Form C-144 State of New Mexico July 21, 2008 1625 N. French Dr., Hobbs, NM 88240 Epergy Minerals and Natural Resources For temporary pits, closed-loop systems, and Department below-grade tanks, submit to the appropriate NMOCD District Office. 1301 W. Grand Avenue, Artesia, NM 88210 11 Oil Conservation Division For permanent pits and exceptions submit to 22 AM 8 1210 South St. Francis Dr. the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office. Santa Fe, NM 87505 Pit, Closed-Loop System, Below-Grade Tank, or Proposed Alternative Method Permit or Closure Plan Application Type of action: Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method Modification to an existing permit Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances. Operator: Dugan Production Corp. OGRID #: 006515 Address: 709 East Murray Drive, Farmington, New Mexico 87401 Facility or well name: Hill #1 API Number: 30-039-22962 OCD Permit Number: U/L or Qtr/Qtr A Section 16 Township 25N Range 2W County: San Juan Center of Proposed Design: Latitude 36.40289 North Longitude 107.04875 West NAD: X1927 1983 Surface Owner: TFederal Federal Tribal Trust or Indian Allotment X Pit: Subsection F or G of 19.15.17.11 NMAC (Taken out of commission 12-13-2007) Temporary: Drilling Workover X Permanent Emergency Cavitation P&A Lined X Unlined Liner type: Thickness _____mil LLDPE HDPE PVC Other ____ ☐ String-Reinforced Liner Seams: Welded Factory Other Volume: 40 bbl Dimensions: L 8' x W 8' x D 4' Closed-loop System: Subsection H of 19.15.17.11 NMAC Type of Operation: P&A Drilling a new well Workover or Drilling (Applies to activities which require prior approval of a permit or notice of ☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other _____ Lined Unlined Liner type: Thickness mil LLDPE HDPE PVC Other Liner Seams: Welded Factory Other Below-grade tank: Subsection I of 19.15.17.11 NMAC Volume: ______bbl Type of fluid: _____ Tank Construction material: ☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off ☐ Visible sidewalls and liner ☐ Visible sidewalls only ☐ Other

Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

Alternative Method:

6. Fencing: Subsection D of 19.15.17.11 NMAC (Applies to permanent pits, temporary pits, and below-grade tanks)	
Chain link, six feet in height, two strands of barbed wire at top (Required if located within 1000 feet of a permanent residence, school, institution or church)	hospital,
Four foot height, four strands of barbed wire evenly spaced between one and four feet	
X Alternate. Please specify 4'= 3'Hog Wire + One Strand Barbed Wire	
7.	
Netting: Subsection E of 19.15.17.11 NMAC (Applies to permanent pits and permanent open top tanks)	
☐ Screen ☐ Netting ☐ Other	
Monthly inspections (If netting or screening is not physically feasible)	
8.	
Signs: Subsection C of 19.15.17.11 NMAC	
I2"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers☐ Signed in compliance with 19.15.3.103 NMAC	
9. Administrative Approvals and Exceptions: Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.	
Please check a box if one or more of the following is requested, if not leave blank:	office for
X Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau consideration of approval.	office for
Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.	
Siting Criteria (regarding permitting): 19.15.17.10 NMAC Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of accept material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of a Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying above-grade tanks associated with a closed-loop system.	priate district pproval.
Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	Yes No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (Applies to temporary, emergency, or cavitation pits and below-grade tanks) - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No ☐ ☐ NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (Applies to permanent pits) Viguel inspection (contification) of the proposed site. A cried whether Scholling inspection (contification) of the proposed site.	☐ Yes ☐ No ☐ NA
- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock	☐ Yes ☐ No
watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. - Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS: NM Geological Society; Topographic map	Yes No
Within a 100-year floodplain FEMA map	Yes No

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Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached. Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC Previously Approved Design (attach copy of design) API Number:
12.
Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached. Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9
Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19.15.17.10 NMAC Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC
Previously Approved Design (attach copy of design) API Number:
Previously Approved Operating and Maintenance Plan API Number: (Applies only to closed-loop system that use
above ground steel tanks or haul-off bins and propose to implement waste removal for closure)
Permanent Pits Permit Application Checklist: Subsection B of 19.15.17.9 NMAC Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached. Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.19 NMAC Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC Climatological Factors Assessment Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC Quality Control/Quality Assurance Construction and Installation Plan Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC Nuisance or Hazardous Odors, including H ₂ S, Prevention Plan Emergency Response Plan Oil Field Waste Stream Characterization Monitoring and Inspection Plan Erosion Control Plan Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC
Proposed Closure: 19.15.17.13 NMAC Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan. Type: Drilling Workover Emergency Cavitation P&A Permanent Pit Below-grade Tank Closed-loop System Alternative Proposed Closure Method: Waste Excavation and Removal Waste Removal (Closed-loop systems only)
☐ On-site Closure Method (Only for temporary pits and closed-loop systems) ☐ In-place Burial ☐ On-site Trench Burial ☐ Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)
Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached. Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings) Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC Re-vegetation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

