

JACK R. GAMBLE, JR., LLC

NO. 81488

VS.

42ND JUDICIAL DISTRICT COURT

DeSOTO PARISH, LOUISIANA

INDIGO MINERALS, LLC

DIVISION B

RCUD & FILED DESOTO PA
JAN 31 '23 PM 2:27

ORDER

Considering Indigo Minerals LLC's ("Indigo") Limited Admission Pursuant to La. Code Civ. P. Art. 1563 and La. R.S. 30:29 and its *Ex Parte* Motion and Incorporated Memorandum for Mandatory Referral to LDNR for the Development of the Most Feasible Plan,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

(1) Pursuant La. Code Civ. P. art. 1563 and La. R.S. 30:29, Indigo has made a limited admission of responsibility for environmental damage with respect to the areas described below and depicted on Exhibit 1, attached hereto (collectively, the "Limited Admission Areas"):

- a. 239274 Admission Area: There exists evidence of actual or potential impact to the soil and shallow water bearing zone in the 239274 Admission Area depicted on Exhibit 1. The 239274 Admission Area is associated with a closed reserve pit for the well at that location. Indigo's limited admission within the 239274 Admission Area is for environmental damage, if any, to soil and groundwater.
- b. 239592 Admission Area: There exists evidence of actual or potential impact to the soil and shallow water bearing zone in the 239592 Admission Area depicted on Exhibit 1. The 239592 Admission Area is associated with a closed reserve pit for the well at that location. Indigo's limited admission within the 239592 Admission Area is for environmental damage, if any, to soil and groundwater.
- c. 240035 Admission Area: There exists evidence of actual or potential impact to the soil and shallow water bearing zone in the 240035 Admission Area depicted on Exhibit 1. The 240035 Admission Area is associated with a closed reserve pit for the well at that location. Indigo's limited admission within the 240035 Admission Area is for environmental damage, if any, to soil and groundwater.
- d. 240037 Admission Area: There exists evidence of actual or potential impact to the soil and shallow water bearing zone in the 240037 Admission Area depicted on

Exhibit 1. The 240037 Admission Area is associated with a closed reserve pit for the well at that location. Indigo's limited admission within the 240037 Admission Area is for environmental damage, if any, to soil and groundwater.

- e. 240833 Admission Area: There exists evidence of actual or potential impact to the soil and shallow water bearing zone in the 240833 Admission Area depicted on Exhibit 1. The 240833 Admission Area is associated with a closed reserve pit for the well at that location. Indigo's limited admission within the 240833 Admission Area is for environmental damage, if any, to soil and groundwater.

(2) Pursuant to La. Code Civ. P. art. 1563, Indigo's responsibility is hereby limited to implementing the Most Feasible Plan to evaluate and, if necessary, remediate all or a portion of the environmental damage, if any, in the Limited Admission Areas to applicable regulatory standards.

(3) Pursuant to La. Code Civ. P. art. 1563, this matter is referred to the Louisiana Department of Natural Resources, Office of Conservation (the "Department") to conduct a public hearing and to approve or structure a plan which the Department determines to be the Most Feasible Plan to evaluate or remediate the environmental damage in the Limited Admission Areas under applicable regulatory standards pursuant to the provisions of La. R.S. 30:29.

(4) On or before March 15, 2023, Indigo shall develop and submit a plan to the Department and to the Court for the evaluation or remediation of the environmental damage, if any, in the Limited Admission Areas to applicable regulatory standards. Indigo's plan shall be submitted to the Department by certified mail with return receipt requested.

(5) Within thirty (30) days of the submission of Indigo's plan, plaintiff and any other party shall submit to the Department and to the Court their own plan, comments or input in response to Indigo's plan. Plaintiff's and any other party's plan, comments or input shall be submitted to the Department by certified mail with return receipt requested.

(6) Within sixty (60) days of the submission of plaintiff's and any other party's plan, comments or input in response to Indigo's plan, the Department shall conduct a public hearing on the plan or plans submitted.

(7) Within sixty (60) days of the conclusion of the public hearing, the Department shall file with the Court a final plan, or if applicable a preliminary plan pursuant to La. R.S. 30:29(C)(3)(b), based on the evidence submitted, which the Department determines to be the Most


Feasible Plan to evaluate or remediate the environmental damage in the Limited Admission Areas and protect the health, safety, and welfare of the people. The Department shall issue written reasons for the plan it approves or structures.

(8) The Department shall submit to the Court a schedule of estimated costs for review of the plans or submittals of the parties by the Department.

(9) Any further proceedings with respect to the plan submitted by Indigo, the Department, the plaintiff or any other party shall be conducted pursuant to the procedures set forth in La. R.S. 30:29.

