

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

IN THE MATTER OF THE BOND)
FORFEITURE PROCEEDINGS)
AGAINST THE BOND OF) **Docket No. 08-4503**
ELECTRO WIN)
MINING PERMIT 600s)

ORDER OF BOND FORFEITURE

THIS MATTER came before the Wyoming Environmental Quality Council (EQC) on a motion from the Wyoming Department of Environmental Quality (DEQ) for forfeiture of a bond against Electro Win. The EQC, having reviewed the motion and having been otherwise fully informed, MAKES THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Electro Win posted a \$500.00 reclamation performance bond, in the form of a Certificate of Deposit, No. 2711, issued by Moffat County State Bank (now Bank of the West) in Craig Colorado, allowing Electro Win to conduct a small mining operation located in Section 24, T12N, R94W, Carbon and Sweetwater Counties, Wyoming.
2. The DEQ issued Notice of Violation No. 4272-08 to Electro Win on May 14, 2008 because Electro Win had failed to commence reclamation of the area disturbed during its mining operation.
3. The EQC approved the DEQ's request to initiate bond forfeiture proceedings against Electro Win on September 30, 2008.

4. On December 10, 2008, the Office of the Attorney General mailed Notice of Bond Forfeiture to Electro Win by certified mail. The notice stated that the EQC would enter an order forfeiting Electro Win's bond unless Electro Win demanded a hearing before the Council within thirty days. Electro Win received the notice on or about December 15, 2008. Electro Win did not request a hearing within thirty days of its receipt of the Notice of Bond Forfeiture.

5. The record in this matter establishes that the DEQ has satisfied all requirements for bond forfeiture pursuant to WYO. STAT. ANN. § 35-11-421 (West 2007) for Certificate of Deposit, No. 2711, in the amount of \$500.00.

The Environmental Quality Council, being otherwise fully advised on the premises, HEREBY ORDERS:

1. The aforementioned reclamation performance bond forfeited to the Wyoming Department of Environmental Quality, Land Quality Division, to be used by the Department for the reclamation of all lands affected by Electro Win's mining operation under permit number 600s.

2. Any proceeds remaining after reclamation shall be subject to any claim by the people of the State of Wyoming.

3. Any funds remaining after reclamation and payment of other claims shall be returned to Electro Win, if it can be found.

DATED this ____ day of _____, 2009.

WYOMING ENVIRONMENTAL QUALITY
COUNCIL

Chairman

CERTIFICATE OF SERVICE

I, Jim Ruby, do hereby certify that the foregoing ORDER FOR BOND FORFEITURES was served by placing a true and correct copy in the United States mail, postage prepaid, on this ____ day of _____, 2009, addressed to the following:

Moffat County Safety Center
Mr. Terry Hankins
Electro Win
800 West 1st, Suite 200
Craig, Colorado 81625

AND also to the following person via interoffice mail of the State of Wyoming:

John Corra, Director
Department of Environmental Quality
Herschler Building
Cheyenne, WY 82002

Don McKenzie, Land Quality Administrator
Department of Environmental Quality
Herschler Building
Cheyenne, WY 82002

John S. Burbridge
Attorney General's Office
123 Capitol Building
Cheyenne, Wyoming 82002

Jim Ruby