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Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Instructions: Please indentify the facility or facilities for the disposal of liquids,		
facilities are required. Disposal Facility Name:	Disposal Facility Permit Number:	
Disposal Facility Name:	Disposal Facility Permit Number:	
Will any of the proposed closed-loop system operations and associated activities o Yes (If yes, please provide the information below) No		
Required for impacted areas which will not be used for future service and operation Soil Backfill and Cover Design Specifications based upon the appropriate Re-vegetation Plan - based upon the appropriate requirements of Subsection Site Reclamation Plan - based upon the appropriate requirements of Subsection	requirements of Subsection H of 19.15.17.13 NMA(1 of 19.15.17.13 NMAC	C
Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC Instructions: Each siting criteria requires a demonstration of compliance in the provided below. Requests regarding changes to certain siting criteria may require considered an exception which must be submitted to the Santa Fe Environmenta demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC	e administrative approval from the appropriate dist. I Bureau office for consideration of approval. Justi	rict office or may be
Ground water is less than 50 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Dat	a obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is between 50 and 100 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Dat	a obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is more than 100 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Database search;	a obtained from nearby wells	☐ Yes ☐ No ☐ NA
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other sig lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	nificant watercourse or lakebed, sinkhole, or playa	Yes No
Within 300 feet from a permanent residence, school, hospital, institution, or church - Visual inspection (certification) of the proposed site; Aerial photo; Satellite		☐ Yes ☐ No
Within 500 horizontal feet of a private, domestic fresh water well or spring that les watering purposes, or within 1000 horizontal feet of any other fresh water well or see NM Office of the State Engineer - iWATERS database; Visual inspection of	pring, in existence at the time of initial application.	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water adopted pursuant to NMSA 1978, Section 3-27-3, as amended. - Written confirmation or verification from the municipality; Written approv	·	Yes No
Within 500 feet of a wetland US Fish and Wildlife Wetland Identification map; Topographic map; Visua	al inspection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine. Written confirmation or verification or map from the NM EMNRD-Mining	and Mineral Division	☐ Yes ☐ No
 Within an unstable area. Engineering measures incorporated into the design; NM Bureau of Geolog Society; Topographic map 	y & Mineral Resources; USGS; NM Geological	☐ Yes ☐ No
Within a 100-year floodplain FEMA map		☐ Yes ☐ No
18. On-Site Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the by a check mark in the box, that the documents are attached. Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Construction/Design Plan of Temporary Pit (for in-place burial of a drying protocols and Procedures - based upon the appropriate requirements of 19.1: Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Disposal Facility Name and Permit Number (for liquids, drilling fluids and Confirmation Plan - based upon the appropriate requirements of Subsection Re-vegetation Plan - based upon the appropriate requirements of Subsection Site Reclamation Plan - based upon the appropriate requirements of Subsection	uirements of 19.15.17.10 NMAC Subsection F of 19.15.17.13 NMAC opropriate requirements of 19.15.17.11 NMAC ad) - based upon the appropriate requirements of 19. 5.17.13 NMAC uirements of Subsection F of 19.15.17.13 NMAC Subsection F of 19.15.17.13 NMAC Irill cuttings or in case on-site closure standards cannot of 19.15.17.13 NMAC I of 19.15.17.13 NMAC	15.17.11 NMAC