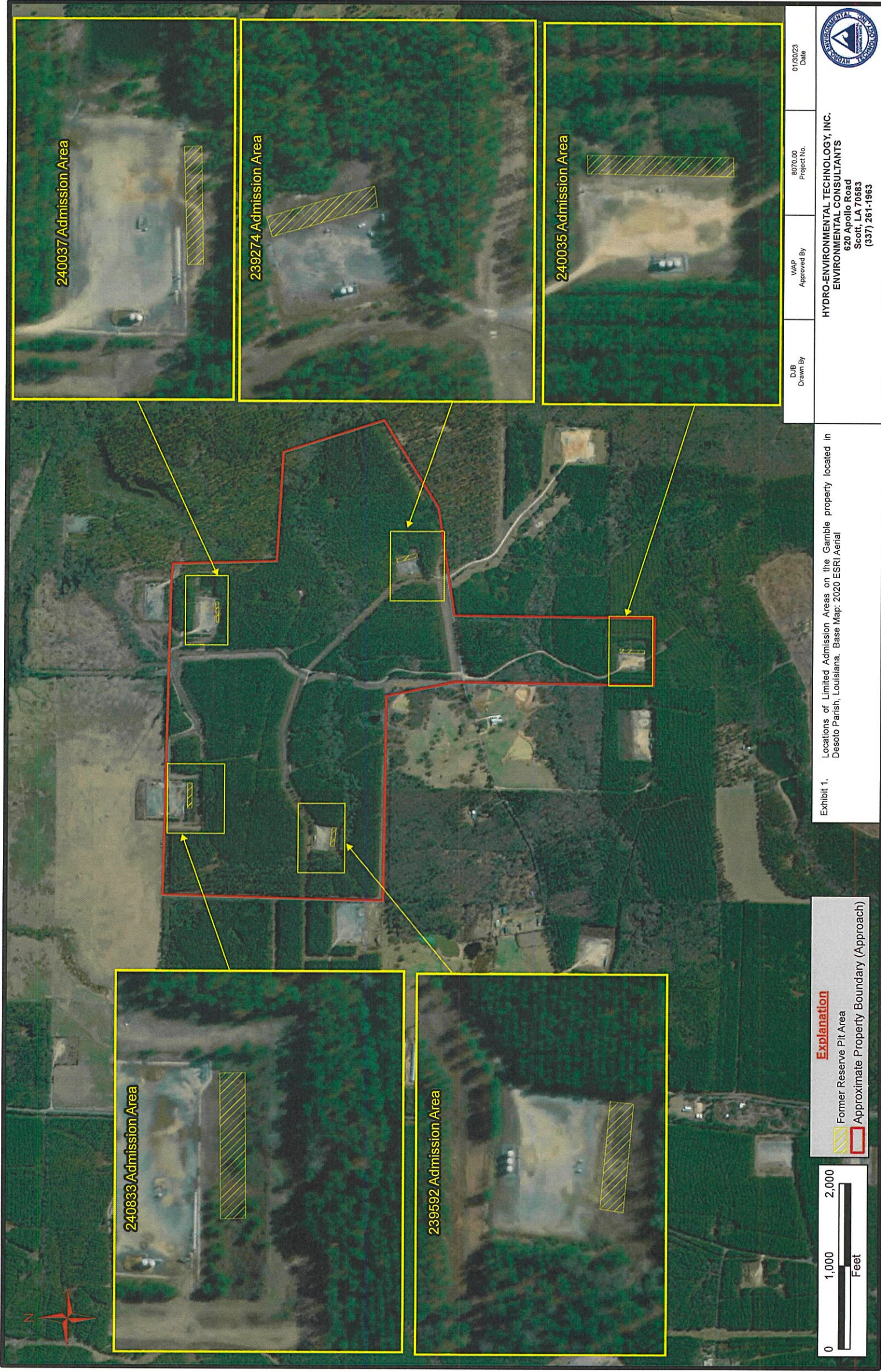
(10) Indigo's limited admission shall not be construed as an admission of liability for damages under La. R.S. 30:29(H), nor shall Indigo's limited admission result in any waiver of any rights or defenses of Indigo.

THUS DONE AND SIGNED, in Chambers, in Mansfield, Louisiana, this 7th day of February, 2023.



NICHOLAS E. GASPER, District Judge

Please notify all parties.



HYDRO-ENVIRONMENTAL TECHNOLOGY, INC.
ENVIRONMENTAL CONSULTANTS
620 Apollo Road
Scott, LA 70583
(337) 261-1963

01/30/23
Date

8070.00
Project No.

WAP
Approved By

DJB
Drawn By

Exhibit 1. Locations of Limited Admission Areas on the Gamble property located in Desoto Parish, Louisiana. Base Map: 2020 ESRI Aerial