



**Environmental & Safety Solutions, Inc.**

Electronic Correspondence

October 1, 2012

Mr. Mike Bratcher  
State of New Mexico  
Oil Conservation Division  
811 S. 1st Street  
Artesia, NM 88210  
[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)

Re: Backfill Request  
LINN Energy, Skelly Injection Well #39  
API No.: 30-015-05361  
Legal: Unit C, Section 23, T17S, R31E, 660 FSL & 1980 FEL, Eddy Co., NM  
GPS: N32.825546, W103.842457

Dear Mike & Terry:

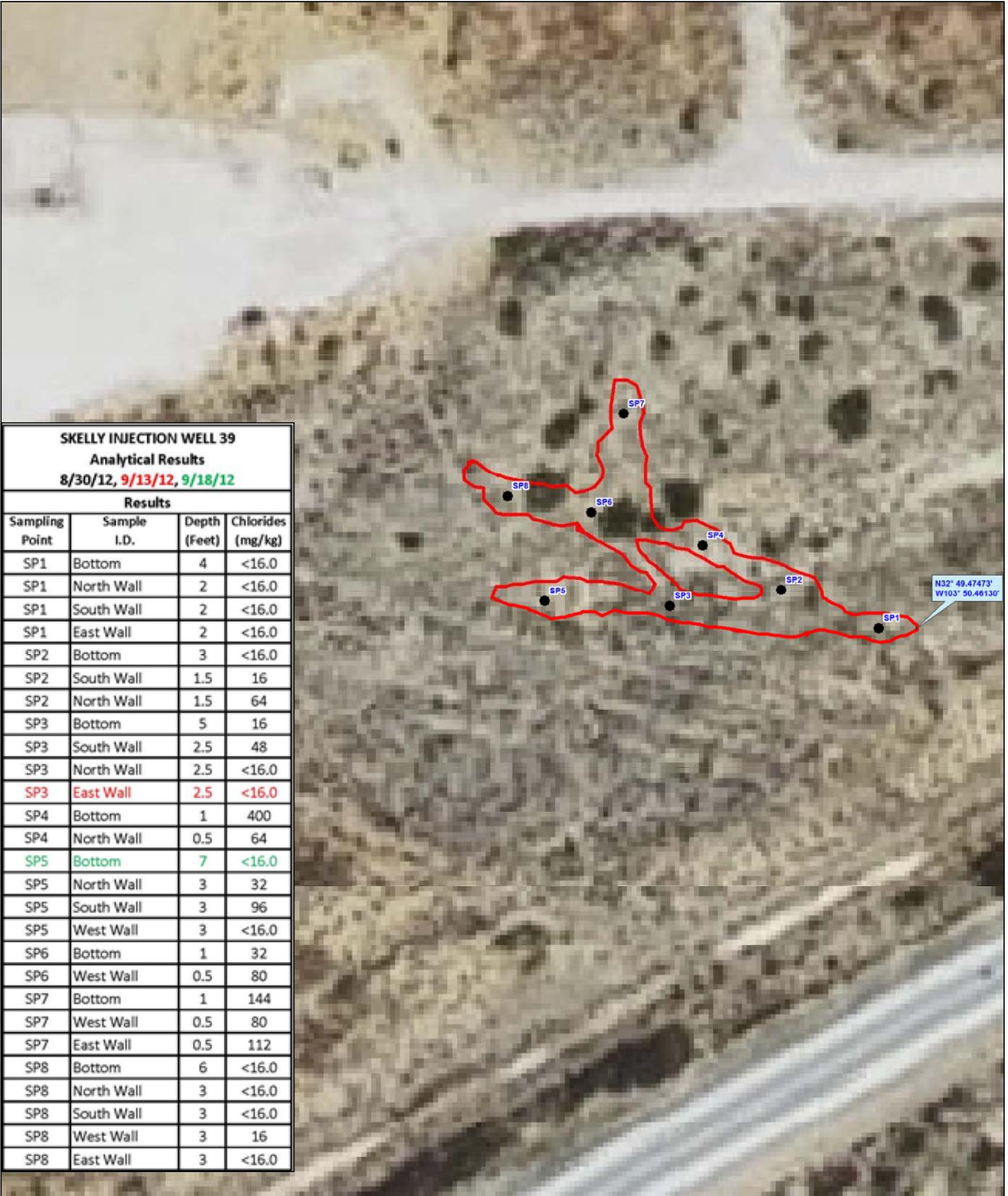
1. Attached is the sample points map and analytical data for the clearance sampling of the Skelly Injection Well #39.
2. Grab samples were collected from each corresponding sampling site and depth then placed in certified clean jars, labeled, and custody seals applied. Nitrile gloves were used and changed during each sample collection, as well as proper decontamination procedures.
3. Samples were preserved according to the requirements ASTM/EPA requirements. Normal Chain of Custody procedures were observed.
4. LINN is requesting permission to backfill and close the site in accordance with the stipulations for the site.