Form C-144 Oil Conservation Division Page 4 of 5

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Operator Application Certification: Thereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.
Name (Print): Kurt Fagrelius Title: Vice President, Exploration
Signature: Kurt Fzgrein Date: 09-09-2008
e-mail address: kfagrelius@duganproduction.com Telephone: 505-325-1821 (0), 505-320-8248 (C)
20. OCD Approval: Permit Application (including closure plan) Closure Plan (only) OCD Conditions (see attachment)
OCD Representative Signature: Approval Date: 10/28/08
Title: \(\overline{\pi_{\mathcal{N}}}, \overline{\pi_{\mathcal{N}}} \) OCD Permit Number:
Closure Report (required within 60 days of closure completion): Subsection K of 19.15.17.13 NMAC Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.
☐ Closure Completion Date: 11/30/2010
Closure Method: Waste Excavation and Removal On-Site Closure Method Alternative Closure Method Waste Removal (Closed-loop systems only) If different from approved plan, please explain.
Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: Instructions: Please indentify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized. Disposal Facility Name: Disposal Facility Permit Number: Disposal Facility Permit Number: Were the closed-loop system operations and associated activities performed on or in areas that will not be used for future service and operations? Yes (If yes, please demonstrate compliance to the items below) No
Required for impacted areas which will not be used for future service and operations: Site Reclamation (Photo Documentation) Soil Backfilling and Cover Installation Re-vegetation Application Rates and Seeding Technique
Closure Report Attachment Checklist: Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached. Proof of Closure Notice (surface owner and division) Proof of Deed Notice (required for on-site closure) Plot Plan (for on-site closures and temporary pits) Confirmation Sampling Analytical Results (if applicable) Waste Material Sampling Analytical Results (required for on-site closure) Disposal Facility Name and Permit Number Soil Backfilling and Cover Installation Re-vegetation Application Rates and Seeding Technique Site Reclamation (Photo Documentation) On-site Closure Location: Latitude 36.40289 N Longitude 107.04875 W NAD: 1927 1983
25. Operator Closure Certification:
I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.
Name (Print): Kurt Fagrelius Title: Vice President, Exploration
Signature: Kurt Fegrelius Date: 12/4/2010
e-mail address: kfagrelius @duganproduction.com Telephone: 505-325-1821 (0), 505-320-8248 (C)

Oil Conservation Or Island

Page Solf

Hill #1 Permanent Pit Closure Report-Methods, Procedures and Protocols

1. Comply with deadlines for closure of a permanent pit established by the State of New Mexico, Energy Minerals and Natural Resources Department 19.15.17.13 NMAC, or an earlier date if required by the NMOCD in the case of imminent danger to fresh water, public health or the environment.

Existing	Permit Applc. Submittal or	File Closure Plan	Stop Use By	Close By
On June 16, 2008	Modification Request	Ву		
Tomporon, Dit Haliand	Not Domitd updor 10 15 17	7/46/0000	Upon drlg rig release	011612000
Temporary Pit - Unlined	Not Permtd under 19.15.17	7/16/2008 .	release	9/16/2008
Permanent Pit - Unlined or Lined	Not permitted or Registered	7/16/2008	6-16-2008	12/16/2008
	with NMOCD	***************************************	<u> </u>	1
Permanent Pit – Unlined	Permitted or Registered with	12-16-2008	6-16-2010	6-16-2011
	NMOCD			
BGT-Aprvd. Design	Not Permtd under 19.15.17	12/16/2008	fail integrity replc	
	Applc. by 9-16-2008		w/apprvd design	
BGT-Not Aprvd Design Nor Retrofit	Not Permtd under 19.15.17	12/16/2008	6/16/2013	6-16-2013
to Comply w/19.15.17	Mod. Rqust by 9-16-2008			
BGT-Not Aprvd Design Nor Retrofit	NA	12/16/2008	6/16/2013	6/16/2013
to comply w/19.15.17				
Dominion and Const.	Mad David by 12 10 2000	40/40/0000	, 6-11 indid	60-days after
Permanent Pit-Design and Constr	Mod. Rqust by 12-16-2008	12/16/2008 submit w/mod	fail integrity replc	cessation
Does not comply w/19.15.17	Comply w/in 18-mos of aprvl	request	w/apprvd design	1
permitted and lined				
	· · · · · · · · · · · · · · · · · · ·			
Demonstration and Country	D	40/40/0000		60-days after
Permanent Pit-Design and Constr	Permit Apple by 12-16-2008	12/16/2008 submit w/permit		cessation
Does not comply w/19.15.17	Comply w/in 18-mos of aprvl	Apple Apple		
Registered and Lined		, , , , , , , , , , , , , , , , , , , ,		
		60-Days prior to	"	
Permanent Pit	Permitted under 19.15.17	close	·	
			Üpon drig rig	6-mos after
Temporary Pit	Permitted under 19.15.17	Prior to closure	release	rig release
POT	Domitted under 10 15 17	42/46/2042	failed integrity	60-days after
BGT	Permitted under 19.15.17	12/16/2013 or prior to closure	replc . w/apprvd design	cessation
		or prior to closure	wappi vu uesigii	L

- 2. The Hill #1 permanent pit is an approved design registered under rule 50, but was not permitted under rule 19.15.17. The permanent pit is not in use; it was taken out of commission on 12/13/2007 but has not been closed yet. This report serves as the closure plan and final closure report for the pit.

