upon a determination by the Department of Environmental Quality regarding the size of the operation, reclamation efforts in coordination with the Department of Environmental Quality be undertaken within 15 days.

Your cooperation in resolving the complaints regarding the hours of operation and size of the gravel pit is anticipated. Failure to abide by the hours of operation or failure to comply with the ten acre size restriction shall result in all appropriate enforcement action being initiated. Feel free to contact this office should you have any questions or concerns regarding this letter.

Sincerely,



Bart Myers
Planning and Zoning Administrator

: Enclosure