

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Wednesday, March 26, 2014 2:37 PM
To: 'Randall Hicks'; Warnell, Terry G.; Dawson, Scott, EMNRD; Sanchez, Daniel J., EMNRD; Dade, Randy, EMNRD; VonGonten, Glenn, EMNRD
Cc: MikeH@yatespetroleum.com; JimP@yatespetroleum.com
Subject: RE: Yates - Dagger Dras MWFM Pit#1- Variance

Tracking:	Recipient	Delivery
	'Randall Hicks'	
	Warnell, Terry G.	
	Dawson, Scott, EMNRD	Delivered: 3/26/2014 2:37 PM
	Sanchez, Daniel J., EMNRD	Delivered: 3/26/2014 2:37 PM
	Dade, Randy, EMNRD	Delivered: 3/26/2014 2:37 PM
	VonGonten, Glenn, EMNRD	Delivered: 3/26/2014 2:37 PM
	MikeH@yatespetroleum.com	
	JimP@yatespetroleum.com	

RE: Variance Request
Yates Petroleum Corporation
Dagger Draw Multi Well Fluid Management Pit #1 Permit Proposal

Mr. Hicks,

Your request for a variance from the definition of a multi well fluid management pit cannot be approved as a variance and is denied at this time. Portions of 19.15.17 [NMAC] relevant to this denial include, but may not be limited to the following:

19.15.17.7 L. "Multi-well fluid management pit" means a pit used for the storage, treatment and recycling of stimulation fluids and flow-back water during the drilling and completion of multiple wells. Multi-well fluid management pits may not be used for the disposal of drilling, completion or other waste. Multi-well fluid management pits may be located either onsite or offsite of a well drilling location and may remain in use until all wells with approved application for permit to drill that are identified in the pit permit are completed. Any addition of wells or extensions for permits to drill identified in the pit permit shall go to hearing. Any containment structure such as a pond, pit, or other impoundment that holds only fresh water that has not been treated for oil field purposes, is not a multi-well fluid management pit

19.15.17.7 S. "Variance" means authorization from the appropriate division district office to depart from the requirements of 19.15.17 NMAC. A variance may not be obtained where exceptions are required by a provision of 19.15.17 NMAC.

If you have any questions or concerns, please contact me, my supervisor, or the NMOCD Santa Fe office.

Sincerely,

Mike Bratcher
NMOCD District 2

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Artesia, NM 88210
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From: Randall Hicks [<mailto:r@rthicksconsult.com>]
Sent: Tuesday, March 04, 2014 3:25 PM
To: Bratcher, Mike, EMNRD; Warnell, Terry G.; Dawson, Scott, EMNRD
Cc: MikeH@yatespetroleum.com; JimP@yatespetroleum.com
Subject: Yates - Dagger Dras MWFM Pit#1- Variance

Mike

This variance request is related to the C-144 permit application for the Yates Dagger Draw MWFM Pit #1. However, OCD's review of this variance should not delay the review of the permit application, as the approval of the permit does not depend upon the approval of this variance.

Note that I have copied this to Scott Dawson in the hope that OCD Santa Fe can look at this variance request and allow you to focus your efforts on the review of the permit.

Hard copy will be delivered by Yates.

Randall Hicks
RT Hicks Consultants
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Cell: 505-238-9515