

JUL -7 2009

OCD # 2 RP-301

**BURNETT OIL CO.
JACKSON A LEASE
ABANDON TANK BATTERY
NE 1/4 SECT. 13, T. 17 S., RNG. 30 E.
GPS: 32 50' 15'
103 55' 22'**

FINAL REPORT

**Prepared By
Eddie Seay Consulting
June 2009**

Accepted for record
NMOCD

JUL 08 2009 *AS*

June 30, 2009

Bureau of Land Management
ATTN: James Amos
620 E. Greene St.
Carlsbad, NM 88220

RE: Burnett Oil Co. Inc.
Jackson A Abandoned Battery
Reclamation
Section 13, T. 17 S., R. 30 E.

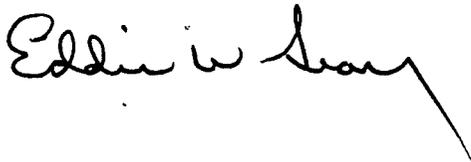
Mr. Amos:

Burnett Oil has completed the cleanup of the above listed site as BLM requested. All contaminated soils were hauled to CRI for disposal. The site was sampled and after sampling, the site was backfilled, leveled and contoured to the surrounding area. The site will be seeded along with other sites. Will notify BLM when seeding.

The OCD was notified of all activities and will be sent copies of all reports.

Should you have any questions, please call.

Sincerely,

A handwritten signature in black ink that reads "Eddie W. Seay". The signature is written in a cursive style with a long, sweeping tail on the "y".

Eddie W. Seay, Agent
Eddie Seay Consulting
601 W. Illinois
Hobbs, NM 88242
575-392-2236
seay04@leaco.net

cc: Burnett Oil
cc: OCD Artesia



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

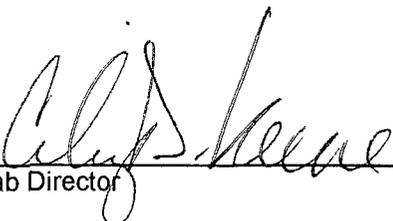
ANALYTICAL RESULTS FOR
EDDIE SEAY CONSULTING
ATTN: EDDIE SEAY
601 W. ILLINOIS
HOBBS, NM 88242
FAX TO: (575) 392-6949

Receiving Date: 06/01/09
Reporting Date: 06/02/09
Project Owner: BURNETT OIL
Project Name: JACKSON A BATTERY
Project Location: LOCO HILLS, NM

Sampling Date: 06/01/09
Sample Type: SOIL
Sample Condition: INTACT @ 13°C
Sample Received By: CK
Analyzed By: AB/HM

LAB NUMBER	SAMPLE ID	GRO (C ₆ -C ₁₀) (mg/kg)	DRO (>C ₁₀ -C ₂₈) (mg/kg)	CI (mg/kg)
ANALYSIS DATE		06/02/09	06/02/09	06/02/09
H17524-1	JAB-A	<10.0	314	<16
H17524-2	JAB-B	<10.0	257	<16
H17524-3	JAB-C	<10.0	137	96
Quality Control		511	513	500
True Value QC		500	500	500
% Recovery		102	103	100
Relative Percent Difference		1.7	<0.1	2.0

METHODS: TPH GRO & DRO: EPA SW-846 8015 M; Std. Methods 4500-CFB
*Analyses performed on 1:4 w:v aqueous extracts.


Lab Director


Date

H17524TCL SEAY

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CARDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240 2111 Beechwood, Abilene, TX 79603
(505) 393-2326 FAX (505) 393-2476 (325) 673-7001 FAX (325)673-7020

CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

Company Name: Eddie Seay Consulting		BILL TO		ANALYSIS REQUEST											
Project Manager: Eddie Seay		P.O. #:													
Address: 601 W ILLINOIS		Company:													
City: Hobbs State: NM Zip: 88242		Attn: [Signature]													
Phone #: 2-2236 Fax #: 2-6949		Address:													
Project #: Burnett O.I. Project Owner: Burnett O.I.		City:													
Project Name: Jackson A Battery (Aband)		State: Zip:													
Project Location: Loop Hills		Phone #:													
Sampler Name: Eddie Seay		Fax #:													

FOR LAB USE ONLY		(C)RAB OR (COMP)	# CONTAINERS	MATRIX						PRESERV			SAMPLING		DATE	TIME	TPH (SOIL)	Chloride
Lab I.D.	Sample I.D.			GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER	ACID/BASE:	ICE / COOL	OTHER						
#17524-																		
1	JAB-A	✓	1			✓					✓			6/1	9:00	✓	✓	
2	JAB-B	✓	1			✓					✓			6/1	9:15	✓	✓	
3	JAB-C	✓	1			✓					✓			6/1	9:40	✓	✓	