 Permanent pit was closed on 11/30/2010.
- 3. Provide the NMOCD district office at least 72-hours notice but no greater than 1 week prior to any closure operations. Notice will include operator name, well name and number, API number, and location (unit letter, section, township and range). *Notification is attached (sent 11/24/2010, via e-mail).*

4. Provide the Environmental Bureau in the NMOCD Santa Fe office a closure plan with this notice. Upon approval of this closure plan, provide the Environmental Bureau in the NMOCD Santa Fe office a proposed schedule for closure at least 60-days prior to closing the permanent pit.

10/29/2008 and 11/15/2008 e-mails to NMOCD Santa Fe office.

- 5. Proof of closure notice will be provided by certified mail to surface owner prior to closing the permanent pit. Proof of notice will be attached to final closure report.

 The closure notification was sent to the surface owners via certified mail (9/21/2010) prior to closing the permanent pit and returned as undeliverable (see attached, letters and signed returned receipt cards.
- 6. Remove all liquid from the permanent pit prior to closure and dispose of at the Dugan Production operated Sanchez O'Brien #1 SWD (permit SWD-694) located 1650 feet from the South line and 990 feet from the West line (Unit L) of Section 6, Township 24 North, Range 9 West.

Permanent pit did not have any fluids in it to be hauled.

7. All solids from the permanent pit will be excavated, hauled to and disposed of at either the Envirotech facility (permit #NM-01-0011) located in Section 6, Township 26 North, Range 10 West or the IEI facility (permit NM-01-0010B) located in Section 2, Township 29 North, Range 12 West.

Nothing was hauled from this permanent pit. Initial samples tested "good".

8. Remove pit liner system, if applicable and dispose of in a NMOCD approved facility (Waste Management's Crouch Mesa facility).

Permanent pit did not have a liner system.

- 9. On site equipment associated with the permanent pit will be removed unless it is needed for some other purpose.
- 10. Collect at a minimum, a five point, composite sample; also, collect individual grab samples from any area that is wet, discolored or showing other evidence of a release; and analyze for Benzene, BTEX, TPH, GRO/DRO and chlorides to demonstrate that Benzene, BTEX, TPH, GRO/DRO and chlorides do not exceed the standards as specified in 19.15.17.13.E or the background chloride concentration, whichever is greater.

Components	Test Method	Limit (mg/kg)	Results (mg/kg)
Benzene	EPA SW-846 8021B or 8260B	. 0.2	<0.050
BTEX	EPA SW-846 8021B or 8260B	50	0.424
TPH	EPA SW-846 418.1	100	<100
GRO/DRO	EPA SW-846 8015M	NS	<10
Chlorides	EPA 300.1	250 or Background	96

11. The NMOCD will be notified of the testing results on form C-141.

C-141 with results of sample analysis is attached. Samples tested within permissible levels of 19.15.17.13.

12. If it is determined that a release has occurred, rules 19.15.3.116 NMAC and 19.15.1.19 NMAC will be complied with as required.

No release occurred.

- 13. If the sampling results demonstrate that a release has not occurred, or that any release does not exceed the concentrations specified above or background concentrations, the pit will be backfilled with compacted, non-waste containing, earthen material.

 No release occurred.
- 14. Stockpiled sub-surface soil will be used to backfill pit and re-contour (to a final or intermediate cover that blends with the surrounding topography). A minimum of four feet of compacted, non-waste containing, earthen material will be used as backfill. Stockpiled sub-surface soil was used to backfill permanent pit and re-contour. A minimum of four-feet of compacted, non-waste containing, earthen material was used as backfill.
- 15. Stockpiled surface soil will be used as a cover over the backfilled pit and disturbed area no longer needed for production operations. The soil cover will include either the background thickness of top soil or one foot of suitable material to establish vegetation at the site whichever is greater.

 Stockpiled surface soil was used to cover over the backfilled permanent pit and disturbed area no longer needed for production operations. The soil cover included background thickness of topsoil (which was greater than 1-foot thick) to establish vegetation at the site. The soil cover was constructed to the site's existing grade and

will prevent water collection or ponding and erosion of the cover material.

