



June 21, 2007

Mr. Dean McDonald
Magruder Limestone Company, Inc.
255 Watson Road
Troy, Missouri 63379

Dear Mr. McDonald:

Due to public notification requirements concerning the expansion application at the Lake Ozark Site in Miller County, I received approximately 24-letters so far requesting that a public meeting be held. I am aware that you have already received a copy of the letters. If we receive additional letters we will forward you a copy shortly after we receive it. The "Land Reclamation Act" at 444.773.3, RSMo, reads in part, "...If a public meeting is requested pursuant to this chapter and the applicant agrees, the director shall, within thirty days after the time for such request has passed, order that a public meeting be held..."

A public meeting usually involves all concerned parties sitting down in a round table type of discussion in an attempt to resolve issues expressed by concerned citizens. After the meeting, a recommendation is issued. The recommendation states whether or not the expansion permit application should be issued. There is also an attachment of the issues discussed at the public meeting. The choice of electing to hold a public meeting or to respectfully decline to hold a public meeting is for the company to decide.

We have an obligation to respond to the people requesting the public meeting. Does Magruder Limestone Company, Inc., agree to hold the requested public meeting? If Magruder Limestone elects to entertain a public meeting, most likely the meeting would be scheduled in mid-July. Your prompt reply to this request will enable staff to prepare for the public meeting at the soonest possible opportunity. Thank you for your attention to this matter.

If you have any questions or concerns regarding the information in this letter, please do not hesitate to contact me by telephone at (573) 751-4041.

Sincerely,

LAND RECLAMATION COMMISSION

(Original signed by Larry P. Coen, R.G.)

Larry P. Coen, R.G.
Staff Director

LPC:wz:tb



www.dnr.mo.gov

July 17, 2007

Mr. Donald Baker
41 Woodriver Road
Lake Ozark, MO 65049

Dear Mr. Baker:

Thank you for your letter requesting a formal hearing involving the proposed permit expansion application for the Magruder Limestone Company, Inc., mine site in Miller County. This letter is simply being sent to confirm you that your letter was received and will be presented to the Land Reclamation Commission for their consideration. We expect this issue to be presented to the Commission at their meeting on September 27, 2007. I will provide you with more details in late August or early September of what to expect at this meeting. Meanwhile thank you for your patience and if you have any questions concerning this process please contact either Bill Zeaman or myself at (573) 751-4041.

Sincerely,

LAND RECLAMATION COMMISSION

(Original signed by Larry P. Coen, R.G.)

Larry P. Coen, R.G.
Staff Director

LPC:bz:tb

c: Dean A. McDonald, Magruder Limestone Co., Inc.



Matt Blunt, Governor • Doyle Childers, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

July 3, 2007

MCJK Properties, LLC
Attn: Michael C & Jacqueline Atkisson
PO Box 305
Osage Beach, MO 65065

Dear Michael & Jacqueline:

Thank you for your letter requesting a hearing involving the proposed permit expansion application for the Magruder Limestone Company, Inc., mine site in Miller County. We did receive your letter within the public notice comment period. It was noted that you did request a formal hearing with Magruder Limestone Company, Inc.

This letter is simply being sent to confirm you that your letter was received during the public notice timeframe. We will keep you informed of future developments. We expect this issue to be presented to the Land Reclamation Commission at their meeting on September 27, 2007. I will provide you with more details in late August or early September of what to expect at this meeting. Meanwhile thank you for your patience and if you have any questions concerning this process please contact either Bill Zeaman or myself at (573) 751-4041.

Sincerely,

LAND RECLAMATION COMMISSION

(Original signed by Larry P. Coen, R.G.)

Larry P. Coen, R.G.
Staff Director

LPC:bz:tb

c: Dean A. McDonald, Magruder Limestone Company, Inc.

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

Matt Blunt, Governor • Doyle Childers, Director

June 26, 2007

Mr. Jerry L. Atkisson
460 Highway D
Osage Beach, MO 65065

Dear Mr. Atkisson:

The Missouri Department of Natural Resources, Land Reclamation Program received comment letters regarding the proposed permit expansion of the Magruder Limestone Company, Inc., Lake Ozark Quarry in Miller County. Thank you for your letter of concerns involving the proposed permit expansion application. In addition to your immediate concerns, it was noted that a request was made for an informal public meeting with Magruder Limestone Company, Inc. On June 20, 2007, Magruder Limestone Company contacted us via telephone respectfully declining to hold an informal public meeting.

