

Frank Hess*
Paul E. D'Amours**
Nicole G. Krieger*

HESS D'AMOURS & KRIEGER, LLC
ATTORNEYS AT LAW
30 East Simpson St.
P.O. Box 449
Jackson, Wyoming 83001

(307) 733-7881 Phone
(307) 733-7882 Fax
paul@hdkattorneys.com
Collette Caruso
Legal Assistant

* Admitted in WY
** Admitted in WY, ID & CO

May 18, 2016

Kyle Wendtland
Administrator
Land Quality Division
Department of Environmental Quality
200 West 17th Street, Suite 10
Cheyenne, WY 82002

MAY 19 2016

Via Federal Express

RE: Public Comment RST Sand and Gravel Application for Small Mine Permit

Dear Mr. Wendtland:

I represent The Rafter J Ranch Homeowners Association (the "Association"), which is the homeowners association for the Rafter J Ranch subdivision located immediately north of the RST Sand and Gravel proposed permit area. The subdivision includes approximately 500 homes. The Board of Directors (the "Board") has heard from several of the homeowners most impacted by RST Sand and Gravel's application for a small mine permit. At the Board's request, I reviewed the application, and provide the following comment on behalf of the Association.

It is my understanding that the RST Sand and Gravel mining operation, as contemplated by the small mine permit application, will largely continue at its current level of operation, and will continue to be concentrated in general proximity to the existing processing equipment and pit. However, notably, RST includes Mr. Seherr-Thoss's entire 334 acre parcel within in the permit area so that he can dig ponds on the northern portion of his parcel that will be used in the future development of his property. While the Association has no objection to Mr. Seherr-Thoss's plan to dig the proposed ponds under the small mine permit for use in the future development of his property, the Association respectfully requests that a reasonable time limitation be specified for the digging of each pond in order to avoid RST's expanded gravel operation from having a substantially different or adverse impact on our homeowners.

In particular, the Association requests that RST be required to complete the digging and reclamation of each pond within a set number of months from commencement of the digging activity for each pond. For example, if RST begins digging activity on the northern-most pond on April 1, he might be required to complete the digging and reclamation of such pond within three months, or by July 1. This would limit any substantially different or adverse impact the permit would have on the Rafter J homeowners who live in proximity to RST permit area by

limiting the length of time that digging and trucking equipment would be utilized near their homes, and by minimizing the length of time stockpiled material and topsoil would remain. It would further provide his neighbors with some certainty as to the length of the disturbance that will result from the digging of the ponds.

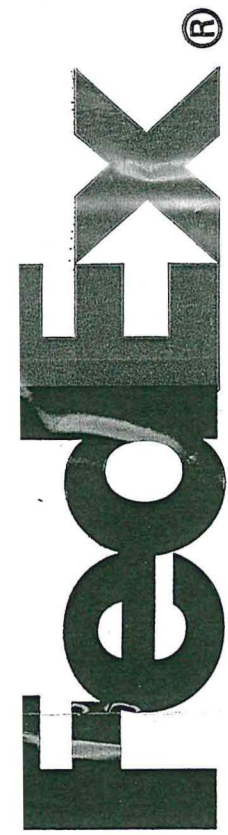
Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul E. D'Amours", with a long horizontal flourish extending to the right.

Paul E. D'Amours

MAY 19 2016



EXPRESS

RT 917
FZ 918

1
10:30
0724
A
05.19

Helping the e

When you use our FedEx carbon shipping program, sustainable projects help reduce CO2 emissions. Now that's responsible.

See how FedEx is responsible and helping the environment by recycling through our **earthsmart** program.



<https://www.fedex.com/shipping/html/en/PrintFrame.html>

ORIGIN ID: JACA (307) 733-7881
COLLETTE CARUSO
HESS DAMOURS & KRIEGER, LLC
30 EAST SIMPSON ST.
P.O. BOX 449
JACKSON, WY 83001
UNITED STATES US

SHIP DATE: 18MAY16
ACTWGT: 0.50 LB
CAD: 9866322/INET3730

BILL SENDER

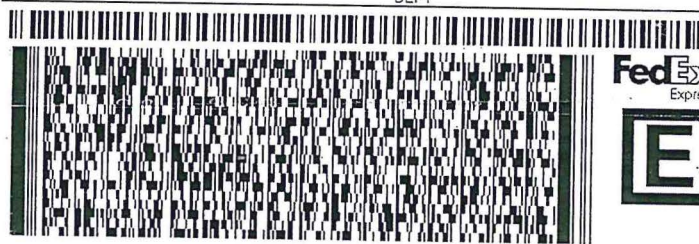
TO KYLE WENDTLAND - LAND QUALITY DIV.
DEPARTMENT OF ENVIRONMENTAL QUALITY
200 WEST 17TH STREET SUITE 10

CHEYENNE WY 82002

(307) 777-7937
INV
PO

REF PED RAFTER, J HOA

DEPT



FedEx
Express



J161016026501wr

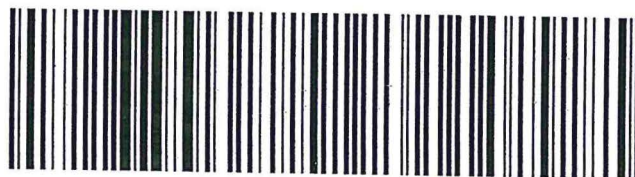
540J16303727F

THU - 19 MAY 10:30A
PRIORITY OVERNIGHT

TRK# 7831 3152 0724
0201

XH CYSA

82002
WY-US DEN



Insert shipping document here.