

MARTIN YATES, III

1912-1985

FRANK W. YATES

1936-1986

S.P. YATES

1914-2008



105 SOUTH FOURTH STREET
ARTESIA, NEW MEXICO 88210-2118
TELEPHONE (575) 748-1471

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PRESIDENT

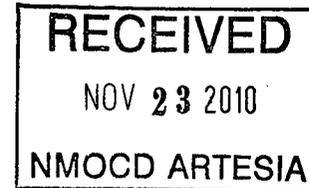
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CHIEF FINANCIAL OFFICER

November 23, 2010

Mr. Mike Bratcher
NMOCD District II
1301 West Grand
Artesia, NM 88210



Re: Ohkay BHH State #1
30-015-34551
Section 6, T25S-R30E
Eddy County, New Mexico

Dear Mr. Bratcher,

Enclosed please find a Form C-141, Initial & Final Report for the above captioned site regarding the release on November 11, 2010 (30 bbls of oil and 120 bbls of produced water with 0 bbls of oil and 50 produced water being recovered). The release was from a fire that possibly started from a broken sight glass on a knockout that sprayed oil onto a heat source or the fire tube in the heater leaked oil that caught on fire. Damaged production equipment being removed and a portion of the liner on the west end of the battery to be replaced or repaired. Samples were taken on 11/17/2010 and sent to an NMOCD approved laboratory for analysis, based on results (enclosed with a sample diagram), TPH & BTEX are below RRAL's for the site ranking of (10) ten, (chlorides for documentation, results indicate decreasing levels); Yates Petroleum Corporation requests closure.

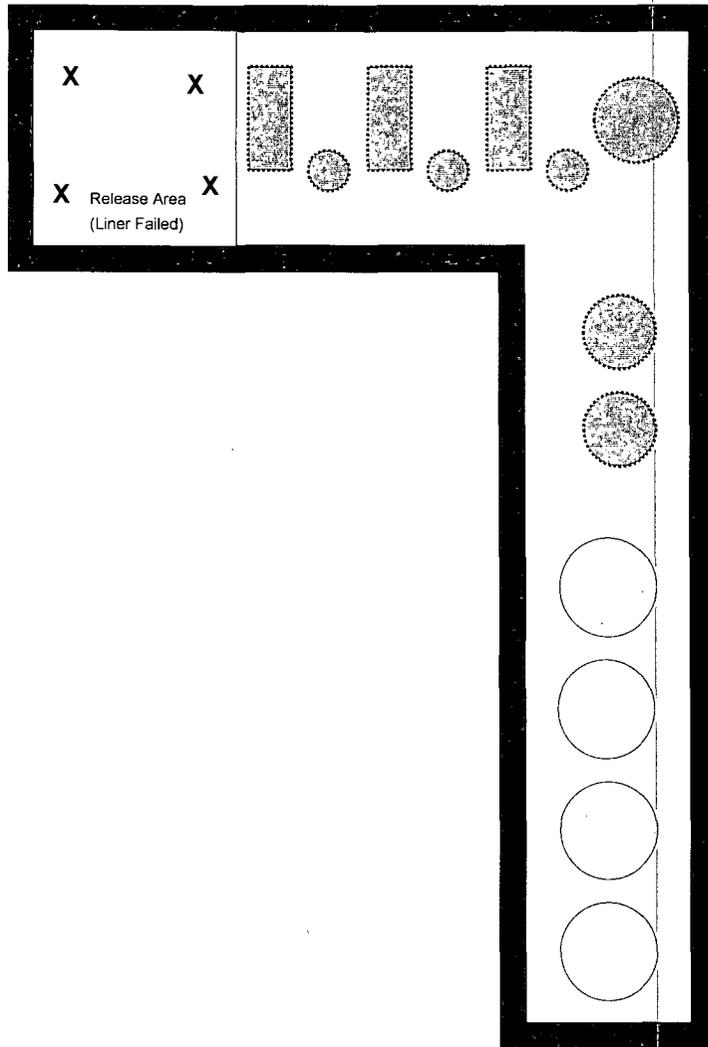
If you have any questions, please call me at 575-748-4217.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

/rca
Enclosure(s)