Thank you for your assistance.

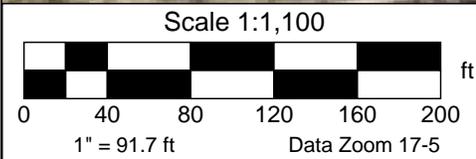
A handwritten signature in blue ink, appearing to read "Kit Prichard".

Kit Prichard  
Environmental Professional

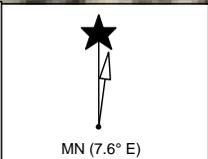
cc: Terry Gregston, BLM Carlsbad District Office



SKELLY INJECTION WELL 39			
Analytical Results			
8/30/12, 9/13/12, 9/18/12			
Results			
Sampling Point	Sample I.D.	Depth (Feet)	Chlorides (mg/kg)
SP1	Bottom	4	<16.0
SP1	North Wall	2	<16.0
SP1	South Wall	2	<16.0
SP1	East Wall	2	<16.0
SP2	Bottom	3	<16.0
SP2	South Wall	1.5	16
SP2	North Wall	1.5	64
SP3	Bottom	5	16
SP3	South Wall	2.5	48
SP3	North Wall	2.5	<16.0
SP3	East Wall	2.5	<16.0
SP4	Bottom	1	400
SP4	North Wall	0.5	64
SP5	Bottom	7	<16.0
SP5	North Wall	3	32
SP5	South Wall	3	96
SP5	West Wall	3	<16.0
SP6	Bottom	1	32
SP6	West Wall	0.5	80
SP7	Bottom	1	144
SP7	West Wall	0.5	80
SP7	East Wall	0.5	112
SP8	Bottom	6	<16.0
SP8	North Wall	3	<16.0
SP8	South Wall	3	<16.0
SP8	West Wall	3	16
SP8	East Wall	3	<16.0



LINN Energy  
Skelly Injection Well #39  
Sample Points Clearance Map



Data use subject to license.

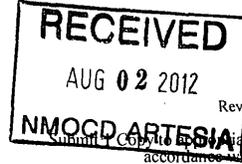
© DeLorme. XMap® 7.

www.delorme.com

District I  
1625 N French Dr., Hobbs, NM 88240  
District II  
1301 W Grand Avenue, Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S St Francis Dr., Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources

Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505



Form C-141  
Revised October 10, 2003  
Submit Copy to Eddy State District Office in accordance with 19.15.29 NMAC

**Release Notification and Corrective Action**

*nJMW 1222233804* OPERATOR  Initial Report  Final Report

Name of Company: Linn Operating <i>269324</i>	Contact: Joe Hernandez
Address: 2130 W. Bender Hobbs, NM 88240	Telephone No.: 575-738-1739
Facility Name: Skelly 39	Facility Type: Injection
Surface Owner: Federal	Mineral Owner: Federal
API No.: 3001505361	

**LOCATION OF RELEASE**

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
C	23	17S	31E	660	North	1980	West	Eddy

