

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 EMERITUS

JOHN A. YATES
CHAIRMAN OF THE BOARD

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FRANK YATES, JR.
EXECUTIVE VICE PRESIDENT

JOHN A. YATES, JR.
SENIOR VICE PRESIDENT

October 8, 2007

Mr. Chris Williams
NMOCD District I
1625 French Drive
Hobbs, NM 88240

RE: Kiwi Battery
Section 16, T22S-R32E
Lea County, New Mexico



Dear Mr. Williams

Enclosed, please find a C-141, Final Report (original closure request was faxed to your office on July 13, 2006). The contaminated soils were excavated and taken to an OCD approved disposal facility, a sampling event was requested with your office on June 6, 2006 and samples were taken on June 13, 2006 (results are enclosed). The site ranking for this area is (0) zero.

Yates Petroleum Corporation requests closure of the site.

If you have any questions, please call me at 505-748-4217.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

/rca
Enclosure(s)

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

Form C-141
Revised October 10, 2003

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

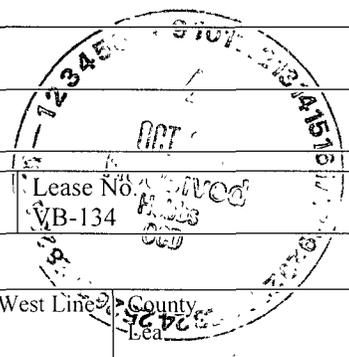
Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

Release Notification and Corrective Action

OPERATOR

Initial Report Final Report

Name of Company Yates Petroleum Corporation	OGRID Number 25575	Contact Robert Asher
Address 104 S. 4 TH Street	Telephone No. 505-748-1471	
Facility Name Kiwi Battery	API Number	Facility Type Battery
Surface Owner State	Mineral Owner State	Lease No. VB-134



LOCATION OF RELEASE

Unit Letter H	Section 16	Township 22S	Range 32E	Feet from the	North/South Line	Feet from the	East/West Line	County Sandoval
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Latitude _____ Longitude _____

NATURE OF RELEASE

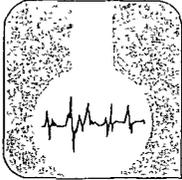
Type of Release Oil	Volume of Release 10 B/O	Volume Recovered 8 B/O
Source of Release Tank Fill Line	Date and Hour of Occurrence 7/1/2004 - AM	Date and Hour of Discovery 7/1/2004 - AM
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? N/A	
By Whom? N/A	Date and Hour N/A	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse N/A	
If a Watercourse was Impacted, Describe Fully.* N/A		
Describe Cause of Problem and Remedial Action Taken.* Hole in fill line to tanks. Line was repaired.		
Describe Area Affected and Cleanup Action Taken.* All oil released was contained inside dike. Vacuum truck was called and recovered 8 bbls of oil. Contaminated soils were excavated and taken to an OCD approved disposal facility. Delineation conducted (results enclosed). Depth to Ground Water: >100'; Wellhead Protection Area: No; Distance to Surface Water Body: >1000'; SITE RANKING IS 0. With enclosed information, Yates Petroleum Corporation is requesting closure.		
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		

OIL CONSERVATION DIVISION

Signature:	Approved by District Supervisor	
Printed Name: Robert Asher	Approval Date: 10/16/07	Expiration Date: 10/16/07
Title Environmental Regulatory Agent	Conditions of Approval:	
E-mail Address: boba@ypcnm.com	Attached <input type="checkbox"/>	
Date: Monday, October 08, 2007	Phone: 505-748-1471	

* Attach Additional Sheets If Necessary

RP# 1619



ASSAIGAI ANALYTICAL LABORATORIES, INC.

P.O. Box 90430 • Albuquerque, New Mexico 87199 • (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: **BOB ASHER (RCA)**
105 S. 4TH STREET
ARTESIA NM 88210

Explanation of codes	
B	Analyte Detected in Method Blank
E	Result is Estimated
H	Analyzed Out of Hold Time
N	Tentatively Identified Compound
S	Subcontracted
1-9	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: **KIWI AXK STATE BATTERY**
Order: **0606318 YAT01** Receipt: **06-14-06**

William P. Biava
William P. Biava President of Assaigai Analytical Laboratories, Inc.

Sample: **N OF STOCK TANK** Collected: **06-13-06 12:15:00** By: **BA**
Matrix: **GRAB**

QC Group	Run Sequence	CAS #	Analyte	Result	Units	Dilution Factor	Detection Limit	Code	Prep Date	Run Date
0606318-0001A		SW846 5035B/8015B	GRO by GC/FID					By: EJB		
V06298	XG 2006 781 11		Gasoline Range Organics	ND	mg / Kg	1	0.55		06-20-06	06-20-06
0606318-0001A		SW846 8015B	Diesel Range Organics by GC/FID					By: SDW		
S06347	XG.2006.794 11		Diesel Range Organics	ND	mg / Kg	1	25		06-26-06	06-26-06

Sample: **NW OF STOCK TANK** Collected: **06-13-06 12:30:00** By: **BA**
Matrix: **G**

QC Group	Run Sequence	CAS #	Analyte	Result	Units	Dilution Factor	Detection Limit	Code	Prep Date	Run Date
0606318-0002A		SW846 5035B/8015B	GRO by GC/FID					By: EJB		
V06298	XG 2006 781 12		Gasoline Range Organics	ND	mg / Kg	1	0.55		06-20-06	06-20-06
0606318-0002A		SW846 8015B	Diesel Range Organics by GC/FID					By: SDW		
S06347	XG 2006 794 12		Diesel Range Organics	37	mg / Kg	1	25		06-26-06	06-26-06