- 16. The area will be re-seeded as per BLM guidelines. Re-seeding will be repeated until 70% of the native natural cover is achieved and maintained for two successive growing seasons. The first growing season after the pit is closed the disturbed area will be reseeded. The seeding method will be to drill on contour whenever possible. Disturbed areas will be seeded the first growing season after the pit is closed. Seeding will be accomplished by drilling on contour whenever possible or by other division approved methods. BLM stipulated seed mixes will be used on all Federal lands and OCD approved seed mixes (administratively approved if required) will be used on all State or private lands. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two consecutive growing seasons. If alternate seed mix is required by the state, private owner or tribe, it will be implemented with administrative approval if needed. Seeding or planting will be continued until successful vegetative growth occurs. This provision will/has been accomplished through complying with BLM seeding
 - This provision will/has been accomplished through complying with BLM seeding requirements as allowed by the BLM/OCD MOU.
- 17. The NMOCD will be notified within 60-days of closure of the permanent pit. The closure report will be filed on form C-144 and will include the following:
 - a. Proof of Closure Notice (surface owner and division)
 - b. Confirmation Sampling Analytical Results (if applicable)
 - c. Disposal Facility Name and Permit Number
 - d. Soil Backfilling and Cover Installation
 - e. Re-vegetation Application Rates and Seeding Technique
 - f. Site Reclamation (Photo Documentation)
- 18. The NMOCD will be notified once successful re-vegetation has been achieved.

The Aztec District office of the OCD will be notified after each re-seeding operation and after successfule re-vegetation has been achieved.

From:

Kurt Fagrelius

Sent:

Wednesday, November 24, 2010 9:07 AM

To:

Powell, Brandon, EMNRD; Evan Rowland (erowland@slo.state.nm.us); dave_mankiewicz@nm.blm.gov; Mark_Kelly@nm.blm.gov;

lucas_vargo@blm.gov; Kurt Fagrelius

Cc:

Mike Sandoval; Johnny Lane

Subject:

72-Hour Notice to Close Permanent Pits

Attachments: 72-Hour Notice to Close 11-30 to 12-2-2010.xls

Mr. Brandon Powell, Mr. Evan Rowland. Mr. Dave Mankiewicz, Mr. Mark Kelly and Mr. Lucas Vargo,

Dugan Production Corp. is hereby giving notice that Dugan will be closing the permanent pits on the following well pads:

- 1) Anderson A #1
- 2) Hill #1
- 3) April Surprise #8 (Prod Tank)
- 4) Sly Slav #1 (Prod Tank)
- 5) Sly Slav #1 (Sep Tank)
- 6) Frank W. Pyle # 2

Site specific and soil analysis information for each permanent pit is included in the enclosed attachment.

Those highlighted in blue (#'s 1, 2 and 4 - 6) are located on Private Surface; and that highlighted in red (# 3) is located on Federal surface.

Permanent pits will be closed starting Tuesday November 30, 2010 thru Thursday December 2, 2010.

If you have any questions or require additional information, please contact me.

Kurt Fagrelius
Dugan Production Corp.
709 East Murray Drive
Farmington, New Mexico 87401
505-325-1821 (O), 505-320-8248 (C)
kfagrelius@duganproduction.com

Dugan Production Corp. Permanent Pits to be Closed on November 8, 2010

Lease Name	Anderson A #1	Hill #1	April Surprise #8	Sly Slav #1 Prod Tnk
API Number	30-039-05324	30-039-22962	30-045-29419	30-045-25354
Surface Owner - Notice Sent	Private	Private	Federal	Private
Location - UL, Sec., Twp, Rge	B-25-24N-2W	A-16-25N-2W	P-30-24N-9W	0-13-30N-15W
Latitude	- 36.25489 N	36.40289 N	36.27977	36.8092 N
Longitude	107.89304 W	107.04875 W	107.8221 W	108.36433 W
C-144 Ranking Score	N.A Close under pit			
	rule standards	rule standards	rule standards	rule standards
Benzene (mg/kg)	<0.050	<0.050	<0.050	<0.050
Betex (mg/kg)	<0.150	0.424	<0.150	<0.150
TPH (mg/kg) - Analy Mthd	<100 - 418.1	<100 - 418.1	<100 - 418.1	<100 - 418.1
Chlorides (mg/kg)	32	96	16	64
Total Yards Contaminated	N.A.	N.A.	24-yds	N.A.
Soil Hauled to Landfarm				

Dugan Production Corp. Permanent Pits to be Closed on November 8, 2010

Sly Slav #1 Sep Tnk	Frank W. Pyle #2
30-045-25354	30-045-08965
Private	Private
0-13-30N-15W	N-34-30N-15W
36.8092 N	36.76551 N
108.36433 W	108.40605 W
20	10
< 0.050	<0.050
<0.150	0.188
<100 - 418.1	<100 - 418.1
736	912
N.A.	N.A.
	!