Latitude: 32.8255469645562 Longitude: -103.842457591033

**NATURE OF RELEASE**

Type of Release: Produced Water	Volume of Release: 180bbls	Volume Recovered: 40bbls
Source of Release: Pipeline	Date and Hour of Occurrence: 07/29/2012 1am	Date and Hour of Discovery: 07/29/2012 1:30am
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? M. Bratcher-NM OCD Terry Gregston-BLM	
By Whom? Gary Wink	Date and Hour 07/29/2012 12:05pm	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	
If a Watercourse was Impacted, Describe Fully.*:		
Describe Cause of Problem and Remedial Action Taken.*: 2" fiberglass high pressure line blew quarter size hole. ETech will send in remediation proposal.		
Describe Area Affected and Cleanup Action Taken.*: Water spread on Chevron location well # 785 S1. Alliance trucking picked up 40bbls of fluid.		
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.		
Signature: <i>[Signature]</i>	<b>OIL CONSERVATION DIVISION</b>	
Printed Name: Joe Hernandez	Approved by District Supervisor: Signed By <i>[Signature]</i>	
Title: Production Foreman	Approval Date: <b>AUG 09 2012</b>	Expiration Date:
E-mail Address: jhernandez@linenergy.com Date: 08/02/2012 Phone: 575-942-9492	Conditions of Approval:	Attached <input type="checkbox"/>

\* Attach Additional Sheets If Necessary

Remediation per OCD Rules & Guidelines. **SUBMIT REMEDIATION PROPOSAL NOT LATER THAN:**

*2RP-1248*

*9/7/12*

August 30, 2012

FRED HOLMES

ETECH Environmental & Safety Solutions, Inc.

P. O. BOX 8469

MIDLAND, TX 79708

RE: SKELLY #39

Enclosed are the results of analyses for samples received by the laboratory on 08/28/12 16:00.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-11-3. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (\*). For a complete list of accredited analytes and matrices visit the TCEQ website at [www.tceq.texas.gov/field/qa/lab\\_accred\\_certif.html](http://www.tceq.texas.gov/field/qa/lab_accred_certif.html).

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,



Celey D. Keene

Lab Director/Quality Manager

**Analytical Results For:**

 ETECH Environmental & Safety Solutions, Inc.  
 FRED HOLMES  
 P. O. BOX 8469  
 MIDLAND TX, 79708  
 Fax To: (432) 563-2213

Received:	08/28/2012	Sampling Date:	08/28/2012
Reported:	08/30/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 1 BOTTOM 4' (H202074-01)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	4.08	

**Sample ID: SP 1 N WALL 2' (H202074-02)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	4.08	

**Sample ID: SP 1 S WALL 2' (H202074-03)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	4.08	

**Sample ID: SP 1 E WALL 2' (H202074-04)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	4.08	

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\*=Accredited Analyte

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Received:	08/28/2012	Sampling Date:	08/28/2012
Reported:	08/30/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 2 BOTTOM 3' (H202074-05)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	4.08	

**Sample ID: SP 2 S WALL 1.5' (H202074-06)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	16.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 2 N WALL 1.5' (H202074-07)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	64.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 3 BOTTOM 5' (H202074-08)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	16.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 3 S WALL 2.5' (H202074-09)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	48.0	16.0	08/30/2012	ND	400	100	400	0.00	

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\*=Accredited Analyte

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 Fax To: (432) 563-2213

Received:	08/28/2012	Sampling Date:	08/28/2012
Reported:	08/30/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 3 N WALL 2.5' (H202074-10)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 3 E WALL 2.5' (H202074-11)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<b>1280</b>	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 4 BOTTOM 1' (H202074-12)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<b>400</b>	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 4 N WALL 0-6" (H202074-13)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<b>64.0</b>	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 5 BOTTOM 6' (H202074-14)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<b>1630</b>	16.0	08/30/2012	ND	400	100	400	0.00	

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\*=Accredited Analyte

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 Fax To: (432) 563-2213

Received:	08/28/2012	Sampling Date:	08/28/2012
Reported:	08/30/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 5 N WALL 3' (H202074-15)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	32.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 5 S WALL 3' (H202074-16)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	96.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 5 W WALL 3' (H202074-17)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 6 BOTTOM 1' (H202074-18)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	32.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 6 W WALL 0-6" (H202074-19)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	80.0	16.0	08/30/2012	ND	400	100	400	0.00	

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Received:	08/28/2012	Sampling Date:	08/28/2012
Reported:	08/30/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 7 BOTTOM 1' (H202074-20)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	144	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 7 W WALL 0-6" (H202074-21)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	80.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 7 E WALL 0-6" (H202074-22)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	112	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 8 BOTTOM 6' (H202074-23)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 8 N WALL 3' (H202074-24)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	0.00	

