



THE STATE OF WYOMING  
ENVIRONMENTAL QUALITY COUNCIL

October 4, 2010

**Dave Freudenthal,**  
Governor

Tim Flitner  
Chairman

Thomas Coverdale  
Vice-Chairman

Catherine Guschewsky  
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Dennis Boal  
Dr. Fred Ogden  
John N. Morris  
F. David Searle

Jim Ruby  
Executive Secretary

Kim Waring  
Sr. Off. Support Spec.

Joe Girardin  
Paralegal

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eqc](http://deq.state.wy.us/eqc)

John Green  
18 Reese Dr.  
Sunset Valley, TX 78745

Dear Mr. Green:

The rules of practice and procedure for designation of property as very rare or uncommon presume that the matter will be handled in the same fashion as a rule making, not as a contested case matter, and as such, there is not an issue with ex parte communications. The council staff and the presiding officer were directly involved in the preparation of the public notice. The notice was approved by the presiding officer on August 24, 2010. Because of the informal manner in which rule makings are handled, there is not a formal process by which the notice is approved other than through the review of the notice by the staff and presiding officer and the approval given to the petitioner either verbally or through an informal letter or email.

Attached is the email to the petitioner letting him know the notice was approved by the Presiding Officer.

Sincerely,

A handwritten signature in dark ink, appearing to read "James Ruby", written over a horizontal line.

James Ruby  
Executive Secretary

Attachment

## Waring, Kim

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**From:** Ruby, Jim  
**Sent:** Monday, October 04, 2010 9:58 AM  
**To:** Waring, Kim  
**Subject:** FW:

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**From:** Ruby, Jim  
**Sent:** Tuesday, August 24, 2010 3:26 PM  
**To:** 'Erik Molvar'  
**Subject:**

Hi Erik:

The presiding officer has approved the notice.

Jim