Sample ID	Sample Area	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
Comp-00.5	Battery Area	11/17/2010	Grab/Auger	6"	0.0310	ND	ND	ND	1410
Comp-01.0	Battery Area	11/17/2010	Grab/Auger	12"	0.0039	ND	ND	ND	192
Comp-01.5	Battery Area	11/17/2010	Grab/Auger	18"	0.005	ND	ND	ND	170

Site Ranking is Ten (10). Depth to Ground Water >100'. Distance to Surface Water Body (>200' but <1000')

All results are ppm. Chloride results are for documentation. **X - Sample Points**

..... Production equipment damaged by fire



Ohkay BHH State #1

30-015-34551

Section 6, T25S-R30E

Eddy County, NM

SAMPLE DIAGRAM (Not to Scale)

Xenco: #397725 & 397728

November 23, 2010

Prepared by Robert Asher
Environmental Regulatory Agent

Analytical Report 397725

for
Yates Petroleum Corporation

Project Manager: Robert Asher

Ohkay BHH State # 1

30-015-34551

23-NOV-10



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Illinois (002082), Indiana (C-TX-02), Iowa (392), Kansas (E-10380), Kentucky (45), Louisiana (03054)
New Hampshire (297408), New Jersey (TX007), New York (11763), Oklahoma (9218), Pennsylvania (68-03610)
Rhode Island (LAO00312), USDA (S-44102)

Xenco-Atlanta (EPA Lab Code: GA00046):

Florida (E87429), North Carolina (483), South Carolina (98015), Utah (AALI1), West Virginia (362), Kentucky (85)
Louisiana (04176), USDA (P330-07-00105)

Xenco-Miami (EPA Lab code: FL01152): Florida (E86678), Maryland (330)

Xenco-Tampa Mobile (EPA Lab code: FL01212): Florida (E84900)

Xenco-Odessa (EPA Lab code: TX00158): Texas (T104704400-TX)

Xenco-Dallas (EPA Lab code: TX01468): Texas (T104704295-TX)

Xenco-Corpus Christi (EPA Lab code: TX02613): Texas (T104704370)

Xenco-Boca Raton (EPA Lab Code: FL01273):

Florida(E86240),South Carolina(96031001), Louisiana(04154), Georgia(917)
North Carolina(444), Texas(T104704468-TX), Illinois(002295), Florida(E86349)

Xenco Phoenix (EPA Lab Code: AZ00901):

Arizona(AZ0757), California(06244CA), Texas(104704435-10-2), Nevada(NAC-445A), DoD(65816)

Xenco-Phoenix Mobile (EPA Lab code: AZ00901): Arizona (AZM757)

Xenco Tucson (EPA Lab code:AZ000989): Arizona (AZ0758)



23-NOV-10

Project Manager: **Robert Asher**
Yates Petroleum Corporation
105 South Fourth St.
Artesia, NM 88210

Reference: XENCO Report No: **397725**
Ohkay BHH State # 1
Project Address: Eddy County

Robert Asher:

We are reporting to you the results of the analyses performed on the samples received under the project name referenced above and identified with the XENCO Report Number 397725. All results being reported under this Report Number apply to the samples analyzed and properly identified with a Laboratory ID number. Subcontracted analyses are identified in this report with either the NELAC certification number of the subcontract lab in the analyst ID field, or the complete subcontracted report attached to this report.

Unless otherwise noted in a Case Narrative, all data reported in this Analytical Report are in compliance with NELAC standards. Estimation of data uncertainty for this report is found in the quality control section of this report unless otherwise noted. Should insufficient sample be provided to the laboratory to meet the method and NELAC Matrix Duplicate and Matrix Spike requirements, then the data will be analyzed, evaluated and reported using all other available quality control measures.

The validity and integrity of this report will remain intact as long as it is accompanied by this letter and reproduced in full, unless written approval is granted by XENCO Laboratories. This report will be filed for at least 5 years in our archives after which time it will be destroyed without further notice, unless otherwise arranged with you. The samples received, and described as recorded in Report No. 397725 will be filed for 60 days, and after that time they will be properly disposed without further notice, unless otherwise arranged with you. We reserve the right to return to you any unused samples, extracts or solutions related to them if we consider so necessary (e.g., samples identified as hazardous waste, sample sizes exceeding analytical standard practices, controlled substances under regulated protocols, etc).

We thank you for selecting XENCO Laboratories to serve your analytical needs. If you have any questions concerning this report, please feel free to contact us at any time.