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Received:	08/28/2012	Sampling Date:	08/28/2012
Reported:	08/30/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 8 S WALL 3' (H202074-25)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	0.00	

**Sample ID: SP 8 W WALL 3' (H202074-26)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
<b>Chloride</b>	<b>16.0</b>	16.0	08/30/2012	ND	400	100	400	3.92	

**Sample ID: SP 8 E WALL 3' (H202074-27)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	08/30/2012	ND	400	100	400	3.92	

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Celey D. Keene, Lab Director/Quality Manager

**Notes and Definitions**

- ND Analyte NOT DETECTED at or above the reporting limit
- RPD Relative Percent Difference
- \*\* Samples not received at proper temperature of 6°C or below.
- \*\*\* Insufficient time to reach temperature.
- Chloride by SM4500Cl-B does not require samples be received at or below 6°C  
Samples reported on an as received basis (wet) unless otherwise noted on report

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\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

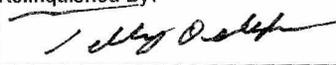


**CHAIN-OF-CUSTODY AND ANALYSIS REQUEST**

101 East Marland, Hobbs, NM 88240  
(575) 393-2326 FAX (575) 393-2476

Company Name: <b>Ete ch</b>		<b>BILL TO</b>				<b>ANALYSIS REQUEST</b>																							
Project Manager:		P.O. #:																											
Address:		Company:																											
City:	State:	Zip:	Attn:																										
Phone #:	Fax #:		Address:																										
Project #:	253-3542-000		Project Owner:															City:											
Project Name: <b>Skelly #38</b>		State:			Zip:																								
Project Location:		Phone #:																											
Sampler Name: <b>Terry Osborn</b>		Fax #:																											
FOR LAB USE ONLY																													
Lab I.D.	Sample I.D.	(GRAB OR (C)OMP. # CONTAINERS	MATRIX															PRESERV.	SAMPLING		Chlorides								
			GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER:	ACID/BASE:	ICE / COOL	OTHER:	DATE	TIME																
H202074										8-28	12:30																		
11	SP3 E. wall 2.5'																												
12	SP4 Bottom 1'																												
13	SP4 N. wall 0-6''																												
14	SP5 Bottom 6'																												
15	SP5 N. wall 3'																												
16	SP5 S. wall 3'																												
17	SP5 W. wall 3'																												
18	SP6 Bottom 1'																												
19	SP6 W. wall 0-6''																												
20	SP7 Bottom 1'																												

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

Relinquished By: 	Date: 8/28 Time: 4:00	Received By: 	Phone Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Phone #:	
Relinquished By:	Date:	Received By:	Fax Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Fax #:	
REMARKS:					
Delivered By: (Circle One) Sampler - UPS - Bus - Other:	230	Sample Condition Cool Intact <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No	CHECKED BY: (Initials) 		

† Cardinal cannot accept verbal changes. Please fax written changes to (575) 393-2326

#26

**CHAIN-OF-CUSTODY AND ANALYSIS REQUEST**

101 East Marland, Hobbs, NM 88240  
 (575) 393-2326 FAX (575) 393-2476

Company Name: <u>E tech</u>				<b>BILL TO</b>				<b>ANALYSIS REQUEST</b>																			
Project Manager:				P.O. #:																							
Address:				Company:																							
City:		State:		Zip:		Attn:																					
Phone #:		Fax #:		Address:																							
Project #: <u>253-3542-000</u>		Project Owner:		City:																							
Project Name: <u>Skelly #39</u>				State:																Zip:							
Project Location:				Phone #:																							
Sampler Name: <u>Terry Osborn</u>				Fax #:																							
FOR LAB USE ONLY																											
Lab I.D.		Sample I.D.				(G)RAB OR (C)OMP.	# CONTAINERS	MATRIX				PRESERV.		SAMPLING													
								GROUNDWATER WASTEWATER SOIL OIL SLUDGE OTHER:				ACID/BASE ICE / COOL OTHER:		DATE   TIME													
<u>H202074</u>		<u>21 SP7 W. wall 0-6"</u>																									
		<u>22 SP7 E. wall 0-6"</u>																									
		<u>23 SP8 Bottom 6"</u>																									
		<u>24 SP8 N. wall 3'</u>																									
		<u>25 SP8 S. wall 3'</u>																									
		<u>26 SP8 W. wall 3'</u>																									
		<u>27 SP8 E. wall 3'</u>																									

