



THE STATE OF WYOMING  
ENVIRONMENTAL QUALITY COUNCIL

June 5, 2012

**Matt Mead,**  
Governor

Tom Coverdale  
Chair

Dave Searle  
Vice-Chair

Rich Fairservis  
Secretary

John N. Morris

Tim Flitner

Dennis Boal

Dr. David Bagley

Jim Ruby  
Executive Secretary

Kim Waring,  
Sr. Office Support Spec.

Joe Girardin,  
Paralegal

122 W. 25th, Herschler  
Bldg., Rm. 1714,  
Cheyenne, WY 82002  
(307) 777-7170  
FAX: (307) 777-6134  
[http://deq.state.wy.us/  
eqc](http://deq.state.wy.us/eqc)

**CERTIFIED MAIL #70020460000298281568**

**RETURN RECEIPT REQUESTED**

**Chuck & Jody Evitt**  
**988 Rock Creek Road**  
**Buffalo, WY 82834**

**RE: Croell Redi-Mix, Inc.—TFN 5 1/189—EQC Docket No. 12-4802**

Dear Mr. and Mrs. Evitt:

The Department of Environmental Quality (DEQ) has forwarded your objection to the application of Croell Redi-Mix, Inc.—TFN 5 1/189, EQC Docket No. 12-4802, for a mining permit to the Environmental Quality Council (the Council). As provided for in the Environmental Quality Act, the Council will set a time and place for a hearing on your objection. This hearing will be conducted pursuant to the provisions of the Environmental Quality Act, the Administrative Procedures Act, and the DEQ Rules of Practice and Procedure. The hearing will be conducted as a contested case, and all witnesses will be sworn, direct and cross examination will be the means of eliciting testimony, and all documents must be introduced as exhibits. You are not required to have an attorney represent you in this proceeding, although you may choose to have an attorney present your case. The DEQ will be represented by a member of the Attorney General's staff, Luke Esch, and Croell Redi-Mix, Inc. may have counsel present.

The law requires the Council to hold a hearing on your objection within 20 days of the last day for filing objections, and this hearing must be held by July 2, 2012.

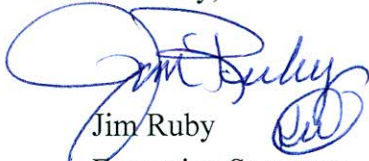
You have the option of proposing a continuance of the hearing date, however, all parties to the proceeding must agree to the continuance before the Council can extend the time. This is a condition that is set by statute. If you seek a continuance, please submit a written request to the Council, along with evidence of DEQ's, Croell Redi Mix, Inc., and any other objectors' agreement to the continuance.

A record of the hearing will be made by a court reporter and the decision on the permit application is appealable to a district court. Should you determine that you do not want a hearing on your objection, please notify me in writing of your decision. If a hearing regarding your objection is not held, your comment will remain a matter of record in the DEQ files, and the director of DEQ will consider the comment when he makes a decision on issuance of the Croell Redi-Mix, Inc. permit.

If you wish to discuss settlement of this matter in order to avoid a contested case hearing, you may contact the Department's legal counsel, Luke Esch, at 307-777-6946.

Please do not hesitate to call if you have questions concerning Council procedures. My phone number is 307-777-7170.

Sincerely,



Jim Ruby  
Executive Secretary

JR/kw

CC: Nancy Nuttbrock, DEQ  
Luke Esch  
John Corra  
Croell Redi-Mix, Inc.