

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

MAY 15 2006

IN THE MATTER OF THE BOND)
FORFEITURE PROCEEDINGS)
AGAINST THE BOND OF)
FIESTA MINE,)
MINING PERMIT 219c.)

Docket No. 05-4404 Terri A. Lorenzon, Director
Environmental Quality Council

ORDER OF BOND FORFEITURE

THIS MATTER having come before the Wyoming Environmental Quality Council on a motion from the Department of Environmental Quality for bond forfeiture against Fiesta Mine, and the Council having reviewed the motion and having been otherwise fully informed in the premises MAKES THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Fiesta Mine posted a \$100.00 reclamation performance bond, in the form of Certificate of Deposit No. 04735, issued by the Wyoming National Bank of Casper to conduct a small mining operation located in the NW1/4 Section 2, Township 30 North, Range 88 West; SE1/4 of Section 9, Township 30 North, Range 87 West; SE1/4 and NW1/4 of Section 10, Township 30 North, Range 87 West; NE1/4 and W1/4 of Section 11, Township 30 North, Range 87 West and NW1/4 of Section 12, Township 30 North, Range 87 West, approximately 49 miles south of Casper, Natrona County, Wyoming.
2. The DEQ met with Elvie Parker, a co-owner of Fiesta Mine, on October 19, 2005 to discuss bond forfeiture options and the followed the meeting with a letter sent November 22, 2005 with a voluntary bond forfeiture form enclosed.
3. The DEQ requested that the Office of the Attorney General begin this proceeding on December 8, 2005.
4. Fiesta has executed a voluntary bond forfeiture agreement for permit 219c. The agreement is attached hereto and incorporated herein by this reference. In the agreement, Fiesta Mine waives its right to a hearing and acknowledged that it knew that the Environmental Quality Council would forfeit its bond.
5. Fiesta Mine waived its right to a hearing and acknowledged that it knew that the

Environmental Quality Council would forfeit its bond.

6. The record in this matter establishes that Fiesta Mine knew of its rights regarding bond forfeiture. As such, bond forfeiture is appropriate in this case pursuant to WYO. STAT. § 35-11-421, for Certificate of Deposit No. 16861, issued by the Wyoming National Bank of Casper.

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

1. The aforementioned reclamation performance bond be 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 the aforementioned operation.
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 Elvie Parker, co-owner of Fiesta Mine, if she can be found.

DATED this 11th day of May, 2006.

WYOMING ENVIRONMENTAL QUALITY COUNCIL


Chairman

CERTIFICATE OF SERVICE

I, Terri Lorenzon, do hereby certify that the foregoing ORDER FOR BOND FORFEITURE was served by placing a true and correct copy in the United States mail, postage prepaid, on this 15 day of May, 2006, addressed to the following:

Elvie Parker
2064 East A Street
Casper, Wyoming 82601

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

Richard Chancellor, 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


Terri Lorenzon