According to the rules and regulations at 10 CSR 40-10.080(1)(A) if the applicant does not agree to the public meeting then the petition may be referred to the commission for a formal public hearing as directed by subsection (3)(B) of this rule if the petitioner makes a written request within fifteen (15) days of notification of the denial of the public meeting by the applicant.

If you elect to pursue a formal hearing, please submit in writing a request for a hearing explaining how your health, safety or livelihood will be unduly impaired by the issuance of this permit expansion application to: Staff Director, Missouri Land Reclamation Commission, P.O. Box 176, Jefferson City, Missouri 65102-0176. If we receive your request for a hearing within fifteen days from the receipt of this letter, it will be presented to the Land Reclamation Commission at their September 27, 2007, meeting. Further details about that meeting location and time will be provided to anyone who might request a formal hearing. If you do not wish to pursue a formal hearing, you do not need to taken any further action.

If you have any additional questions or concerns, please contact either Bill Zeaman or myself at (573) 751-4041 for further assistance.

Sincerely,

LAND RECLAMATION COMMISSION

(Original signed by Larry P. Coen, R.G.)

Larry P. Coen, R.G.
Staff Director

LPC:bz:tb

c: Dean A McDonald Magruder Limestone Co Inc

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

Matt Blunt, Governor • Doyle Childers, Director

August 30, 2007

The Honorable Penny Lyons
Mayor
City of Osage Beach
1000 City Parkway
Osage Beach, MO 65065

Dear Mayor Lyons:

Thank you for your letter requesting a hearing involving the proposed permit expansion application for mining limestone in Miller County, regarding Magruder Limestone Company.

We are placing your request for a formal hearing on the September 27, 2007 agenda for the Land Reclamation Commission. The Land Reclamation Commission at their meeting on Thursday September 27, 2007 at 10:00 a.m. will discuss the matter of the formal hearing request. This meeting will be held at the Department of Natural Resources Conference Center at 1738 East Elm Street, Jefferson City, Missouri, please refer to the attached map for directions. Upon arrival, go to the back of the building to locate the visitors entrance, and then please check in with the receptionist for directions to the meeting room.

The purpose of this agenda item before the Land Reclamation Commission will be to provide the Commission with basic information to make an informed decision about whether or not you have standing to request a hearing. Before a request for a hearing can be granted, the person who has submitted a petition must demonstrate to the Land Reclamation Commission that there is a basis for a hearing. Please be prepared at that time to explain to the Commission why you feel your health, safety, or livelihood will be unduly impaired by the issuance of the permit. If you are unable to attend the September 27, 2007 meeting, the Commission will consider your written request. They will then decide if you have the proper "standing", which is the criteria used to determine if a hearing should be held.

The decision as to whether or not a formal hearing will be granted rests solely with the Land Reclamation Commission and will be decided at the scheduled September 27, 2007, meeting. The hearing will not be held on September 27, 2007.

To better understand the process, allow me to explain exactly what is meant by the term "hearing" under the law. This is not an informal or formal meeting that takes place to discuss the

The Honorable Penny Lyons
August 30, 2007
Page Two

merits or drawbacks of the issuance of a particular permit to a mining company. Rather, it is a formal judicial proceeding that occurs before a hearing officer, who functions like a judge, in which all parties are generally represented by legal counsel. If a hearing is granted, the hearing will delay the issuance of the permit until the matter is heard by the hearing officer. It should be understood that if a hearing is granted, you must submit scientific evidence to support your claim in that hearing. The hearing officer then issues a recommendation to the Land Reclamation Commission for issuance or denial of the permit and the final decision then rests with the Commission.

I have discussed the criteria for determining standing above. It is defined in the statutes of the state of Missouri and may be found at 444.773.3, RSMo, within "The Land Reclamation Act." This Act contains the governing laws by which this agency and the industry, which it regulates, must abide. Enclosed for your reference is a copy of The Land Reclamation Act.

If you have any questions concerning this matter you may call me at (573) 751-4041. Thank you very much for your interest in this matter and we look forward to your participation in the future.

