

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

**Release Notification and Corrective Action**

**OPERATOR**

Initial Report  Final Report

Name of Company Yates Petroleum Corporation	Contact Mike Stubblefield	
Address 105 South 4 <sup>th</sup> Street, Artesia, N.M. 88210	Telephone No. 505-7484500 505-513-1712	
Facility Name Berry APN #1	Facility Type Oil Well	
Surface Owner State	Mineral Owner	Lease No.

**LOCATION OF RELEASE**

WTR 750'

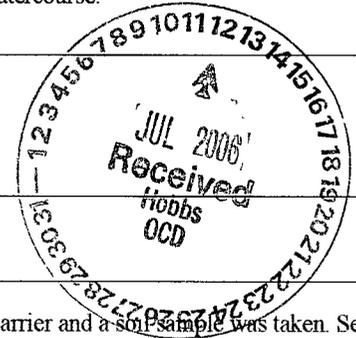
Unit Letter L	Section 5	Township 21s	Range 34e	Feet from the 1980'	North/South Line FSL	Feet from the 660'	East/West Line FWL	County Lea
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Latitude 32.30197 Longitude 103.29554

**NATURE OF RELEASE**

API# 30-025-27250

Type of Release Crude Oil	Volume of Release 176 bbls Oil	Volume Recovered 0 bbls Oil
Source of Release Hole in tank.	Date and Hour of Occurrence 11/10/2005 0800	Date and Hour of Discovery 11/10/2005 AM.
Was Immediate Notice Given? Yes X No Not Required	If YES, To Whom? Larry Johnson, Hobbs OCD, Voice mail	
By Whom? Dan Dolan	Date and Hour 11/10/05 1300	
Was a Watercourse Reached? <input type="checkbox"/> Yes X No	If YES, Volume Impacting the Watercourse.	



If a Watercourse was Impacted, Describe Fully.\*

Describe Cause of Problem and Remedial Action Taken.\*  
Hole in tank, repaired. Oil that remained in tank was removed and placed in good tank.

Describe Area Affected and Cleanup Action Taken.\*  
The impacted area inside the tank berm was excavated to a depth of 5'. A bore hole was drilled through rock barrier and a soil sample was taken. See attached analytical results for 1/23/06. The impacted soil were ran thorough a soil Schrader & placed in a bio-cell. The stockpiled soil in the bio-cell was sampled on 5/12/06. Analytical results for TPH were under the RRAI, for the site. See analytical results for 5/12/06. Remediate soils were placed back into excavated area of the tank battery. Remediation actions complete. Please grant closure for this release that occurred on 11/10/05.  
Depth to ground water > 100', Wellhead protection area > 1000', Distance to surface water body > 1000' Site ranking 0.

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>Mike Stubblefield</i>	<b>OIL CONSERVATION DIVISION</b>	
Printed Name: Mike Stubblefield	Approved by District Supervisor: <i>[Signature]</i>	
Title: Environmental Regulatory Agent	Approval Date: 6-26-07	Expiration Date: _____
E-mail Address: mikes@ypcnm.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: 7/7/2005	Phone: 505-748-4500	

\* Attach Additional Sheets If Necessary

819  
RPT# 1447

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

S. P. YATES  
CHAIRMAN OF THE BOARD  
JOHN A. YATES  
PRESIDENT  
PEYTON YATES  
EXECUTIVE VICE PRESIDENT  
RANDY G. PATTERSON  
SECRETARY  
DENNIS G. KINSEY  
TREASURER

I certify that on 5/12/2006, tests were conducted on soil samples from the

30-025-27250 U.L. 5-215-34e Berry APN #1

Following are the results of those tests.

EPA Method 9074, TPH \_\_\_\_\_

EPA Method 9253 \_\_\_\_\_

Field Headspace

5 spot composite soil sample Excavated tank battery area 5' depth - 0 ppm.

PID Meter, BTEX

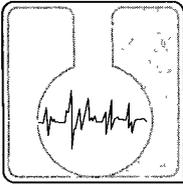
5 spot composite soil sample stock piled bio-cell material - 0 ppm.

All testing was done at Yates Petroleum Corporation or on location.

Respectfully,

*Mike Stubblefield*

Mike Stubblefield  
Environmental Regulatory Agent



# ASSAIGAI ANALYTICAL LABORATORIES, INC.

4301 Masthead NE, Ste. A • Albuquerque, New Mexico 87109 • (505) 345-8964 • FAX (505) 345-7259  
 3332 Wedgewood, Ste. N • El Paso, Texas 79925 • (915) 593-6000 • FAX (915) 593-7820  
 127 Eastgate Drive, 212-C • Los Alamos, New Mexico 87544 • (505) 662-2558

**YATES PETROLEUM CORP.**  
 attn: **MIKE STUBBLEFIELD**  
**105 S. 4TH STREET**  
**ARTESIA NM 88210**

Explanation of codes	
<b>B</b>	Analyte Detected in Method Blank
<b>E</b>	Result is Estimated
<b>H</b>	Analyzed Out of Hold Time
<b>N</b>	Tentatively Identified Compound
<b>S</b>	Subcontracted
<b>1-9</b>	See Footnote

STANDARD

Assaigai Analytical Laboratories, Inc.

