

**From:** [Randall Hicks](#)  
**To:** [Griswold, Jim, EMNRD](#); [Bratcher, Mike, EMNRD](#); [Dawson, Scott, EMNRD](#)  
**Cc:** [Spencer Cox](#); [david@rthicksconsult.com](mailto:david@rthicksconsult.com)  
**Subject:** FW: Lime Rock All Thorn MWFM Pit Variance  
**Date:** Friday, October 31, 2014 4:30:32 PM  
**Attachments:** [Variance45millLDPE.pdf](#)  
[List of Wells with Approved APD.pdf](#)

---

Jim and Scott

First – thanks for the time today. We covered good ground and I think we resolved several issues. As promised, here is the Lime Rock variance request for the primary liner of a MWFM Pit. On 10/1, we submitted a similar variance for the Yates MWFM pit. The Rule states:

**19.15.17.15 EXCEPTIONS AND VARIANCES:**

**A. Variances.**

(1) An operator shall demonstrate with a complete application to the appropriate division district office that the requested variance provides equal or better protection of fresh water, public health and the environment. The appropriate division district office shall approve or deny the variance within 60 days of receipt of the complete application.

So we are OK for Yates with respect to time and since we re-submitted the Lime Rock permit application (with the variance) on 10/1, OCD has time to review the variance. HOWEVER, the instant that the SLO approves the mining lease, Lime Rock will begin excavation in anticipation of OCD approval of the permit. Therefore, we respectfully request that OCD evaluate the variance request as soon as possible.

Thanks again for meeting today.

Randall T. Hicks  
505-266-5004 (office)  
505-238-9515 (cell and best number to use)

---

**From:** Randall Hicks [mailto:[r@rthicksconsult.com](mailto:r@rthicksconsult.com)]  
**Sent:** Monday, September 01, 2014 9:42 PM  
**To:** 'Bratcher, Mike, EMNRD'; Griswold, Jim, EMNRD ([Jim.Griswold@state.nm.us](mailto:Jim.Griswold@state.nm.us))  
**Cc:** Spencer Cox ([scox@limerockresources.com](mailto:scox@limerockresources.com)); Jerry Smith ([JSmith@limerockresources.com](mailto:JSmith@limerockresources.com)); mbarrett@limerockresources.com; 'Erica Hart' ([ehart@pettigrew.us](mailto:ehart@pettigrew.us)); [david@rthicksconsult.com](mailto:david@rthicksconsult.com)  
**Subject:** Lime Rock All Thorn MWFM Pit Variance

Mike

Lime Rock does not need this variance approved by OCD for several weeks. The first need of Lime Rock is to obtain approval from OCD of the permit – the review of the variance can follow.

Upon authorization from the SLO to begin excavation of caliche in support of constructing the pit, Lime Rock will start work. We anticipate this approval before this Friday. The need to get this pit

into operation is critical to maintain their drilling schedule.

Also attached is an updated list of wells with approved APDs that should be linked to the approved MWFM Pit Permit.

Thanks Mike. Please call

David Hamilton at 505-266 5004 if you have any general questions regarding the permit  
Erica Hart at Pettigrew if you have any questions regarding the stability analysis from the geotechnical borings.

**Randall T. Hicks**  
505-266-5004 (office)  
505-238-9515 (cell and best number to use)