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: **KIWI AXK STATE BATTERY**
 Order: **0606318 YAT01** Receipt: **06-14-06**

Sample: **W OF TANK 68188** Collected: **06-13-06 12:45:00** By: **BA**
 Matrix: **G**

QC Group	Run Sequence	CAS #	Analyte	Result	Units	Dilution Factor	Detection Limit	Code	Prep Date	Run Date
SW846 5035B/8015B GRO by GC/FID By: EJB										
0606318-0003A	XG 2006 782.8		Gasoline Range Organics	ND	mg / Kg	1	0.55		06-21-06	06-21-06
SW846 8015B Diesel Range Organics by GC/FID By: SDW										
0606318-0003A	XG.2006.794 15		Diesel Range Organics	33	mg / Kg	1	25		06-26-06	06-26-06

Sample: **S OF TANK 68189** Collected: **06-13-06 13:00:00** By: **BA**
 Matrix: **G**

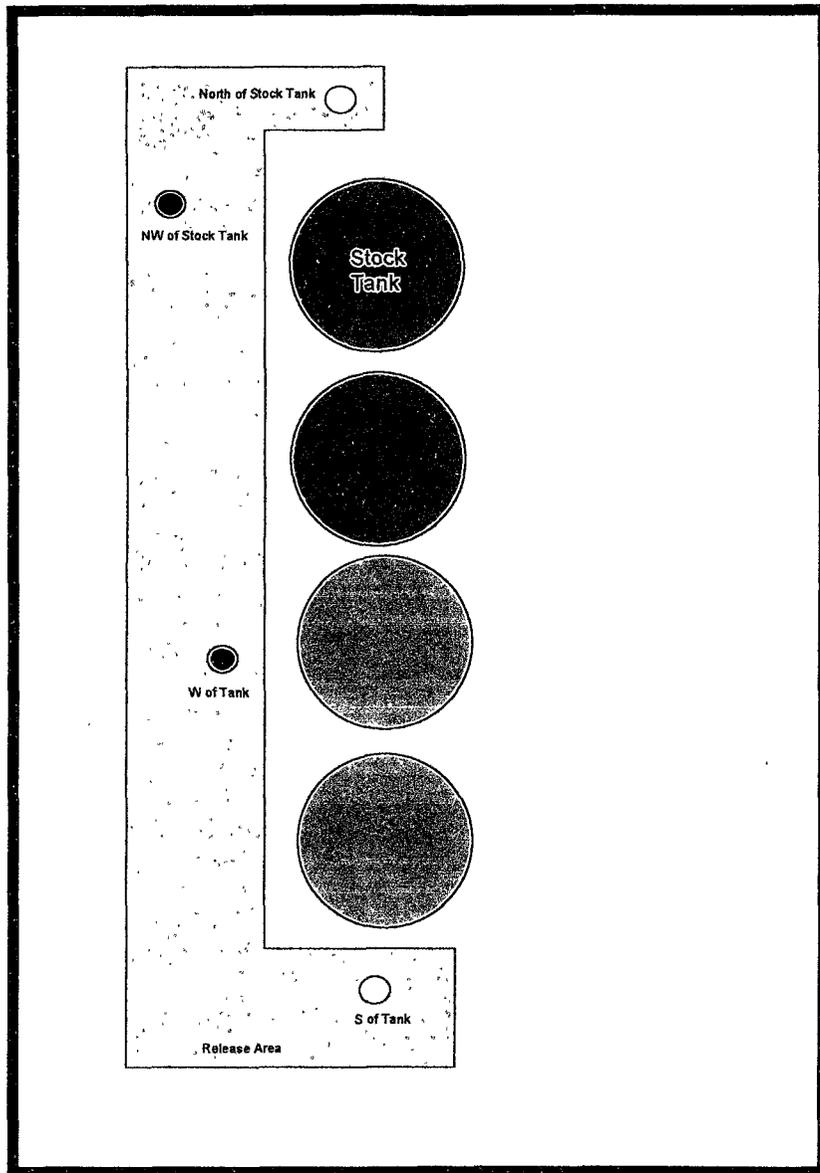
QC Group	Run Sequence	CAS #	Analyte	Result	Units	Dilution Factor	Detection Limit	Code	Prep Date	Run Date
SW846 5035B/8015B GRO by GC/FID By: EJB										
0606318-0004A	XG 2006 781.14		Gasoline Range Organics	ND	mg / Kg	1	0.55		06-20-06	06-20-06
SW846 8015B Diesel Range Organics by GC/FID By: SDW										
0606318-0004A	XG 2006 794.16		Diesel Range Organics	ND	mg / Kg	1	25		06-26-06	06-26-06

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

MEMO Samples were received at 26.0 degrees Celsius

Berm



Sample ID	Sample Date	Sample Type	Depth	TPH (GRO)	TPH (DRO)	TPH (TOTAL)
N of Stock Tank	6/13/2006	Grab	4'	ND	ND	ND
NW of Stock Tank	6/13/2006	Grab	7'	ND	37	37
W of Tank	6/13/2006	Grab	5'	ND	33	ND
S of Tank	6/13/2006	Grab	3'	ND	ND	ND

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 300'). All results are ppm.



Kiwi Battery
Section 16, T22S-R32E
Lea County, NM

EXHIBIT
Sample Diagram (Not to Scale)

Prepared by Robert Asher
 Environmental Regulatory Agent
 October 8, 2007