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

Relinquished By: <u>Terry Osborn</u>		Date: <u>3/29</u>		Received By: <u>Jodi Benson</u>		Phone Result: <input type="checkbox"/> Yes <input type="checkbox"/> No		Add'l Phone #:	
		Time: <u>4:00</u>				Fax Result: <input type="checkbox"/> Yes <input type="checkbox"/> No		Add'l Fax #:	
Relinquished By:		Date:		Received By:		REMARKS:			
		Time:							
Delivered By: (Circle One)				Sample Condition		CHECKED BY:			
Sampler - UPS - Bus - Other:				Cool Intact <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No		(Initials) <u>JTB</u>			

† Cardinal cannot accept verbal changes. Please fax written changes to (575) 393-2326

September 13, 2012

FRED HOLMES

ETECH Environmental & Safety Solutions, Inc.

P. O. BOX 8469

MIDLAND, TX 79708

RE: SKELLY #39

Enclosed are the results of analyses for samples received by the laboratory on 09/06/12 16:25.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-11-3. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (\*). For a complete list of accredited analytes and matrices visit the TCEQ website at [www.tceq.texas.gov/field/qa/lab\\_accred\\_certif.html](http://www.tceq.texas.gov/field/qa/lab_accred_certif.html).

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,



Celey D. Keene

Lab Director/Quality Manager

**Analytical Results For:**

 ETECH Environmental & Safety Solutions, Inc.  
 FRED HOLMES  
 P. O. BOX 8469  
 MIDLAND TX, 79708  
 Fax To: (432) 563-2213

Received:	09/06/2012	Sampling Date:	09/06/2012
Reported:	09/13/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 3 E WALL 2 1/2 (H202161-01)**
**Chloride, SM4500Cl-B**
**mg/kg**
**Analyzed By: HM**

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	09/12/2012	ND	416	104	400	0.00	

Cardinal Laboratories

\*=Accredited Analyte

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of the services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal Laboratories.



Celey D. Keene, Lab Director/Quality Manager

**Notes and Definitions**

- ND Analyte NOT DETECTED at or above the reporting limit
- RPD Relative Percent Difference
- \*\* Samples not received at proper temperature of 6°C or below.
- \*\*\* Insufficient time to reach temperature.
- Chloride by SM4500Cl-B does not require samples be received at or below 6°C  
Samples reported on an as received basis (wet) unless otherwise noted on report

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Cardinal Laboratories

\*=Accredited Analyte

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---

Celey D. Keene, Lab Director/Quality Manager



September 18, 2012

FRED HOLMES

ETECH Environmental & Safety Solutions, Inc.

P. O. BOX 8469

MIDLAND, TX 79708

RE: SKELLY #39

Enclosed are the results of analyses for samples received by the laboratory on 09/10/12 16:20.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-11-3. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (\*). For a complete list of accredited analytes and matrices visit the TCEQ website at [www.tceq.texas.gov/field/qa/lab\\_accred\\_certif.html](http://www.tceq.texas.gov/field/qa/lab_accred_certif.html).

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,



Celey D. Keene

Lab Director/Quality Manager

**Analytical Results For:**

 ETECH Environmental & Safety Solutions, Inc.  
 FRED HOLMES  
 P. O. BOX 8469  
 MIDLAND TX, 79708  
 Fax To: (432) 563-2213

Received:	09/10/2012	Sampling Date:	09/10/2012
Reported:	09/18/2012	Sampling Type:	Soil
Project Name:	SKELLY #39	Sampling Condition:	** (See Notes)
Project Number:	253-3542-000	Sample Received By:	Jodi Henson
Project Location:	EDDY COUNTY, NM		

**Sample ID: SP 5 BOTTOM 7' (H202186-01)**
**Chloride, SM4500Cl-B**
**mg/kg**
**Analyzed By: HM**

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	<16.0	16.0	09/13/2012	ND	416	104	400	0.00	

Cardinal Laboratories

\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

### Notes and Definitions

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- RPD Relative Percent Difference
- \*\* Samples not received at proper temperature of 6°C or below.
- \*\*\* Insufficient time to reach temperature.
- Chloride by SM4500Cl-B does not require samples be received at or below 6°C  
Samples reported on an as received basis (wet) unless otherwise noted on report



