

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO )  
MR. ERIC NELSON, PRESIDENT )  
DYNASTY DEVELOPMENT MANAGEMENT, LLC )  
3611 S. LINDELL RD., SUITE 201 )  
LAS VEGAS, NV 89103 )  
RE: MINE PERMIT NO. PT541 )

DOCKET NO. 5204-13

NOTICE

NOTICE IS HEREBY GIVEN THAT:

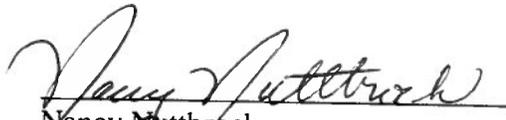
1. Notice of Violation is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. On July 17, 2012, the Annual Inspection of Wyoming Horse Racing, Inc., Mining Permit No. 541, was conducted by John Erickson of the Land Quality Division District II office. The pit is located in the NE¼ Sec. 2, T16N, R121W, Uinta County, Wyoming.
3. The inspection determined that a reclamation performance bond of \$20,000 would be necessary to insure reclamation of approximately 10 acres of lands affected by mining. This would require an increase in the bond of \$8,300 over the currently posted amount of \$11,700.
4. The Administrator of the Land Quality Division formally set the bond amount in a letter sent by Certified Mail to Mr. Eric Nelson, President of Wyoming Horse Racing, Inc., on January 15, 2013. The letter set a 45-day deadline to post the required bond. The letter was delivered on January 22, 2013. The deadline elapsed on March 8, 2013 without a response from the company.
5. On April 4, 2013, Permit No. 541 was transferred from Wyoming Horse Racing, Inc. to Dynasty Development Management, LLC. The President and the mailing address of the two companies are the same.
6. On August 5, 2013, the Lander Land Quality Division office sent a letter to Mr. Eric Nelson, President of Dynasty Development Management, LLC, reminding him of the bond increase requirement. The letter set a new 2-week deadline of August 16, 2013. This deadline elapsed without a response from the company.

7. Wyoming Statute §35-11-417 requires that an operator file renewal bonds with the Administrator equal to the cost of reclaiming lands to be disturbed during the upcoming renewal period as well as for completing reclamation on previously affected lands.
8. Failure to post an adequate bond is a violation of Wyoming Statute §35-11-417.
9. The violations have not been corrected or remedied, nor has the operator provided any information to the Land Quality Division concerning the violations.
10. 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.

Nothing in this Notice of Violation (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED THIS 6<sup>th</sup> day of November, 2013

  
\_\_\_\_\_  
Todd Parfitt  
Director  
Department of Environmental Quality

  
\_\_\_\_\_  
Nancy Nuttbrock  
Administrator  
Land Quality Division

**PLEASE DIRECT ALL INQUIRIES** regarding this Notice of Violation to Ms. Tanya King, District II Supervisor, Land Quality Division, 510 Meadowview Dr., Lander WY 82520

xc: Tanya King