## Certificate of Analysis

All samples are reported on an "as received" basis, unless otherwise noted (i.e. - Dry Weight)

Client: **YATES PETROLEUM CORP.**  
 Project: **BERRY APN #1**  
 Order: **0605345 YAT01** Receipt: **05-16-06**

*[Signature]*  
 William P. Gava, President of Assaigai Analytical Laboratories, Inc.

Sample: **1. BIO-CEL MATERIAL** Collected: **05-12-06 10:00.00** By: **MS**  
 Matrix: **COMP**

QC Group	Run Sequence	CAS #	Analyte	Result	Units	Dilution Factor	Detection Limit	Code	Prep Date	Run Date
<b>0605345-0001A</b>		<b>SW846 5035B/8015B</b>	<b>GRO by GC/FID</b>					By: <b>EJB</b>		
V06260	XG 2006 672 8		Gasoline Range Organics	3.7	mg / Kg	1	0.55		05-24-06	05-24-06
<b>0605345-0001A</b>		<b>SW846 5035B/8260B</b>	<b>Purgeable VOCs by GC/MS</b>					By: <b>MDE</b>		
V06255	XG 2006 633 21	71-43-2	Benzene	ND	mg / Kg	1	0.005		05-23-06	05-23-06
V06255	XG 2006 633 21	100-41-4	Ethylbenzene	ND	mg / Kg	1	0.005		05-23-06	05-23-06
V06255	XG 2006 633 21	95-47-6	o-Xylene	0.12	mg / Kg	1	0.005		05-23-06	05-23-06
V06255	XG 2006 633 21	108-38-3/106-42	p/m-Xylenes	ND	mg / Kg	1	0.01		05-23-06	05-23-06
V06255	XG 2006 633 21	108-88-3	Toluene	ND	mg / Kg	1	0.005		05-23-06	05-23-06
<b>0605345-0001A</b>		<b>SW846 8015B</b>	<b>Diesel Range Organics by GC/FID</b>					By: <b>G/SDW</b>		
S06274	XG 2006 644 18		Diesel Range Organics	3800	mg / Kg	10	25		05-19-06	05-24-06

Unless otherwise noted, all samples were received in acceptable condition and all sampling was performed by client or client representative. Sample result of ND indicates Not Detected, ie result is less than the sample specific Detection Limit. Sample specific Detection Limit is determined by multiplying the sample Dilution Factor by the listed Reporting Detection Limit. All results relate only to the items tested. Any miscellaneous workorder information or footnotes will appear below.

Analytical results are not corrected for method blank or field blank contamination.



# Chain of Custody Record

4301 Masthead N.E.  
ALBUQUERQUE, NEW MEXICO 87109  
(505) 345-8964

3332 WEDGEWOOD  
EL PASO, TEXAS 79925  
(915) 593-6000

127 EASTGATE DRIVE, 212-C  
LOS ALAMOS, NEW MEXICO 87544  
(505) 662-2558

Lab Job No. : 1105215 Date \_\_\_\_\_

Page 1 of 1

Client Vitas Petroleum Corporation  
Address 105 South 4th Street  
City / State / Zip ARTESIA, N.M. 88210  
Project Name / Number Berry APN #1  
Contract / Purchase Order / Quote 103 2422

Project Manager / Contact Mike Stubblefield  
Telephone No. 505-748-4500  
Fax No. 505-748-4635  
Samplers : (signature) ms (Stubblefield)

Analysis Required										Remarks
No. of Containers	PH	HEAVY METALS	TEX	OTHER	OTHER	OTHER	OTHER	OTHER	OTHER	
✓	✓									

AALI Fraction Number	Field Sample Number / Location	Date	Time	Sample Type	Type / Size of Container	Preservation		No. of Containers	PH	HEAVY METALS	TEX	OTHER	OTHER	OTHER	OTHER	OTHER	OTHER	Remarks	
						Temp.	Chemical												
0007A	1. Bio-Cel <u>ARTESIA</u>	5/17/06	10:00	Comp.			✓	✓	✓										

Relinquished by:  
Signature ms (Stubblefield)  
Printed Mike Stubblefield  
Company Vitas Pet. Corp.  
Reason Soil Testing

Date 5/15/2006  
Time 8:30 AM

Received by:  
Signature \_\_\_\_\_  
Printed \_\_\_\_\_  
Company \_\_\_\_\_  
Reason \_\_\_\_\_