Sincerely,

LAND RECLAMATION COMMISSION

(Original signed by Larry P. Coen, R.G.)

Larry P. Coen, R.G.
Staff Director

LPC:bz:tb

Enclosures: Map
The Land Reclamation Act

c: Dean A. McDonald, Magruder Limestone Company

---List of Names ---

Larry & Vicky Stockman
Riverview Park & RV Sales
398 Woodriver Road
Lake Ozark, MO 65049

Mr. & Mrs. William Moore
25 Winding Woods Road
Lake Ozark, MO 65049

Michael C. & Jacqueline
Atkisson
MCJK Properties LLC
P.O. Box 305
Osage Beach, MO 65065

Linda Weeks
168 Wood River Road
Lake Ozark, MO 65049

Mary W. Denton
P.O. Box 428
Lake Ozark, MO 65049

Cherie L. Thrasher, teacher
Lakeview Christian Academy
31 Woodriver Road
Lake Ozark, MO 65049

Rodney D. Thrasher,
Principal
Lakeview Christian Academy
31 Woodriver Road
Lake Ozark, MO 65049

Carolyn M. Thrasher,
Administrator
Lakeview Christian Academy
31 Woodriver Road
Lake Ozark, MO 65049

Andrew Zawislak
87 Woodriver Road
Lake Ozark, MO 65049

Robert Chandler
6 Woodriver Road
Lake Ozark, MO 65049-3113

Clinton & Tamira Sheppard
150 Wood River Road
Lake Ozark, MO 65049

Jerry Vincent
123 Wood River Road
Lake Ozark, MO 65049

Betty J. Chandler
6 Woodriver Road
Lake Ozark, MO 65049

Dale Norris
2 Woodriver Road
Lake Ozark, MO 65049

Sandra Neal
105 Woodriver Road
Lake Ozark, MO 65049

Joseph M. Bax
67 Wood River Road
Lake Ozark, MO 65049

Tom Voitenko
105 Wood River Road
Lake Ozark, MO 65049-3115

Dennis & Linda Croxton
73 Wood River Road
Lake Ozark, MO 65049-3111

Todd & Rebecca Reinecke
56 Woodriver Road
Lake Ozark, MO 65049

John M. Zawislak
87 Wood River Road
Lake Ozark, MO 65049

Marline Zawislak
87 Wood River Road
Lake Ozark, MO 65049

Jack & Barbara Farris
7 Wood River Road
Lake Ozark, MO 65049

Matt Skiles
47 Wood River Road
Lake Ozark, MO 65049

Robert Zawislak
145 Wood River Road
Lake Ozark, MO 65049

Tricia Foster
1 Woodriver Road
Lake Ozark, MO 65049

Terry Cochran
628 Highway D
Osage Beach, MO 65065

Gertrude Atkisson
460 Highway D
Osage Beach, MO 65065

Jerry L. Atkisson
460 Highway D
Osage Beach, MO 65065

Troy Atkisson
460 Highway D
Osage Beach, MO 65065

Thomas Atkisson
P.O. Box 273
Kaiser, MO 65047

Steve & Teresa Beeny
59 Wood River Road
Lake Ozark, MO 65049

Kathy Russo
65 Wood River Road
Lake Ozark, MO 65049

Joseph Boer
P.O. Box 428
Lake Ozark, MO 65049

Donald Baker
41 Wood River Road
Lake Ozark, MO 65049

James F. Atkisson
460 Highway D
Osage Beach, MO 65065

Benjamin W. Spiehard
Benjamin Leather
54 Wood River Road
Lake Ozark, MO 65049

Richard Scott
Benjamin Leather
54 Wood River Road
Lake Ozark, MO 65049

Judy Taylor
49 Wood River Road
Lake Ozark, MO 65049

Kevin & Judith Meyer
79 Wood River Road
Lake Ozark, MO 65049

Steve Terviel
27 Winding Woods Road
Lake Ozark, MO 65049

John & Carl Williams, Joyce
Mace
3953 Highway 54
Osage Beach, MO 65065

Johnnie Franzeskos & Penny
Lyons
Lake Ozark-Osage Beach
Joint Sewer
1000 City Parkway
Osage Beach, MO 65065

Honorable Mayor Penny
Lyons
City of Osage Beach
1000 City Parkway
Osage Beach, MO 65065