Respectfully,

Brent Barron, II

Odessa Laboratory Manager

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Sample Cross Reference 397725



Yates Petroleum Corporation, Artesia, NM
Ohkay BHH State # 1

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Comp-00.5	S	Nov-17-10 11:59	6 - 6 In	397725-001
Comp-01.0	S	Nov-17-10 12:08	12 - 12 In	397725-002
Comp-01.5	S	Nov-17-10 12:19	18 - 18 In	397725-003



CASE NARRATIVE

Client Name: Yates Petroleum Corporation

Project Name: Ohkay BHH State # 1



Project ID: 30-015-34551
Work Order Number: 397725

Report Date: 23-NOV-10
Date Received: 11/18/2010

Sample receipt non conformances and Comments:

None

Sample receipt Non Conformances and Comments per Sample:

None

Analytical Non Conformances and Comments:

Batch: LBA-832799 BTEX by EPA 8021
SW8021BM

Batch 832799, Ethylbenzene, o-Xylene recovered below QC limits in the Matrix Spike.
Samples affected are: 397725-002, -003, -001.

The Laboratory Control Sample for Ethylbenzene, o-Xylene is within laboratory Control Limits



Certificate of Analysis Summary 397725

Yates Petroleum Corporation, Artesia, NM

Project Name: Ohkay BHH State # 1



Project Id: 30-015-34551
 Contact: Robert Asher
 Project Location: Eddy County

Date Received in Lab: Thu Nov-18-10 10:05 am
 Report Date: 23-NOV-10
 Project Manager: Brent Barron, II

Analysis Requested	Lab Id:	397725-001	397725-002	397725-003			
	<i>Field Id:</i>	Comp-00.5	Comp-01.0	Comp-01.5			
	<i>Depth:</i>	6-6 In	12-12 In	18-18 In			
	<i>Matrix:</i>	SOIL	SOIL	SOIL			
	<i>Sampled:</i>	Nov-17-10 11:59	Nov-17-10 12:08	Nov-17-10 12:19			
BTEX by EPA 8021	<i>Extracted:</i>	Nov-19-10 10:00	Nov-19-10 10:00	Nov-19-10 10:00			
	<i>Analyzed:</i>	Nov-19-10 18:11	Nov-19-10 18:33	Nov-19-10 13:15			
	<i>Units/RL:</i>	mg/kg RL	mg/kg RL	mg/kg RL			
Benzene		0.0014 0.0012	ND 0.0011	ND 0.0011			
Toluene		0.0086 0.0023	ND 0.0023	ND 0.0023			
Ethylbenzene		0.0029 0.0012	ND 0.0011	ND 0.0011			
m,p-Xylenes		0.0125 0.0023	0.0026 0.0023	0.0034 0.0023			
o-Xylene		0.0056 0.0012	0.0013 0.0011	0.0018 0.0011			
Xylenes, Total		0.0181 0.0012	0.0039 0.0011	0.0052 0.0011			
Total BTEX		0.0310 0.0012	0.0039 0.0011	0.0052 0.0011			
Percent Moisture	<i>Extracted:</i>						
	<i>Analyzed:</i>	Nov-19-10 11:02	Nov-19-10 11:02	Nov-19-10 11:02			
	<i>Units/RL:</i>	% RL	% RL	% RL			
Percent Moisture		12.7 1.00	12.2 1.00	12.1 1.00			
TPH by SW 8015B	<i>Extracted:</i>	Nov-18-10 12:20	Nov-18-10 12:20	Nov-18-10 12:20			
	<i>Analyzed:</i>	Nov-18-10 15:48	Nov-18-10 16:16	Nov-18-10 16:45			
	<i>Units/RL:</i>	mg/kg RL	mg/kg RL	mg/kg RL			
C6-C10 Gasoline Range Hydrocarbons		ND 17.3	ND 17.0	ND 17.0			
C10-C28 Diesel Range Hydrocarbons		ND 17.3	ND 17.0	ND 17.0			
Total TPH		ND 17.3	ND 17.0	ND 17.0			

This analytical report, and the entire data package it represents, has been made for your exclusive and confidential use. The interpretations and results expressed throughout this analytical report represent the best judgment of XENCO Laboratories. XENCO Laboratories assumes no responsibility and makes no warranty to the end use of the data hereby presented. Our liability is limited to the amount invoiced for this work order unless otherwise agreed to in writing.

