

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

OCT 06 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE BOND)
FORFEITURE PROCEEDINGS)
AGAINST THE BOND OF)
SNAKE RIVER SPORTING CLUB)
DEVELOPMENT)
PERMIT NO. 1117ET)

DOCKET NO. 10-4502

ORDER OF BOND FORFEITURE

THIS MATTER came before the Wyoming Environmental Quality Council on a motion from the Wyoming Department of Environmental Quality (DEQ) for forfeiture of Snake River Sporting Club Development Co., LLC's (Snake River) reclamation performance bond for permit 1117ET. The Council, having reviewed the motion and having been otherwise fully informed, **MAKES THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

1. Snake River posted a ten thousand dollar (\$10,000.00) reclamation performance bond, in the form of a letter of credit, number 3319173-3, issued by the Jackson State Bank, now Wells Fargo Bank, allowing Snake River to conduct a mining operation located in the NW1/4 SE1/4 of Section 32, Township 39N, Range 116W and the NW1/4 SE1/4, of Section 5 of Township 38N, Range 116W in Teton County, Wyoming.
2. The DEQ issued Notice of Violation No. 4748-10 to Snake River on October 18, 2010, because Snake River failed to reclaim the mining disturbance after mining operations ceased.

3. The Council approved the DEQ's request to initiate bond forfeiture proceedings against Snake River on January 13, 2011.

4. On January 28, 2011, the Office of the Attorney General mailed Notice of Bond Forfeiture to Snake River by certified mail. The notice stated that the Council would enter an order forfeiting Snake River's bond unless it made a demand for a hearing before the Council within thirty days. Wells Fargo was also sent a copy of the notice to Snake River by first class mail. Notice sent to Snake River was returned to the Office of the Attorney General on February 3, 2011, as "vacant" and "unable to forward." Wells Fargo received notice on or about January 31, 2011. Neither the Office of the Attorney General nor the Council has a record of a request for a hearing before the Council from Snake River or Wells Fargo.

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 for the letter of credit, number 3319173-3, issued by the Jackson State Bank, now Wells Fargo Bank in the amount of ten thousand dollars (\$10,000.00).

The Environmental Quality Council, being otherwise fully advised in 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 Snake River's mining operations under permit 1117ET.

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 Snake River.

DATED this 5 day of 10, 2011.

WYOMING ENVIRONMENTAL QUALITY
COUNCIL



Chairman

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 6th day of October, 2011, I served a copy of the foregoing ORDER OF BOND FORFEITURE by electronic mail to the following:

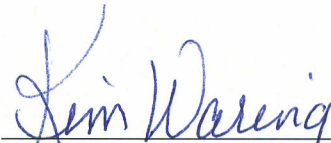
John Corra
Director, DEQ
john.corra@wyo.gov

Nancy Nuttbrock, Administrator
DEQ Land Division
nancy.nuttbrock@wyo.gov

Luke Esch
Asst. Attorney General
lesch@state.wy.us

also by depositing the same in the United States mail addressed to:

Mr. Thomas Thompson
Snake River Sporting Club Development
Company, LLC
P.O. Box 4820
Jackson, WY 83001



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