From:

postmaster@dugariproduction.com

Sent:

Wednesday, November 24, 2010 9:07 AM

To:

Kurt Fagrelius

Subject:

Delivery Status Notification (Relay)

Attachments:

ATT22691.txt; 72-Hour Notice to Close Permanent Pits





ATT22691.txt (407 72-Hour Notice to

B)

Close Perman...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

Brandon.Powell@state.nm.us

From:

postmaster@dugariproduction.com

Sent:

Wednesday, November 24, 2010 9:07 AM

To:

Kurt Fagrelius

Subject:

Delivery Status Notification (Relay)

Attachments:

ATT22700.txt; 72-Hour Notice to Close Permanent Pits





ATT22700.txt (422 72-Hour Notice to Close Perman...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

erowland@slo.state.nm.us

From:

Sent:

Mark_Kelly@blm.gov Tuesday, November 30, 2010 6:49 AM

To:

Subject:

Kurt Fagrelius
72-Hour Notice to Close Permanent Pits

Return Receipt

Your

72-Hour Notice to Close Permanent Pits

document:

was

Mark Kelly/FFO/NM/BLM/DOI

received

by:

at:

⁷11/30/2010 06:49:05 AM

From:

Sent:

Lucas_Vargo@blm.gov Wednesday, November 24, 2010 10:01 AM Kurt Fagrelius

To:

Subject:

72-Hour Notice to Close Permanent Pits

Return Receipt

Your

72-Hour Notice to Close Permanent Pits

document:

was

Lucas Vargo/FFO/NM/BLM/DOI

received

by:

at:

11/24/2010 10:01:00 AM



dugan production corp.

September 21, 2010

Mary Bernice Fietz P.O. Box 62 Lindrith, NM 87029

RE: Notice of Pit Burial

Hill #1

NE/4NE/4 Section 16, T25N, R2W Rio Arriba County, New Mexico

Dear Ms. Fietz:

Our records indicate that you are the owner of the land on which the above-captioned well is located. Therefore, this letter is to notify you, in accordance with Section 19.15.17.13F.1f of the NMAC (Pit Rules), that Dugan Production Corp. is going to reclaim the production pit at this site in the very near future.

Enclosed is a copy of the Recordation Notice of Pit Burial as required by the above recitation for the New Mexico Pit Rules that will be recorded in Rio Arriba County, New Mexico, County Clerk's office.

If you have further questions, please contact me at your convenience.

Respectfully,

Skip Fraker Land Manager

/egl

et m r			74
። 	OFFICIAL	USE 9-21-10	
	Certified Fee Return Receipt Fee (Endorsement Required)	Postmark Here	
רי הי		pit bundl	
500	Street, Apt. No.; or PO Box No. Chi. Street, Apt. No.; Or PO Box No. Chi. Steet 7/6.4		
	198(Form 3800) June 2002	7039 See Reverse for Instructions.	

 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X D. Negr. Agent Addressee B. Received by (Printed Name) C. Date of Delivery ROWN 10 0, 40094 9 9 - 23 - 80
1. Article Addressed to: Mary Barnice Fietz P.O. Box 62 Lindrith, NM 27059	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
87059	☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
2. Article Number (Transfer from service label) 7005	4. Restricted Delivery? (Extra-Fee) ☐ Yes 2570 0001 3772 6738

· ~

STATE OF NEW MEXICO	}
	}
COUNTY OF SAN JUAN	3

RECORDATION NOTICE OF PIT BURIAL

In accordance with Section 19.15.17.13.F.1.f of the NMAC, operator hereby provides notice in the public record of an on-site burial of a permanent pit at the following location:

Well Name: Hill #1 Pit Type: Production Latitude (DDD°MM.MMM') 36.40289 N. Longitude (DDD°MM.MMM'): 107.04875 W. (NAD 1927) Unit Letter (1/4, 1/4): A (NE/4 NE/4) Section: 16 Township: T25N Range: R2W County: Rio Arriba State: New Mexico

IN WITNESS WHEREOF, this Recordation Notice of Pit Burial has been executed on the indicated below by the undersigned.

DUGAN PRODUCTION CORPORATION

Kurt Fagrelius Vice-President, Exploration

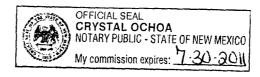
STATE OF NEW MEXICO 3

COUNTY OF SAN JUAN

This instrument was acknowledged before me this 8th of September Fagrelius, Vice-President, Exploration, on behalf of said corporation.