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Celey D. Keene, Lab Director/Quality Manager

## CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

101 East Marland, Hobbs, NM 88240  
(575) 393-2326 FAX (575) 393-2476

<b>Company Name:</b> <i>Ftech</i> <b>Project Manager:</b> <i>Fred Holmen</i> <b>Address:</b> <b>City:</b> <b>State:</b> <b>Zip:</b> <b>Phone #:</b> <b>Fax #:</b> <b>Project #:</b> <i>253-3542-000</i> <b>Project Owner:</b> <b>Project Name:</b> <i>Smelly #39</i> <b>Project Location:</b> <b>Sampler Name:</b> <i>Terry Osborn</i>				<b>BILL TO</b>				<b>ANALYSIS REQUEST</b>											
				<b>P.O. #:</b>				<i>Osborn</i>											
				<b>Company:</b>															
				<b>Attn:</b>															
				<b>Address:</b>															
				<b>City:</b>															
				<b>State:</b> <b>Zip:</b>															
				<b>Phone #:</b>															
				<b>Fax #:</b>															
FOR LAB USE ONLY	<b>Lab I.D.</b>		<b>Sample I.D.</b>		<b>(G)RAB OR (C)OMP.</b>	<b># CONTAINERS</b>	<b>MATRIX</b>			<b>PRESERV.</b>		<b>SAMPLING</b>							
							GROUNDWATER WASTEWATER SOIL OIL SLUDGE OTHER:	ACID/BASE: ICE / COOL OTHER:			DATE	TIME							
	<i>H202186</i>		<i>-1 SP5617</i>				<input checked="" type="checkbox"/> SOIL				<i>9/10/12</i>								

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

<b>Relinquished By:</b> <i>Steph... Mesa</i>		<b>Date:</b> <i>9-10-12</i>	<b>Received By:</b> <i>Jodi Benson</i>		<b>Phone Result:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		<b>Add'l Phone #:</b>	
		<b>Time:</b> <i>4:20</i>			<b>Fax Result:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		<b>Add'l Fax #:</b>	
<b>Relinquished By:</b>		<b>Date:</b>	<b>Received By:</b>		<b>REMARKS:</b>			
		<b>Time:</b>						
<b>Delivered By: (Circle One)</b>			<b>Sample Condition</b>		<b>CHECKED BY:</b>			
Sampler - UPS - Bus - Other:			Cool Intact <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<i>[Signature]</i> (Initials)			

Dustin Garner 441-6833

PLAINS PIPELINE, L.P. and its Affiliates ENCROACHMENT PERMIT (PLAINS)

PERMITTEE: Etech Environmental
Name: Stephen McPherson
Phone: 432-557-4957
Email: Steve@etechenv.com

Address: PO Box 8469
Midland TX 79708

Section A: LOCATION

Table with 10 columns: Qtr, Section (23), Township (175), Range (31E), County (Eddy), State (Nm), PMAS File #, District, Diameter, Other Land Description, Line Segment, Eng. Station, Easement Width, Mile Post, Latitude (N32.82457), Longitude (W-103.84122)

Section B: DESCRIPTION OF ENCROACHMENT AND PERMITTED WORK OR FACILITY (attach diagram if necessary)

Work Description: Excavation
Work Location: Shelly Unit 39 - Chevron Well site

Encroachment Duration:

Section C: IMPORTANT NOTICE!

Excavation activity can damage pipelines resulting in the release of hazardous gases or liquids, which may cause serious injury or death to people, damage to property or the environment.

- 1. Call the appropriate ONE CALL system(s) at least 48 hours before work begins.
2. Look for evidence of a pipeline, such as warning signs, aerial patrol markers, casing vents, and aboveground pipeline.
3. Never assume the location of the pipeline because:
- It can change directions abruptly without aboveground physical evidence.
- The depth can vary substantially in short distances.
- More than one pipeline may be present
4. Call Plains at the telephone number below for free line location service and on site assistance before ANY activity is performed on or near our easement.
5. Follow Plains SPECIFICATIONS on the back of this page, when performing work near a Plains pipeline(s).