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 Brent Barron, II
 Odessa Laboratory Manager



Flagging Criteria

- X** In our quality control review of the data a QC deficiency was observed and flagged as noted. MS/MSD recoveries were found to be outside of the laboratory control limits due to possible matrix /chemical interference, or a concentration of target analyte high enough to effect the recovery of the spike concentration. This condition could also effect the relative percent difference in the MS/MSD.
 - B** A target analyte or common laboratory contaminant was identified in the method blank. Its presence indicates possible field or laboratory contamination.
 - D** The sample(s) were diluted due to targets detected over the highest point of the calibration curve, or due to matrix interference. Dilution factors are included in the final results. The result is from a diluted sample.
 - E** The data exceeds the upper calibration limit; therefore, the concentration is reported as estimated.
 - F** RPD exceeded lab control limits.
 - J** The target analyte was positively identified below the MQL and above the SQL.
 - U** Analyte was not detected.
 - L** The LCS data for this analytical batch was reported below the laboratory control limits for this analyte. The department supervisor and QA Director reviewed data. The samples were either reanalyzed or flagged as estimated concentrations.
 - H** The LCS data for this analytical batch was reported above the laboratory control limits. Supporting QC Data were reviewed by the Department Supervisor and QA Director. Data were determined to be valid for reporting.
 - K** Sample analyzed outside of recommended hold time.
 - JN** A combination of the "N" and the "J" qualifier. The analysis indicates that the analyte is "tentatively identified" and the associated numerical value may not be consistent with the amount actually present in the environmental sample.
- BRL** Below Reporting Limit.
- RL** Reporting Limit
- MDL** Method Detection Limit
- PQL** Practical Quantitation Limit
- * Outside XENCO's scope of NELAC Accreditation.

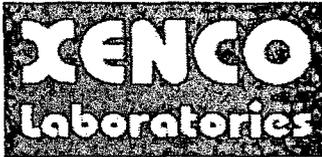
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5757 NW 158th St, Miami Lakes, FL 33014	(305) 823-8500	(305) 823-8555
12600 West I-20 East, Odessa, TX 79765	(432) 563-1800	(432) 563-1713
842 Cantwell Lane, Corpus Christi, TX 78408	(361) 884-0371	(361) 884-9116



XENCO Laboratories
 Atlanta, Boca Raton, Corpus Christi, Dallas
 Houston, Miami, Odessa, Philadelphia
 Phoenix, San Antonio, Tampa

Document Title: Sample Receipt Checklist
 Document No.: SYS-SRC
 Revision/Date: No. 01, 5/27/2010
 Effective Date: 6/1/2010 Page 1 of 1

Prelogin / Nonconformance Report - Sample Log-In

Client: Yaks Petroleum
 Date/Time: 11-18-10 10:05
 Lab ID #: 397725 / 397722
 Initials: AE

Sample Receipt Checklist

1. Samples on ice?	Blue	<u>Water</u>	No	
2. Shipping container in good condition?	<u>Yes</u>	No	None	
3. Custody seals intact on shipping container (cooler) and bottles?	<u>Yes</u>	No	N/A	
4. Chain of Custody present?	<u>Yes</u>	No		
5. Sample instructions complete on chain of custody?	<u>Yes</u>	No		
6. Any missing / extra samples?	<u>Yes</u>	<u>No</u>		
7. Chain of custody signed when relinquished / received?	<u>Yes</u>	No		
8. Chain of custody agrees with sample label(s)?	<u>Yes</u>	No		
9. Container labels legible and intact?	<u>Yes</u>	No		
10. Sample matrix / properties agree with chain of custody?	<u>Yes</u>	No		
11. Samples in proper container / bottle?	<u>Yes</u>	No		
12. Samples properly preserved?	<u>Yes</u>	No	N/A	
13. Sample container intact?	<u>Yes</u>	No		
14. Sufficient sample amount for indicated test(s)?	<u>Yes</u>	No		
15. All samples received within sufficient hold time?	<u>Yes</u>	No		
16. Subcontract of sample(s)?	Yes	No	N/A	
17. VOC sample have zero head space?	<u>Yes</u>	No	N/A	
18. Cooler 1 No.	Cooler 2 No.	Cooler 3 No.	Cooler 4 No.	Cooler 5 No.
lbs °C	lbs °C	lbs °C	lbs °C	lbs °C

