



JUL 10 2009

Post Office Box 960
Artesia, NM 88211-0960
Office (575) 748-1288
Fax (575) 746-9539

Berry Brine Well
1775 FNL & 930 FWL
Sec. 21 T17S R30E

Proposed Reclamation Procedure

Mack Energy will proceed with reclamation as per approved sundry dated June 3, 2009.

Please see attached summary of testing data. Based on elevated Chloride levels at T-2 site location, addition material will be remove to a depth of 3' and replaced with clean soil. Re-vegetation and fencing will be done per BLM requirements.

Thanks,

Jerry W. Sherrell
Mack Energy Corporation

District I
 1625 N French Dr., Hobbs, NM 88240
 District II
 1301 W Grand Avenue, Artesia, NMI 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 **MAY 15 2009**
 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 Mack Energy Corporation | Contact Jerry W. Sherrell |
| Address PO Box 960 Atesia, NM 88211-0960 | Telephone No. (575) 748-1288 |
| Facility Name Berry Brine Well | Facility Type P&A'd well and facility |

| | | |
|-------------------|-------------------|--------------------------|
| Surface Owner BLM | Mineral Owner BLM | Lease No. NMNM-100443-01 |
|-------------------|-------------------|--------------------------|

LOCATION OF RELEASE

| Unit Letter | Section | Township | Range | Feet from the | North/South Line | Feet from the | East/West Line | County |
|-------------|---------|----------|-------|---------------|------------------|---------------|----------------|--------|
| E | 21 | 17S | 30E | 1775 | North | 930 | West | Eddy |

Latitude _____ Longitude _____

NATURE OF RELEASE

| | | |
|--|--|----------------------------|
| Type of Release Brine Water | Volume of Release 56bbls | Volume Recovered 0 |
| Source of Release valve connections | Date and Hour of Occurrence | Date and Hour of Discovery |
| Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required | If YES, To Whom? | |
| By Whom? | Date and Hour | |
| 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 *

Fluid in valves used to connect trucks and flowline.

Note: No surface or ground water exists at this site.

Describe Area Affected and Cleanup Action Taken *

Spillage around wellbore and facility's truck loading area. Contaminated soil and caliche will be removed per BLM requirements. Samples will be taken at sites and replaced with clean soil. Seeding will be done per BLM requirement and fenced to prevent disturbance. No action will be taken within old pit area.

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>Jerry W. Sherrell</i> | OIL CONSERVATION DIVISION | |
| Printed Name: Jerry W. Sherrell | Signed By <i>Mike Brannan</i> Approved by District Supervisor | |
| Title Production Clerk | Approval Date: JUL 17 2009 | Expiration Date: <i>N/A</i> |
| E-mail Address: jerrys@mackenergycorp.com | Conditions of Approval: <i>N/A</i> | Attached <input type="checkbox"/> |
| Date: 5/14/09 | Phone (505) 748-1288 | |

* Attach Additional Sheets If Necessary

MAY 15 2009

Form 3160-5
(August 2007)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB No 1004-0137
Expires July 31, 2010

SUNDRY NOTICES AND REPORTS ON WELLS
Do not use this form proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.

5. Lease Serial No
NMNM-100443-01

6. If Indian, Allottee or Tribe Name

SUBMIT IN TRIPLICATE - Other instructions on page 2.

7. If Unit of CA/Agreement, Name and/or No.

1. Type of Well

Oil Well Gas Well Other

8. Well Name and No
Berry Brine Well #1

2. Name of Operator

Mack Energy Corporation

9. API Well No

3a. Address

P.O. Box 960 Artesia, NM 88210-0960

3b. Phone No (include area code)

(575) 748-1288

10. Field and Pool or Exploratory Area

BSW;Salado

4. Location of Well (Footage, Sec., T,R,M, or Survey Description)

1775 FNL & 930 FWL, Sec. 21 T17S R30E

11. Country or Parish, State

Eddy, NM

12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT OR OTHER DATA

| TYPE OF SUBMISSION | TYPE OF ACTION | | | |
|--|---|---|--|---|
| <input checked="" type="checkbox"/> Notice of Intent | <input type="checkbox"/> Acidize | <input type="checkbox"/> Deepen | <input type="checkbox"/> Production (Start/Resume) | <input type="checkbox"/> Water Shut-Off |
| <input type="checkbox"/> Subsequent Report | <input type="checkbox"/> Alter Casing | <input type="checkbox"/> Fracture Treat | <input checked="" type="checkbox"/> Reclamation | <input type="checkbox"/> Well Integrity |
| <input type="checkbox"/> Final Abandonment Notice | <input type="checkbox"/> Casing Repair | <input type="checkbox"/> New Construction | <input type="checkbox"/> Recomplete | <input type="checkbox"/> Other _____ |
| | <input type="checkbox"/> Change Plans | <input type="checkbox"/> Plug and Abandon | <input type="checkbox"/> Temporarily Abandon | |
| | <input type="checkbox"/> Convert to Injection | <input type="checkbox"/> Plug Back | <input type="checkbox"/> Water Disposal | |

13. Describe Proposed or Completed Operation. Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recomplate horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recomplate in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.)