This Encroachment Permit is granted subject to the Conditions and Special Provisions shown below and strictly in

land use or land rights.
ARISING OUT OF INJURY, DISEASE OR DEATH OF PERSONS (INCLUDING THAT OF THE EMPLOYEES OF PLAINS OR PERMITTEE OR THEIR CONTRACTORS AND SUBCONTRACTORS), DAMAGE TO OR LOSS OF ANY PROPERTY (INCLUDING THAT OF PLAINS OR PERMITTEE OR THEIR CONTRACTORS AND SUBCONTRACTORS), AND ANY ENVIRONMENTAL HARM, OR DAMAGES TO NATURAL RESOURCES, CAUSED BY, ARISING OUT OF OR RESULTING FROM, EITHER DIRECTLY OR INDIRECTLY, THE ACTIVITIES OF PERMITTEE AND ITS CONTRACTORS OR SUBCONTRACTORS IN THE CONSTRUCTION, OPERATION AND MAINTENANCE OF PERMITTEE'S PERMITTED FACILITY ACROSS PLAINS' PIPELINES AND ASSOCIATED RIGHTS-OF-WAY.

- 12. At no cost to Permittee, a Plains representative will erect temporary flags marking the pipelines location and shall be present during all active work periods to observe excavation or other construction activities near the pipeline.
13. Permittee shall not modify or alter the Permitted Encroachment, nor construct or permit additional encroachments on the Right-of-Way, without Plains prior written consent.
14. The terms, conditions, and provisions contained herein shall be binding upon the parties hereto, their heirs, successors and assigns.

Section E: SPECIAL PROVISIONS:

Your local Plains contact is: ROYCE HEAVINGTON 575-441-0758
In Event of an Emergency Call: 1-800-708-5071
Plains Pipeline, L.P.
Submitted by: Royce Heavington
Office Location: DENVER CITY, TX
Date: 8/2/12

Permittee acknowledges that it has reviewed the Requirements, Conditions, Special Provisions and Specifications of this Permit and agrees to the terms thereof.

By: Etech PERMITTEE
Name: Stephen McPherson
Title: Supervisor
Date: Aug. 2, 2012

**Section F:**

**SPECIFICATIONS**

1. **ALL PIPELINES, UTILITY LINES** and other underground facilities constructed across Plains owned or operated pipeline must be installed with a vertical separation of 24 inches or greater between structures. All facilities crossing a Plains pipeline shall be made of, or encased in, steel pipe with threaded or welded joints the entire width of Plains' right of way. Horizontal separations will be determined on a case-by-case basis. Electrical conduit and cables are excluded, please refer to paragraph 2. All work and cleanup will be conducted in a manner acceptable to Plains' on-site representative. All buried lines crossing the pipeline(s) must cross at an angle of not less than 45 degrees from the pipeline(s). Vinyl direct buried warning tapes shall be placed above the crossing line.
2. **ALL UNDERGROUND ELECTRICAL CABLES** shall be installed with a vertical separation of 24 inches or greater between structures, with all plans, work and cleanup conducted in a manner acceptable to Plains' on-site representative. Horizontal separation will be determined on a case-by-case basis. In addition, the electrical cable must be enclosed in conduit (steel or Schedule 80 PVC). It should be covered with red reinforced concrete with a minimum width of 6 inches on each side and above the conduit, for the entire width of Plains' right of way.
3. **ALL UNDERGROUND FIBER OPTIC CABLES** shall be installed with a vertical separation of 24 inches or greater between structures, with all plans, work and cleanup conducted in a manner acceptable to Plains' on-site representative. Horizontal separation will be determined on a case-by-case basis. In addition, the fiber optic cable must be enclosed in conduit (steel or Schedule 80 PVC). It should be covered with red reinforced concrete with a minimum width of 12 inches on each side and above the conduit, for the entire width of Plains' right of way.
4. **ALL PROPOSED ROADS, STREETS, OR DRIVEWAYS** shall be constructed with a minimum cover of 48 inches, including the sub-grade, as measured from the top of the Plains pipeline to the bottom of the pavement (road, street, or driveway) outlined below. If a Plains pipeline will require adjustment to accommodate a roadway, street, or driveway crossing, the cost of any such lowering or relocation shall be borne by the party or

Where it is necessary for heavy equipment to cross the pipeline, additional measures may be needed to effectively distribute the weight of such equipment, for example, installing additional cover, timber matting and/or a temporary bridge for passage over the pipeline.

