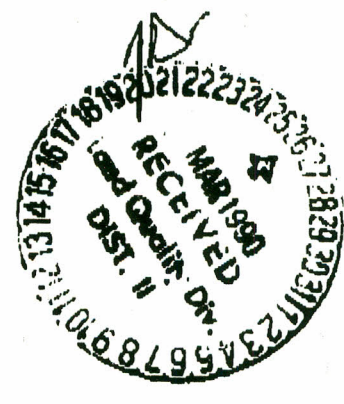


DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING



IN THE MATTER OF THE NOTICE )
OF VIOLATION ISSUED TO THE )
WILLOW MESA CONSTRUCTION )
CO., INC., STAR ROUTE 1, )
C/O FONTENELLE STORE, )
KENNERER, WY 83101 )
RE: PERMITS 369ET, 534ET, )
535ET, 546ET, AND 553ET. )

DOCKET NO. 2148-90

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

- 1. This Notice of Violation is being sent to you pursuant to W.S. 35-11-701(c) (1), which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. On February 20, 1990, Annual Inspections were conducted at Limited Mining Operations Nos. 369ET and 546ET. On February 21, 1990, an Annual Inspection was conducted at Limited Mining Operation No. 553ET. On February 22, 1990, Annual Inspections were conducted at Limited Mining Operations Nos. 535ET and 546ET. The Annual Inspections were conducted by John Erickson of the Land Quality Division, District II Office. These permits are located in Lincoln County, Wyoming.
3. The inspections revealed that there has been no activity at Permits 369ET, 534ET, 535ET, 546ET, and 553ET since the previous Land Quality Division Annual Inspections conducted in 1988. Permit No. 534ET was reclaimed by the Wyoming Highway Department in 1987. The remaining permits are unreclaimed.
4. Willow Mesa Construction Co., Inc. failed to file Annual Reports for Permits 369ET, 534ET, 535ET, 546ET, and 553ET in 1988 and 1989.
5. Failure to reclaim after mining operations have ceased or within thirty (30) days after abandonment of the mining operation is a violation of Land Quality Division Rules and Regulations, Chapter XX, Section 4.(a.)
6. Failure to provide an annual report is a violation of Land Quality Division Rules and Regulations, Chapter XX, Section 3.
7. The violation has not been corrected or remedied nor has the operator provided any information concerning the violation.
8. Wyoming Statute 35-11-901(a) provides that any person who violates any provision of the Environmental Quality Act, or any rule, standard, permit, license or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming.

SIGNED this 21 day of March, 1990.

Dennis Hamner, Director
Department of Environmental Quality

Roger Shaffer, Administrator
Land Quality Division

PLEASE DIRECT ALL INQUIRIES to Mark Moxley, District II Supervisor, Land Quality Division, 210 Lincoln, Lander, Wyoming, 82520, Telephone (307) 332-3047.