Relinquished by:  
Signature \_\_\_\_\_  
Printed \_\_\_\_\_  
Company \_\_\_\_\_  
Reason \_\_\_\_\_

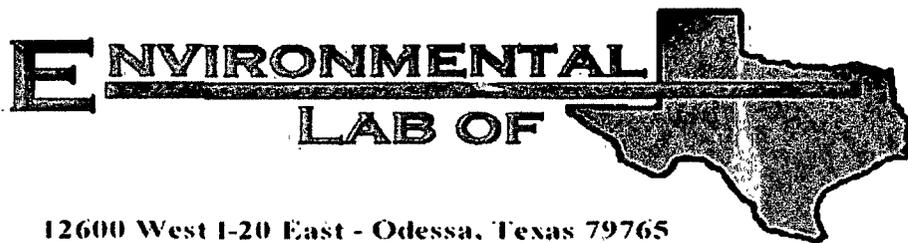
Date 5/16/06  
Time 9:38

Received by:  
Signature [Signature]  
Printed STC  
Company ool  
Reason [Signature]

Method of Shipment Bus  
Shipment No. \_\_\_\_\_  
Special Instructions: \_\_\_\_\_

Comments: Cooler temp 3 C

- After analysis, samples are to be:
- Disposed of (additional fee)
  - Stored (30 days max)
  - Stored over 30 days (additional fee)
  - Returned to customer



# Analytical Report

**Prepared for:**

Logan Anderson

Allstate Environmental Services, LLC

P.O. Box 11322

Midland, TX 79702

Project: Yates Petroleum

Project Number: None Given

Location: Berry APN State #1

Lab Order Number: 6A24001

Report Date: 01/26/06

Allstate Environmental Services, LLC  
P.O. Box 11322  
Midland TX, 79702

Project: Yates Petroleum  
Project Number: None Given  
Project Manager: Logan Anderson

Fax: (432) 682-4182

**Reported:**  
01/26/06 15:18

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
TPB@ 10'	6A24001-01	Soil	01/23/06 14:25	01/23/06 17:10

Allstate Environmental Services, LLC  
P.O. Box 11322  
Midland TX, 79702

Project: Yates Petroleum  
Project Number: None Given  
Project Manager: Logan Anderson

Fax: (432) 682-4182

**Reported:**  
01/26/06 15:18

**Organics by GC**  
**Environmental Lab of Texas**

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>TPB@ 10' (6A24001-01) Soil</b>									
Gasoline Range Organics C6-C12	ND	10.0	mg/kg dry	1	EA62412	01/24/06	01/24/06	EPA 8015M	
<b>Diesel Range Organics &gt;C12-C35</b>	<b>16.7</b>	10.0	"	"	"	"	"	"	
<b>Total Hydrocarbon C6-C35</b>	<b>16.7</b>	10.0	"	"	"	"	"	"	
<i>Surrogate: 1-Chlorooctane</i>		115 %	70-130		"	"	"	"	
<i>Surrogate: 1-Chlorooctadecane</i>		105 %	70-130		"	"	"	"	

Allstate Environmental Services, LLC P.O. Box 11322 Midland TX, 79702	Project: Yates Petroleum Project Number: None Given Project Manager: Logan Anderson	Fax: (432) 682-4182  <b>Reported:</b> 01/26/06 15:18
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**General Chemistry Parameters by EPA / Standard Methods**  
**Environmental Lab of Texas**

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
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**TPB@ 10' (6A24001-01) Soil**

<b>Chloride</b>	<b>23.3</b>	5.00	mg/kg	10	EA62404	01/25/06	01/26/06	EPA 300 0	
<b>% Moisture</b>	<b>3.1</b>	0.1	%	1	EA62507	01/24/06	01/25/06	% calculation	

**Organics by GC - Quality Control**  
**Environmental Lab of Texas**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
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**Batch EA62412 - Solvent Extraction (GC)**

<b>Blank (EA62412-BLK1)</b>										
										Prepared & Analyzed: 01/24/06
Gasoline Range Organics C6-C12	ND	10.0	mg/kg wet							
Diesel Range Organics >C12-C35	ND	10.0	"							
Total Hydrocarbon C6-C35	ND	10.0	"							
<i>Surrogate: 1-Chlorooctane</i>	51.1		mg/kg	50.0		102	70-130			
<i>Surrogate: 1-Chlorooctadecane</i>	48.2		"	50.0		96.4	70-130			

<b>LCS (EA62412-BS1)</b>										
										Prepared & Analyzed: 01/24/06
Gasoline Range Organics C6-C12	454	10.0	mg/kg wet	500		90.8	75-125			
Diesel Range Organics >C12-C35	559	10.0	"	500		112	75-125			
Total Hydrocarbon C6-C35	1010	10.0	"	1000		101	75-125			
<i>Surrogate: 1-Chlorooctane</i>	60.4		mg/kg	50.0		121	70-130			
<i>Surrogate: 1-Chlorooctadecane</i>	53.6		"	50.0		107	70-130			