7. **LAKES OR OTHER BODIES OF WATER** shall not be constructed over the pipeline or within the boundaries of the pipeline easement. Additionally, the surface cannot be developed or changed in any way that would cause rainwater or runoff to collect on the pipeline right-of-way.
8. **DRILLING OR BORING** shall require additional damage prevention measures, whether installing a crossing or otherwise conducting such operations within 25-feet of the pipeline. It is Plains' option whether peepholes or sheet piling be installed to an elevation lower than the pipeline, before drilling/boring to help ensure its protection. Plains requires continuous tracking of the drilling head as well as using a physical technique (such as probing) to ascertain the exact location of the head before it crosses the Plains pipeline. Plains may also require that the pipeline be exposed when near drill/bore entry or exit points.
9. **ABOVE GROUND LINE CROSSINGS.** All overhead wires shall maintain a minimum clearance of 20 feet from the surface of the ground to the location of the lines lowest sag point. All poles will maintain a minimum distance of 20 feet from any pipeline(s). All guy wires and footings are prohibited within the easement area without the prior written consent of Plains.
10. If Plains determines it is necessary to lower, encase or otherwise adjust a Plains pipeline because of the landowner's (developer's, etc.) construction activity, the landowner or developer shall reimburse Plains for the cost of lowering, encasement or other adjustments.
11. **Please notify the local Plains District Operations office at: \_\_\_\_\_ or the Land Department at 713-993-5207 at least two (2) business days prior to commencing any excavating or construction activity in the vicinity of any Plains pipeline. The National One Call law requires that the One Call System be notified at 811 before starting any excavation or construction activity. If you are unable to contact the above Plains representatives, please contact the Pipeline Control Center in Midland, Texas, and the information will be relayed.**

- C. Plains shall have the right to cut and remove any pavement or other surface structures or improvements now or hereafter located over or across a Plains pipeline, without prior notice or any obligation to repair, replace, resurface or dispose of removed material, for the purpose of exercising any rights granted to Plains under the pipeline rights of way and easements. If Plains damages the Permitted Facility, Permittee shall, at Permittee's sole cost and expense, be responsible for the replacement of the Permitted Facility that was removed or damaged by Plains, and Plains shall not be required to pay any damages to Permittee.
- D. APWA color coded vinyl warning tape (yellow) will be placed under the paved area along the route of each pipeline(s).
5. **ANY DRAINAGE DITCHES** shall be constructed with a minimum cover, and measured from the lowest point in the ditch, to the top of pipe as follows:
  1. Concrete lined – 12 inches.
  2. Unlined – 36 inches.

Any drainage canals shall be constructed with a minimum of 60 inches of cover below the ultimate flow line.
6. **TEMPORARY (HAUL) ROAD** crossings shall be constructed with a minimum ground cover (as measured from the surface of the road to the top of the pipeline) of 5-feet. A temporary earthen berm may be constructed to meet this requirement.

- the accumulation of water, or cause damage to the Plains pipeline right of way.
16. No fence shall be placed across a Plains right of way without written permission from Plains. If fences are permitted, 14-foot gates must be installed on the right of way, and keys to any installed locks shall be provided to Plains.
  17. Side cutters shall be removed from the bucket of excavation equipment, and a bar shall be installed across the teeth during excavation in the vicinity of any Plains pipeline.
  18. No paving is to be placed over any Plains right of way without prior written permission from Plains.
  19. Any damage to existing Plains pipelines, facilities, pipeline insulation and/or coating, casing, markers and/or signs, test leads, vent pipes, fences, gates and/or any other associated pipeline apparatus resulting from the installation, construction, maintenance or operations of any third party facilities crossing Plains' pipelines shall be repaired to Plains' satisfaction or replaced at the sole cost and expense by the responsible party within 15 days after the damage has occurred.
  20. All written requests should be supported with plans and forwarded to Plains Pipeline, L.P., as follows: 1) Attn: Land Department, 333 Clay Street, Suite 1600, Houston, Texas 77002, Direct: (713) 993-5207, Fax: (713) 646-4146, and 2) \_\_\_\_\_

Permittee Initials SIOW