

todd.parfitt@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

PRBC Exhibit 16

Nancy Nuttbrock <nancy.nuttbrock@wyo.gov>
To: Muthu Kuchanur <muthu.kuchanur@wyo.gov>
Cc: Carol Bilbrough <carol.bilbrough@wyo.gov>

Tue, Feb 26, 2013 at 7:07 PM

Thank you for this Muthu. I spoke to Todd late this afternoon, and he mentioned a couple of things after his call with brian deraloo. (1) is it possible for Lidstone to provide thier responses prior to march 15? I realize it would pressure, lidstone, but even a few days earlier would really help Linc. (2) have we ever provide linc with a timeline, which might illustrate the speediest scenario, versus a worst case scenario? Obviously, the tricky part is estimating timeframes after we go to public notice-at that point, timeliness is largely outside of our control. At any rate, linc has requested such a timeline. Id like to review this before it goes to Linc.

On Feb 26, 2013 1:30 PM, "Muthu Kuchanur" <muthu.kuchanur@wyo.gov> wrote:
Todd,

The LQD has received the fourth round response submittal from Linc on February 13, 2013. It is currently under review by Lidstone & Associates and we are due with the fifth round responses to Linc on March 15, 2013. Based on the preliminary input from Lidstone & Associates, we expect this review round to be the final round. In case we go to one more round, it will be for minor clarifications.

On the Aquifer Exemption, the LQD has provided the review comments on January 25, 2013. Linc is currently working on addressing these comments and resubmitting the aquifer exemption package.

Please let me know if you need any additional details.

Thanks,
Muthu

Muthu Kuchanur, Ph.D., P.E.

Geology Supervisor,
Division Services - Land Quality Division,
Wyoming Department of Environmental Quality,
Cheyenne - 82002

Phone: 307-777-7132
Email: muthu.kuchanur@wyo.gov

On Tue, Feb 26, 2013 at 1:06 PM, Todd Parfitt <todd.parfitt@wyo.gov> wrote:
Nancy and Muthu

Can one of you give me a status update on the Linc Energy permit application. I have a call this afternoon and it would be helpful to have the update.
Thanks.

--
Todd Parfitt
Director
Department of Environmental Quality
122 W. 25th Street
Herschler Building, 4W
Cheyenne, Wyoming 82002
307-777-7937
todd.parfitt@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

Muthu Kuchanur <muthu.kuchanur@wyo.gov>
To: Nancy Nuttbrock <nancy.nuttbrock@wyo.gov>

Wed, Feb 27, 2013 at 10:36 AM

Cc: Carol Bilbrough <carol.bilbrough@wyo.gov>

Nancy,

(1) I received a request from Mike Hawks last Thursday on this same item. The rationale from Mike Hawks is getting the fifth round review comments to them sooner will help them to expedite the aquifer exemption package revised submittal. The aquifer exemption package text is really tied to some of the comments on the permit review. So, I explored this option with Chris Lidstone to provide Linc a faster response. Chris did a preliminary review of the responses related to the aquifer exemption. He indicated that he agrees with Linc responses and there are no further comments from him that would affect the revision of the aquifer exemption package by Linc. I communicated this to Mike Hawks on Monday (Feb 25) and asked them to go ahead with the revised submission of the aquifer exemption package. Also, I explained to Mike the constraints below and why we cannot provide a faster response to Linc.

It seems difficult to get a response to Linc before March 15 because:

- (a) Chris Lidstone will be out of the office from February 28th through March 4 on vacation.
- (b) After Lidstone review, the comments will also need to be reviewed by the LQD staff which the staff would like to have at least 4 to 5 days.
- (c) The current timeline is: Lidstone will get his comments to the LQD staff review on March 6 and the LQD staff review will be from March 7 through March 12 (includes a weekend).
- (d) March 13 through March 15 is for compilation and discussion back and forth between Lidstone and LQD. If there are no significant comments from LQD staff on the Lidstone review, then we can get the comments to Linc by March 13 and I will request Chris on this as we get comments from the LQD staff.

Apparently, the this round review time is more of a scheduling issue and the availability of all the reviewers than the actual time spent on the review.

(2) I have put together two draft scenarios for your review. As you know, there is some uncertainty - the estimates are also dependent on the response time and the completeness of the responses from Linc.

Thanks,
Muthu

Muthu Kuchanur, Ph.D., P.E.

Geology Supervisor,
Division Services - Land Quality Division,
Wyoming Department of Environmental Quality,
Cheyenne - 82002

Phone: 307-777-7132
Email: muthu.kuchanur@wyo.gov

On Tue, Feb 26, 2013 at 7:07 PM, Nancy Nuttbrock <nancy.nuttbrock@wyo.gov> wrote:

Thank you for this Muthu. I spoke to Todd late this afternoon, and he mentioned a couple of things after his call with Brian Deraloo. (1) is it possible for Lidstone to provide their responses prior to March 15? I realize it would pressure Lidstone, but even a few days earlier would really help Linc. (2) have we ever provided Linc with a timeline, which might illustrate the speediest scenario, versus a worst case scenario? Obviously, the tricky part is estimating timeframes after we go to public notice - at that point, timeliness is largely outside of our control. At any rate, Linc has requested such a timeline. I'd like to review this before it goes to Linc.

On Feb 26, 2013 1:30 PM, "Muthu Kuchanur" <muthu.kuchanur@wyo.gov> wrote:
Todd,

The LQD has received the fourth round response submittal from Linc on February 13, 2013. It is currently under review by Lidstone & Associates and we are due with the fifth round responses to Linc on March 15, 2013. Based on the preliminary input from Lidstone & Associates, we expect this review round to be the final round. In case we go to one more round, it will be for minor clarifications.

On the Aquifer Exemption, the LQD has provided the review comments on January 25, 2013. Linc is currently working on addressing these comments and resubmitting the aquifer exemption package.

Please let me know if you need any additional details.

Thanks,
Muthu

Muthu Kuchanur, Ph.D., P.E.

Geology Supervisor,
Division Services - Land Quality Division,
Wyoming Department of Environmental Quality,
Cheyenne - 82002

Phone: 307-777-7132
Email: muthu.kuchanur@wyo.gov

On Tue, Feb 26, 2013 at 1:06 PM, Todd Parfitt <todd.parfitt@wyo.gov> wrote:
Nancy and Muthu