Mack Energy proposes to reclaim this site as follows:

1. Remove contaminated soil and caliche from wellbore and facility location, remove excess pad as required, test wellbore and facility site for chloride content. No removal of material from existing pit area.
2. Replace with clean soil and re-vegetate per BLM instructions.
3. Erect fence around site to discourage disturbance.

Accepted for record
NMOCD

14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)

Jerry W. Sherrell

Title Production Clerk

Signature

Date 5/14/09

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

Title

Date

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for my person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

Form 3160-5
(August 2007)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

OCD-ARTESIA
JUN - 8 2009

FORM APPROVED
OMB No. 1004-0137
Expires, July 31, 2010

SUNDRY NOTICES AND REPORTS ON WELLS
Do not use this form proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.

5. Lease Serial No.
NMNM-100443-01

6. If Indian, Allottee or Tribe Name

SUBMIT IN TRIPLICATE - Other instructions on page 2.

7. If Unit of CA/Agreement Name and/or No.

1. Type of Well

Oil Well Gas Well Other

8. Well Name and No.
Berry Brine Well #1

2. Name of Operator

Mack Energy Corporation

9. API Well No.

3a. Address

P.O. Box 960 Artesia, NM 88210-0960

3b. Phone No (include area code)

(575) 748-1288

10. Field and Pool or Exploratory Area

BSW;Salado

4. Location of Well (Footage, Sec., T.R.M. or Survey Description)

1775 FNL & 930 FWL, Sec. 21 T17S R30E

11. Country or Parish, State

Eddy, NM

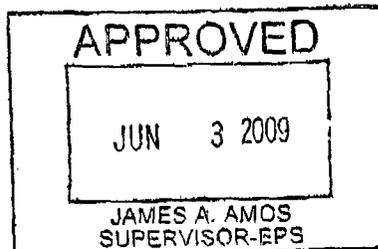
12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT OR OTHER DATA

| TYPE OF SUBMISSION | TYPE OF ACTION | | | |
|--|---|---|--|---|
| <input checked="" type="checkbox"/> Notice of Intent | <input type="checkbox"/> Acidize | <input type="checkbox"/> Deepen | <input type="checkbox"/> Production (Start/Resume) | <input type="checkbox"/> Water Shut-Off |
| <input type="checkbox"/> Subsequent Report | <input type="checkbox"/> Alter Casing | <input type="checkbox"/> Fracture Treat | <input checked="" type="checkbox"/> Reclamation | <input type="checkbox"/> Well Integrity |
| <input type="checkbox"/> Final Abandonment Notice | <input type="checkbox"/> Casing Repair | <input type="checkbox"/> New Construction | <input type="checkbox"/> Recomplete | <input type="checkbox"/> Other |
| | <input type="checkbox"/> Change Plans | <input type="checkbox"/> Plug and Abandon | <input type="checkbox"/> Temporarily Abandon | |
| | <input type="checkbox"/> Convert to Injection | <input type="checkbox"/> Plug Back | <input type="checkbox"/> Water Disposal | |

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recomplete horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompletion in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.)

Mack Energy proposes to reclaim this site as follows:

1. Remove contaminated soil and caliche from wellbore and facility location, remove excess pad as required, test wellbore and facility site for chloride content. No removal of material from existing pit area.
2. Replace with clean soil and re-vegetate per BLM instructions.
3. Erect fence around site to discourage disturbance.



6/18/09

* Complete within 60 days

14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)

