

**FILED**

**FEB 17 2006**

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

Terri A. Lorenzon, Director  
Environmental Quality Council

IN THE MATTER OF THE APPEAL OF )  
PERMIT NO. 03-127 ) DOCKET NO. 03-3802  
WYOMING PREMIUM FARMS )

**ORDER**

The Petitioners, Bonnie and Richard Johnson, filed an appeal to Wyoming Premium Farms' WQD Permit No. 03-127 and requested a hearing before the Environmental Quality Council on November 18, 2003. On June 15, 2005, the Council requested a case update from the Petitioners and it was to be filed by July 15, 2005. The Council did not receive a response from the Petitioners to that request. On September 9, 2005, the Council sent a letter stating that the case would be considered for dismissal at the Council's next meeting. Again, no response was received.

At the Environmental Quality Council public meeting held on November 16, 2005 the Council reviewed the record in this matter and found that this appeal should be dismissed.

THEREFORE, IT IS HEREBY ORDERED THAT the above-stated matter should be and is hereby dismissed.

DATED this 15<sup>th</sup> day of February, 2006.



Mark Gordon, Chairman  
ENVIRONMENTAL QUALITY COUNCIL

FILED

OCT 01 2004



RECEIVED OCT 01 2004

Terri A. Lorenzon, Director  
Environmental Quality Council

LAW OFFICES OF  
**HICKEY & MACKEY**

1800 CAREY AVENUE, Suite 700  
POST OFFICE BOX 467  
CHEYENNE, WYOMING 82003-0467  
TELEPHONE (307) 634-1525 TELEFAX (307) 638-7335  
E-MAIL: [lawfirm@hickeymackey.com](mailto:lawfirm@hickeymackey.com)

DAVID EVANS\*  
ROGER C. FRANSEN  
PAUL J. HICKEY\*  
TERRY W. MACKEY, P.C.\*  
SCOTT W. MEIER, P.C.\*  
MARY A. THRONE  
JOHN M. WALKER

SCOTT A. HOMAR  
IAN D. SHAW

HAROLD E. MEIER  
RICHARD D. BUSH  
Of Counsel

\*ALSO ADMITTED IN COLORADO

September 30, 2004

PARALEGALS:  
JoAnn Huck, CLAS  
Cecilia Gutierrez  
Linda Huckfeldt  
Tammy Gamino

Joe F. Girardin, Paralegal  
Wyoming Environmental Quality Council  
Herschler Building, Room 1714  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

Re: Wyoming Premium Farms, Permit No. 03-127, Docket No. 03-3802

Dear Mr. Girardin:

I am writing in response to your September 21, 2004 letter requesting a case update for the above-referenced appeal. Some of the issues related to land application for Wyoming Premium Farms and the permit that is subject to this appeal are in pending litigation. It is possible that the litigation will address the issues related to this appeal, but until that process is complete, the Johnsons need to preserve their rights to pursue the appeal of Permit No. 03-127. Therefore, we request that the Council keep this matter on its docket and not set it for hearing at this time.

Mike Barrash and I have discussed this and he has no objection to preserving the appeal and will confirm this with the Council, as well.

Sincerely,

A handwritten signature in cursive script that reads "Mary A. Throne".

Mary A. Throne

Cc: Bonnie & Richard Johnson  
Michael Barrash