

FILED

MAR 23 2010

*Jim Ruby, Executive Secretary
Environmental Quality Council*

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN THE MATTER OF:)
Mullinax Concrete Services Co.)
Limited Mining Operation Applications)
TFN 5 4/123 and TFN 5 4/117)

DOCKET NO. 09-4602

ORDER

A short pre-hearing conference will be held in this matter to discuss time frame for discovery, possible hearing dates and time needed for the Parties to present their case. The conference will be conducted on Thursday, April 1, 2010 at 9:00 a.m. via telephone conference call. The parties should provide the EQC office with a telephone number where they can be reached for the pre-hearing on or before March 26, 2010. Failure to appear at the pre-hearing conference may result in dismissal from this case.

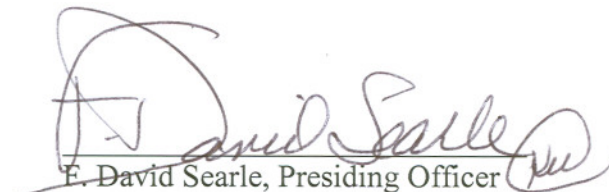
In accordance with the DEQ Rules of Practice and Procedure, Chapter 1, Section 6, "Unless otherwise agreed to by the parties and consented to by the Council, all hearings, including all testimony, shall be reported verbatim by a competent reporter. The compensation of such reporter shall be paid as required by law and as ordered by the Council. The Council may direct any party or parties to assume the cost of the transcript." If the Parties do not file a waiver to this section, the Parties should equally pay the costs of the transcript.

The Presiding Officer having reviewed the record and being fully advised in the premises,

IT IS HEREBY ORDERED

1. The Parties shall appear for a short pre-hearing conference in this matter that will be conducted on Thursday, April 1, 2010 at 9:00 a.m. via telephone conference call. The parties shall inform the EQC office of a telephone number where they can be reached for the pre-hearing on or before March 26, 2010. Failure to appear at the pre-hearing conference will result in dismissal from this case.
2. The Parties have orally waived the requirement of a court reporter for this hearing.

DATED this 23rd day of March, 2010.


 E. David Searle, Presiding Officer
 Environmental Quality Council

CERTIFICATE OF SERVICE

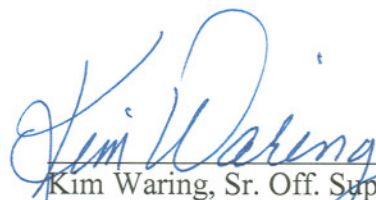
I, Kim Waring, certify that at Cheyenne, Wyoming, on the 23rd day of March, 2010, I served a copy of the foregoing **ORDER** by electronic mail to the following:

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