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: [Signature]	Date: 6/1	Received By:	Phone Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Phone #:
	Time: 1:00		Fax Result: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Fax #:
Relinquished By:	Date:	Received By: [Signature]	REMARKS: ASAP Thanks	
	Time:			
Delivered By: (Circle One)	Sample Condition	Checked By: (Initials)		
Sampler - UPS - Bus - Other:	Cool Intact <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	[Signature]		

† Cardinal cannot accept verbal changes. Please fax written changes to 505-393-2476

#26





Form 3160-18
(October, 1999)

Number 09-JA-041W

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<input checked="" type="checkbox"/> Certified Mail - Return Receipt Requested 7004183000000712221
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**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NOTICE OF WRITTEN ORDER**

IDENTIFICATION	
TID	
Lease	NMLC029336A
CA	
UNIT	
PA	

Bureau of Land Management Office CARLSBAD FIELD OFFICE	Operator BURNETT OIL COMPANY INC
Address 620 E GREENE STREET CARLSBAD NM 86220	Address BURNETT PLAZA STE 1500 801 CHERRY STREET UT 9 FORT WORTH TX 76102-6881
Telephone 575-234-5909	Attention
Inspector AMOS	Attn Addr

Site Name JACKSON A	Well or Facility 28	1/4 1/4 Section NWNE 13	Township 17S	Range 30E	Meridian NMP	County EDDY	State NM
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State

The following condition(s) were found by Bureau of Land Management Inspectors on the date and at the site(s) listed above.

Date	Time (24-hour clock)	Corrective Action to be Completed by	Date Corrected	Authority Reference
04/04/2009	14:00	06/05/2009		43 CFR 3162.1.a, 3162.5-1 a b.c

Remarks:

An area to the south and west, on the south side of the blacktop is saturated with oil. The area has a pipeline junction with several lines commingling into one line. The area is quite large with oil saturation and has been this way for some time. Remove the heavy saturation, the material underneath can be blended and tilled to a level that will meet OCDs standards. Once this has been done the location is to be seeded with seed mixture #2. If you have any questions contact Jim Amos at 575-234-5909.

When the Written Order is complied with, sign this notice and return to above address.

Company Representative Title Eddie Seay Agent Signature Eddie W Seay Date 4/30/09
 Company Comments Burnett has completed the excavation & cleanup of the above listed site.

Warning

The Authorized Officer has authority to issue a Written Order in accordance with 43 CFR 3161.2. Written Order correction and reporting time frames begin upon receipt of this Notice or 7 business days after the date it is mailed, whichever is earlier. Each stipulation must be corrected within the prescribed time from receipt of this Notice and reported to the Bureau of Land Management Office at the address shown above. If you do not comply as noted above under "Corrective Action to be Completed By", you shall be issued an Incident of Noncompliance (INC) in accordance with 43 CFR 3163.1(a). Failure to comply with the INC may result in assessments as outlined in 43 C.F.R. 3163.1 and may also incur civil penalties (43 CFR 3163.2). All self-certified corrections must be postmarked no later than the next business day after the prescribed time frame for correction.

Section 109(d)(1) of the Federal Oil and Gas Royalty Management Act of 1982, as implemented by the applicable provisions of the operating regulations at Title 43 CFR 3163.2(f)(1), provides that any person who "knowingly or willfully" prepares, maintains, or submits false, inaccurate, or misleading reports, notices, affidavits, records, data or other written information required by this part shall be liable for a civil penalty of up to \$25,000 per violation for each day such violation continues, not to exceed a maximum of 20 days.

Review and Appeal Rights

A person contesting a decision shall request a State Director review of the Written Order. This request must be filed within 20 working days of receipt of the Notice with the appropriate State Director (see 43 CFR 3165.3). The State Director review decision may be appealed to the Interior Board of Land Appeals, 801 North Quincy Street, Suite 300, Arlington, VA 22203 (see 43 CFR 3165.4). Contact the above listed Bureau of Land Management office for further information.

Signature of Bureau of Land Management Authorized Officer <u>James L. Lewis</u>	Date <u>4-5-09</u>	Time <u>14:00</u>
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FOR OFFICE USE ONLY

Number <u>3</u>	Date	Type of Inspection <u>ES</u>
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