

FROM THE OFFICE OF David Crocker
DIRECT LINE 416.941.5415
DIRECT FAX 416.777.7431
E-MAIL dcrocker@davis.ca

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July 18, 2008

DELIVERED BY FAX

John Moroz, Vice President and
General Manager, Aggregates, St. Marys CBM
St. Marys Cement Inc. (Canada)
55 Industrial Street
Toronto, ON M4G 3W9

Dear Mr. Moroz:

Re: St. Marys Cement Inc. (Canada) - Permit to take Water

We are counsel to Friends of Rural Communities and the Environment (“FORCE”).

We are writing to inform you that we have sought leave to appeal the Permit to take Water (“PTTW”) which was issued to St. Marys on July 8, 2008. We are aware that the PTTW is for a period of eight or nine days less than one year; however, we believe that the Ministry of the Environment (“MOE”) has treated the PTTW as an instrument for the purposes of the Environmental Bill of Rights (“EBR”) and we are treating it that way for the purposes of our leave application.

We expect St. Marys to “stand down” until the application for leave to appeal has been determined by the Environmental Review Tribunal. The EBR encourages participation by the public potentially affected by decisions made by the MOE. FORCE is, certainly, part of that public with respect to your PTTW. We trust that St. Marys will respect the EBR process so that FORCE can make its concerns known to the ERT.

Yours truly,

DAVIS LLP

Per:

David Crocker

DDC/szp

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