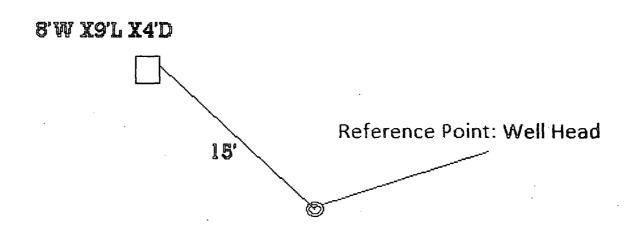
My Commission Expires: July 30,2011

RIO ARRIBA COUNTY CLERK



Dugan Production Hill #1 Seperator Pit





From Reference Point Go N 30 degrees N.W. For a Distance of 15' to Center of Pit.

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

Revised October 10, 2003

Form C-141

Submit 2 Copies to appropriate District Office in accordance with Rule 116 on back side of form

Release Notification and Corrective Action ODEDATOD

						UPERA	IUK		i Report X Final Repor
Name of Co	Name of Company Dugan Production Corp. Contact Kurt Fagrelius								
Address P.O. Box 420 Telephone No. 505-325-1821									
				Facility Typ	e Permar	ent Pit			
Surface Ow	ner .	Private		Mineral O	wner	Federa	1	Lease N	lo. NM-04083
_ santace o		LLIVACE						Euser	01003
		·				N OF RE	,		
Unit Letter	Section	Township	Range	Feet from the		South Line	Feet from the	East/West Line	County
A	16	25N	2W	920	No	orth	910	East	Rio Arriba
	Latitude 36.40289 N Longitude 107.04875 W							···	
				NAT	URE	OF REL	EASE		
Type of Rele	ase Rej	porting	Pit	Sampling		Volume of		Volume R	ecovered N/A
Source of Re	lease						lour of Occurrenc	e ? Date and l	Hour of Discovery N/A
Was Immedi	ate Notice (Yes [No 🛚 Not Red	quired	If YES, To	Whom? N/A	A	
By Whom?						Date and F	lour		
Was a Water	course Read	ched?			_		olume Impacting t	he Watercourse.	
			Yes X] No					
If a Watercou	ırse was Im	pacted, Descr	ibe Fully.	*					
N/I				•					
IN/ F	1								
Describe Cau	ise of Probl	em and Reme	dial Actio	n Taken.*		· · · · ·			
N/A									
10,77							•		•
		and Cleanup A							
There	was no	o releas	se. S	Samples te	este	d withi	n accepta	ble limit	s of 19.15.17.13.
Result	sofa	analyses	s are	attached.	•				
									uant to NMOCD rules and
									eases which may endanger
									eve the operator of liability
									surface water, human health ompliance with any other
		ws and/or regu		nunce of a C 141 N	eport a		e the operator of t	esponsionity for ec	inpliance with any other
	//	,					OIL CONS	SERVATION	DIVISION
Signature:	Kunt	fagro	Jan.						
	i juji				-+	A 1.1	District d		
Printed Name	: Kurt	Fagrel	ius			Approved by	District Superviso)r: 	
Title:	VP E	xplorat	ion			Approval Da	te:	Expiration I	Date:
						•		Zapitation i	
E-mail Addre	ss: kfag:	relius@du	ıganpro	oduction.com	n	Conditions of	Approval:		Attached
Date: 1	Date: 10/9/2010 Phone: 505-325-1821								

^{*} Attach Additional Sheets If Necessary





August 17, 2010

MIKE SANDOVAL

DUGAN PRODUCTION

P. O. BOX 420

FARMINGTON, NM 87499

RE: PIT CLOSURES

Enclosed are the results of analyses for samples received by the laboratory on 08/12/10 9:30.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021

Benzene, Toluene, Ethyl Benzene, and Total Xylenes

Method SW-846 8260

Benzene, Toluene, Ethyl Benzene, and Total Xylenes

Method TX 1005

Total Petroleum Hydorcarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accreditated 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 (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

Celey D. Keine



Analytical Results For:

DUGAN PRODUCTION
MIKE SANDOVAL
P. O. BOX 420
FARMINGTON NM, 87499
Fax To: (505) 327-4043

Received:

08/12/2010

Reported:

08/17/2010

Project Name: Project Number: PIT CLOSURES

Project Location:

HILL #1 PIT CLOSURE

NOT GIVEN

Sampling Date:

08/11/2010

Sampling Type:

Soil

Sampling Condition: Sample Received By: Cool & Intact

Jodi Henson

Sample ID: HILL #1 (H020621-01)