Nonconformance Documentation

Contact: _____ Contacted by: _____ Date/Time: _____

Regarding: _____

Corrective Action Taken: _____

- Check all that apply:
- Cooling process has begun shortly after sampling event and out of temperature condition acceptable by NELAC 5.5.8.3.1.a.1.
 - Initial and Backup Temperature confirm out of temperature conditions
 - Client understands and would like to proceed with analysis

Analytical Report 397728

for
Yates Petroleum Corporation

Project Manager: Robert Asher

Ohkay BHH State # 1

30-015-34551

23-NOV-10



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Illinois (002082), Indiana (C-TX-02), Iowa (392), Kansas (E-10380), Kentucky (45), Louisiana (03054)
New Hampshire (297408), New Jersey (TX007), New York (11763), Oklahoma (9218), Pennsylvania (68-03610)
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North Carolina(444), Texas(T104704468-TX), Illinois(002295), Florida(E86349)

Xenco Phoenix (EPA Lab Code: AZ00901):

Arizona(AZ0757), California(06244CA), Texas(104704435-10-2), Nevada(NAC-445A), DoD(65816)

Xenco-Phoenix Mobile (EPA Lab code: AZ00901): Arizona (AZM757)

Xenco Tucson (EPA Lab code:AZ000989): Arizona (AZ0758)



23-NOV-10

Project Manager: **Robert Asher**
Yates Petroleum Corporation
105 South Fourth St.
Artesia, NM 88210

Reference: XENCO Report No: **397728**
Ohkay BHH State # 1
Project Address: Eddy County

Robert Asher:

We are reporting to you the results of the analyses performed on the samples received under the project name referenced above and identified with the XENCO Report Number 397728. All results being reported under this Report Number apply to the samples analyzed and properly identified with a Laboratory ID number. Subcontracted analyses are identified in this report with either the NELAC certification number of the subcontract lab in the analyst ID field, or the complete subcontracted report attached to this report.

Unless otherwise noted in a Case Narrative, all data reported in this Analytical Report are in compliance with NELAC standards. Estimation of data uncertainty for this report is found in the quality control section of this report unless otherwise noted. Should insufficient sample be provided to the laboratory to meet the method and NELAC Matrix Duplicate and Matrix Spike requirements, then the data will be analyzed, evaluated and reported using all other available quality control measures.

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We thank you for selecting XENCO Laboratories to serve your analytical needs. If you have any questions concerning this report, please feel free to contact us at any time.

Respectfully,

Brent Barron, II

Odessa Laboratory Manager

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Sample Cross Reference 397728



Yates Petroleum Corporation, Artesia, NM
Ohkay BHH State # 1

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Comp-00.5	S	Nov-17-10 11:59	6 - 6 In	397728-001
Comp-01.0	S	Nov-17-10 12:08	12 - 12 In	397728-002
Comp-01.5	S	Nov-17-10 12:19	18 - 18 In	397728-003



CASE NARRATIVE

Client Name: Yates Petroleum Corporation

Project Name: Ohkay BHH State # 1



Project ID: 30-015-34551
Work Order Number: 397728

Report Date: 23-NOV-10
Date Received: 11/18/2010

Sample receipt non conformances and Comments:

None

Sample receipt Non Conformances and Comments per Sample:

None



Certificate of Analysis Summary 397728

Yates Petroleum Corporation, Artesia, NM

Project Name: Ohkay BHH State # 1



Project Id: 30-015-34551

Contact: Robert Asher

Project Location: Eddy County

Date Received in Lab: Thu Nov-18-10 10:05 am

Report Date: 23-NOV-10

Project Manager: Brent Barron, II

<i>Analysis Requested</i>	<i>Lab Id:</i>	397728-001	397728-002	397728-003			
	<i>Field Id:</i>	Comp-00.5	Comp-01.0	Comp-01.5			
	<i>Depth:</i>	6-6 In	12-12 In	18-18 In			
	<i>Matrix:</i>	SOIL	SOIL	SOIL			
	<i>Sampled:</i>	Nov-17-10 11:59	Nov-17-10 12:08	Nov-17-10 12:19			
Anions in Soil By EPA 300.0	<i>Extracted:</i>						
	<i>Analyzed:</i>	Nov-18-10 12:34	Nov-18-10 12:46	Nov-18-10 12:59			
	<i>Units/RL:</i>	mg/kg RL	mg/kg RL	mg/kg RL			
Chloride		1410 21.0	192 8.40	170 8.40			
Percent Moisture	<i>Extracted:</i>						
	<i>Analyzed:</i>	Nov-19-10 11:02	Nov-19-10 11:02	Nov-19-10 11:02			
	<i>Units/RL:</i>	% RL	% RL	% RL			
Percent Moisture		12.7 1.00	12.2 1.00	ND 1.00			