<b>Calibration Check (EA62412-CCV1)</b>										
										Prepared: 01/24/06 Analyzed: 01/25/06
Gasoline Range Organics C6-C12	488		mg/kg	500		97.6	80-120			
Diesel Range Organics >C12-C35	590		"	500		118	80-120			
Total Hydrocarbon C6-C35	1080		"	1000		108	80-120			
<i>Surrogate: 1-Chlorooctane</i>	63.7		"	50.0		127	70-130			
<i>Surrogate: 1-Chlorooctadecane</i>	52.1		"	50.0		104	70-130			

<b>Matrix Spike (EA62412-MS1)</b>										
										Source: 6A24002-01 Prepared & Analyzed: 01/24/06
Gasoline Range Organics C6-C12	453	10.0	mg/kg dry	525	ND	86.3	75-125			
Diesel Range Organics >C12-C35	563	10.0	"	525	ND	107	75-125			
Total Hydrocarbon C6-C35	1020	10.0	"	1050	ND	97.1	75-125			
<i>Surrogate: 1-Chlorooctane</i>	58.6		mg/kg	50.0		117	70-130			
<i>Surrogate: 1-Chlorooctadecane</i>	48.8		"	50.0		97.6	70-130			

<b>Matrix Spike Dup (EA62412-MSD1)</b>										
										Source: 6A24002-01 Prepared & Analyzed: 01/24/06
Gasoline Range Organics C6-C12	477	10.0	mg/kg dry	525	ND	90.9	75-125	5.16	20	
Diesel Range Organics >C12-C35	583	10.0	"	525	ND	111	75-125	3.49	20	
Total Hydrocarbon C6-C35	1060	10.0	"	1050	ND	101	75-125	3.85	20	
<i>Surrogate: 1-Chlorooctane</i>	61.5		mg/kg	50.0		123	70-130			
<i>Surrogate: 1-Chlorooctadecane</i>	51.2		"	50.0		102	70-130			

**General Chemistry Parameters by EPA / Standard Methods - Quality Control**  
**Environmental Lab of Texas**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch EA62404 - Water Extraction</b>										
<b>Blank (EA62404-BLK1)</b>					Prepared: 01/25/06 Analyzed: 01/26/06					
Chloride	ND	0.500	mg/kg							
<b>LCS (EA62404-BS1)</b>					Prepared: 01/25/06 Analyzed: 01/26/06					
Chloride	8.31	0.500	mg/kg	10.0		83.1	80-120			
<b>Calibration Check (EA62404-CCV1)</b>					Prepared: 01/25/06 Analyzed: 01/26/06					
Chloride	8.24		mg/L	10.0		82.4	80-120			
<b>Duplicate (EA62404-DUP1)</b>					Prepared: 01/25/06 Analyzed: 01/26/06					
<b>Source: 6A24003-01</b>										
Chloride	348	10.0	mg/kg		327			6.22	20	
<b>Batch EA62507 - General Preparation (Prep)</b>										
<b>Blank (EA62507-BLK1)</b>					Prepared: 01/24/06 Analyzed: 01/25/06					
% Solids	100		%							
<b>Duplicate (EA62507-DUP1)</b>					Prepared: 01/24/06 Analyzed: 01/25/06					
<b>Source: 6A24001-01</b>										
% Solids	96.8		%		96.9			0.103	20	
<b>Duplicate (EA62507-DUP2)</b>					Prepared: 01/24/06 Analyzed: 01/25/06					
<b>Source: 6A25009-03</b>										
% Solids	98.4		%		98.3			0.102	20	

Allstate Environmental Services, LLC  
P.O. Box 11322  
Midland TX, 79702

Project: Yates Petroleum  
Project Number: None Given  
Project Manager: Logan Anderson

Fax: (432) 682-4182

**Reported:**  
01/26/06 15:18

### Notes and Definitions

DET Analyte DETECTED  
ND Analyte NOT DETECTED at or above the reporting limit  
NR Not Reported  
dry Sample results reported on a dry weight basis  
RPD Relative Percent Difference  
LCS Laboratory Control Spike  
MS Matrix Spike  
Dup Duplicate

Report Approved By:

*Raland K. Tuttle*

Date: 1/26/2006

Raland K. Tuttle, Lab Manager  
Celey D. Keene, Lab Director, Org. Tech Director  
Peggy Allen, QA Officer

Jeanne Mc Murrey, Inorg. Tech Director  
LaTasha Cornish, Chemist  
Sandra Sanchez, Lab Tech.

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