Jerry W. Sherrell

Title Production Clerk

Signature

Jerry W. Sherrell

Date 5/14/09

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

Title

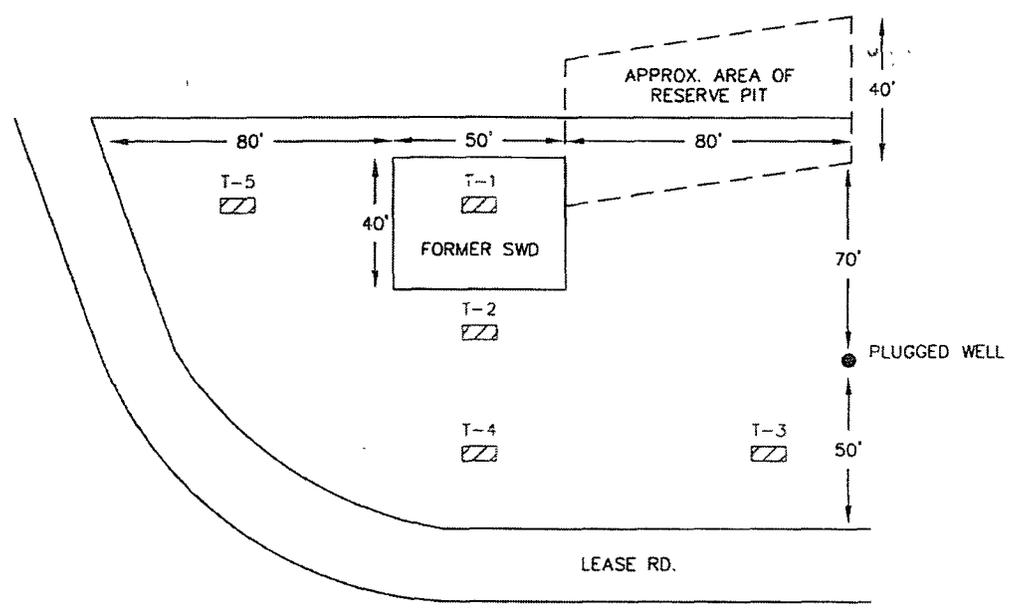
Date

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for my person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction

(Instructions on page 2)



 SAMPLE TRENCH

NOT TO SCALE

DATE:
7/9/09
OWN. BY:
JJ
FILE:
P:\MACK\114-000191
BERRY A FED. SWD

| |
|---|
| FIGURE NO. 1 |
| EDDY COUNTY, NEW MEXICO |
| MACK ENERGY CORP. |
| BERRY A FED. SWD |
| TETRA TECH, INC. MIDLAND, TEXAS |

Table 1
Mack Energy
Berry SWD #1
Eddy County, New Mexico

| Sample ID | Date Sampled | Sample Depth (ft) | Chloride (mg/kg) |
|-----------|--------------|-------------------|------------------|
| T-1 | 7/1/2009 | 0-1 | <200 |
| | 7/1/2009 | 2 | <200 |
| | 7/1/2009 | 4 | <200 |
| T-2 | 7/1/2009 | 0-1 | 245 |
| | 7/1/2009 | 2 | 2810 |
| | 7/1/2009 | 4 | 868 |
| | 7/1/2009 | 5 | 584 |
| T-3 | 7/1/2009 | 0-1 | 4070 |
| | 7/1/2009 | 2 | <200 |
| | 7/1/2009 | 4 | <200 |
| T-4 | 7/1/2009 | 0-1 | 213 |
| | 7/1/2009 | 2 | <200 |
| | 7/1/2009 | 4 | <200 |
| T-5 | 7/1/2009 | 0-1 | <200 |
| | 7/1/2009 | 2 | 299 |
| | 7/1/2009 | 4 | <200 |

T-1 Backhoe test trenches

Summary Report

Ike Tavarez
 Tetra Tech
 1910 N. Big Spring Street
 Midland, TX 79705

Report Date: July 8, 2009

Work Order: 9070241



Project Location: Eddy Co., NM
 Project Name: Mack/Berry SWD #1
 Project Number: 114-6400191

| Sample | Description | Matrix | Date Taken | Time Taken | Date Received |
|--------|-------------|--------|------------|------------|---------------|
| 201065 | T-1 0-1 | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201066 | T-1 2.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201067 | T-1 4.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201068 | T-2 0-1 | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201069 | T-2 2.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201070 | T-2 4.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201071 | T-2 5.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201072 | T-3 0-1 | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201073 | T-3 2.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201074 | T-3 4.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201075 | T-4 0-1 | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201076 | T-4 2.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201077 | T-4 4.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201078 | T-5 0-1' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201079 | T-5 2.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |
| 201080 | T-5 4.0' | soil | 2009-07-01 | 00:00 | 2009-07-02 |

Sample: 201065 - T-1 0-1

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201066 - T-1 2.0'

continued ...

sample 201066 continued ...

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Param | Flag | Result | Units | RL |
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201067 - T-1 4.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201068 - T-2 0-1

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | 245 | mg/Kg | 4.00 |

Sample: 201069 - T-2 2.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | 2810 | mg/Kg | 4.00 |

Sample: 201070 - T-2 4.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | 868 | mg/Kg | 4.00 |

Sample: 201071 - T-2 5.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | 584 | mg/Kg | 4.00 |

Sample: 201072 - T-3 0-1

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | 4070 | mg/Kg | 4.00 |

Sample: 201073 - T-3 2.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201074 - T-3 4.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201075 - T-4 0-1

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | 213 | mg/Kg | 4.00 |

Sample: 201076 - T-4 2.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201077 - T-4 4.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201078 - T-5 0-1'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |

Sample: 201079 - T-5 2.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | 299 | mg/Kg | 4.00 |

Sample: 201080 - T-5 4.0'

| Param | Flag | Result | Units | RL |
|----------|------|--------|-------|------|
| Chloride | | <200 | mg/Kg | 4.00 |