This analytical report, and the entire data package it represents, has been made for your exclusive and confidential use. The interpretations and results expressed throughout this analytical report represent the best judgment of XENCO Laboratories. XENCO Laboratories assumes no responsibility and makes no warranty to the end use of the data hereby presented. Our liability is limited to the amount invoiced for this work order unless otherwise agreed to in writing.

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Brent Barron, II
Odessa Laboratory Manager



Flagging Criteria

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 - B A target analyte or common laboratory contaminant was identified in the method blank. Its presence indicates possible field or laboratory contamination.
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 - JN A combination of the "N" and the "J" qualifier. The analysis indicates that the analyte is "tentatively identified" and the associated numerical value may not be consistent with the amount actually present in the environmental sample.
- BRL** Below Reporting Limit.
- RL** Reporting Limit
- MDL** Method Detection Limit
- PQL** Practical Quantitation Limit
- * Outside XENCO's scope of NELAC Accreditation.

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5332 Blackberry Drive, San Antonio TX 78238	(210) 509-3334	(210) 509-3335
2505 North Falkenburg Rd, Tampa, FL 33619	(813) 620-2000	(813) 620-2033
5757 NW 158th St, Miami Lakes, FL 33014	(305) 823-8500	(305) 823-8555
12600 West I-20 East, Odessa, TX 79765	(432) 563-1800	(432) 563-1713
842 Cantwell Lane, Corpus Christi, TX 78408	(361) 884-0371	(361) 884-9116



XENCO Laboratories
 Atlanta, Boca Raton, Corpus Christi, Dallas
 Houston, Miami, Odessa, Philadelphia
 Phoenix, San Antonio, Tampa

Document Title: Sample Receipt Checklist
 Document No.: SYS-SRC
 Revision/Date: No. 01, 5/27/2010
 Effective Date: 6/1/2010 Page 1 of 1

Prelogin / Nonconformance Report - Sample Log-In

Client: Yates Petroleum
 Date/Time: 11-18-10 10:05
 Lab ID #: 397725 / 397728
 Initials: AE

Sample Receipt Checklist

1. Samples on ice?	Blue	<u>Water</u>	No	
2. Shipping container in good condition?	<u>Yes</u>	No	None	
3. Custody seals intact on shipping container (cooler) and bottles?	<u>Yes</u>	No	N/A	
4. Chain of Custody present?	<u>Yes</u>	No		
5. Sample instructions complete on chain of custody?	<u>Yes</u>	No		
6. Any missing / extra samples?	<u>Yes</u>	<u>No</u>		
7. Chain of custody signed when relinquished / received?	<u>Yes</u>	No		
8. Chain of custody agrees with sample label(s)?	<u>Yes</u>	No		
9. Container labels legible and intact?	<u>Yes</u>	No		
10. Sample matrix / properties agree with chain of custody?	<u>Yes</u>	No		
11. Samples in proper container / bottle?	<u>Yes</u>	No		
12. Samples properly preserved?	<u>Yes</u>	No	N/A	
13. Sample container intact?	<u>Yes</u>	No		
14. Sufficient sample amount for indicated test(s)?	<u>Yes</u>	No		
15. All samples received within sufficient hold time?	<u>Yes</u>	No		
16. Subcontract of sample(s)?	Yes	No	N/A	
17. VOC sample have zero head space?	<u>Yes</u>	No	N/A	
18. Cooler 1 No.	Cooler 2 No.	Cooler 3 No.	Cooler 4 No.	Cooler 5 No.
lbs °C	lbs °C	lbs °C	lbs °C	lbs °C

Nonconformance Documentation

Contact: _____ Contacted by: _____ Date/Time: _____

Regarding: _____

Corrective Action Taken: _____

- Check all that apply:
- Cooling process has begun shortly after sampling event and out of temperature condition acceptable by NELAC 5.5.8.3.1.a.1.
 - Initial and Backup Temperature confirm out of temperature conditions
 - Client understands and would like to proceed with analysis