BTEX 8021B	mg	/kg	Analyze	d By: ZL					
Analyte	Result Reporting Limit		Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	08/13/2010	ND	0.917	91.7	1.00	7.96 16.9 4.07	
Toluene*	<0.050	0.050	08/13/2010	ND	0.981	98.1	1.00		
Ethylbenzene*	0.131	0.050	08/13/2010	ND	0.977	97.7	1.00		
Total Xylenes*	0.424	0.150	08/13/2010	ND	3.15	105	3.00	5. ₇ 9	
Surrogate: 4-Bromofluorobenzene (PIL	112	% 80-120							
Chloride, SM4500CI-B	mg	/kg	Analyze	d By: HM					
Analyte	Result Reporting Limit		Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	96.0	16.0	08/13/2010	ND	432	108	400	0.00	
TPH 418.1	mg	/kg	Analyze	d By: AB					
Analyte .	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
TPH 418.1	<100 100		08/12/2010	ND	970	95.1	1020	1.82	
TPH 8015M	mg	/kg	Analyze	d By: AB					S-04, QM-05
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	<10.0	10.0	08/13/2010	ND	161	80.6	^ 200	1.85	
DRO >C10-C28	<10.0	10.0	08/13/2010	ND	162	80.9	200	0.376	
Surrogate: I-Chlorooctane	71.0 % 70-130		Andrew Annual Annual Annual Steel			THE RESERVE AND ADDRESS OF THE PERSON NAMED AND ADDRESS OF THE	description of the second section of the se		
Surrogate: 1-Chlorooctadecane	poctadecane 54.5 % 70								

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 tork, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatspeever 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 labile for incidental or consequential damages, including, without function, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successions arising out of or related to the performance of the services hereunder by Cardinal, regardless of whether such claims have function and of the above stated responsing or thereuse. Secultic plate notion in the samples (sentified above. The promoting of companies of the profit all phoratoms.)

Celey D. Keine



Notes and Definitions

S-04 The surrogate recovery for this sample is outside of established control limits due to a sample matrix effect.

QM-05 The spike recovery was outside acceptance limits for the MS and/or MSD due to matrix interference. The LCS and/or LCSD

were within acceptance limits showing that the laboratory is in control and the data is acceptable.

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

Cardinal Laboratories

*=Accredited Analyte

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim anising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for nepligence and any other cause whatspeever shall be deemed waived unless made in witing and received by Cardinal within 11th (30) days after completion of the applicable service. In no event shall Cardinal be labels for inodental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiance, 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 respons or otherwise. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal abordatories.

Celey D. Keine



GREEN Analytical	Please tax rusults then mail paper copy	f
Analytical Laboratories	CHAIN OF CUSTODY RECORD	Page of

Λ · ·	aboratories				TITA	<u>Or</u>	<u></u>	<u> </u>	<u> </u>	<u>ررر</u>	<u>.</u>	<u>1/T</u>	<u>بر،</u>	<u>UN</u>	<u></u>							j	Page_	01	
Client: //uggn				NOTI	ES:																	7 r			
Contact: Mike Sandoval				1) Ensure proper container packaging.								Table 1. – Matrix Type										FOR	GAL USE	ONLY	
Address:				2) Ship samples promptly following collection.								1 = Surface Water, 2 = Ground Water								G	AL JO	В#			
	_	3) Designate Sample Reject Disposition.								3 = Soil/Sediment, 4 = Rinsate, 5 = Oil															
Phone Number: > 20 - 09 29			_	PO# H/1/#								6 = Waste, 7 = Other (Specify)										ı			
Phone Number: 330-0929 FAX Number: 327-4043			Project Name: f. + Closure									Samplers Signature:													
														<u> </u>						-	* المحمدة				
Lab Name: Green Ar	nalytical Labor	ratories	(970) 247-4220 FAX (970) 247-4227								Analyses Required														
Address: 75 Suttle	e Street, Durar	ngo, CO 812	303																						
Collection			Miscellaneous				Preservative(s)															ĺ			
Sample ID H20621	Date	Time	Collected by: (Init.)	Matrix Type From Table 1	No. of Containers	Sample Filtered ? Y/N	Unpreserved (Ice Only)	HNO3	нсг	H2SO4	NAOH	Other (Specify)	7.7	8元人	1.214 HOY	1PH 8015	CL-						Con	nments	;
1 H.11 #	8-11-10	10:30		3									<u> </u>	/	/										
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Relinquished by:	///////////////////////////////////////	//-	!	Date:	- //	10	Time	<u>ا را</u>	14	Rece	A	Y) /	1	u.	1		1/.	<u> </u>	<u> </u>		Ray	11/1	$\sqrt{}$	Time	21
Relinquished by:									e: Redejugd by:													101	10	Tiens	20

* Sample Reject: [] Return [] Dispose [] Store (30 Days)

Page 4 of 4

