

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**

30-045-29237

**OPERATOR**

☐ Initial Report ☒ Final Report

Name of Company	Dugan Production Corp.	Contact	Kurt Fagrelus
Address	P.O. Box 420	Telephone No	505-325-1821
Facility Name	Pierre #1 Separator	Facility Type	Permanent Pit
Surface Owner	Federal	Mineral Owner	Federal
		Lease No	NM-80498

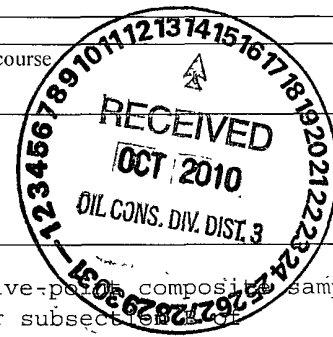
**LOCATION OF RELEASE**

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
D	12	23N	11W	545	North	565	West	San Juan

Latitude 36.24673 N Longitude 107.96174 W

**NATURE OF RELEASE**

Type of Release	Reporting Pit Sampling	Volume of Release	Unknown	Volume Recovered	Unknown
Source of Release	Below grade permanent pit release	Date and Hour of Occurrence	?	Date and Hour of Discovery	Unknown
Was Immediate Notice Given?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom?	N/A		
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 \*

N/A

Describe Cause of Problem and Remedial Action Taken \*

During permanent pit closure a chloride impact was discovered. A five-point composite sample tested 336-mg/kg chlorides which exceeds the threshold limits as per subsection 19.15.17.13(B) (1) (b). See attached sample results.

Describe Area Affected and Cleanup Action Taken \* Contamination was addressed under the "spill rule", 19.15.30 104-cubic yards of contaminated soil was hauled from site of release to Envirotech Landfarm. C-144 ranking=20. The chloride release does not pose a threat to contamination of groundwater. See attachment to "Final C-141" and invoice #23051.

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>Kurt Fagrelus</i>	<b>OIL CONSERVATION DIVISION</b>	
Printed Name	Kurt Fagrelus	Approved by District Supervisor	<i>Jon H. Kelly</i>
Title	VP Exploration	Approval Date	3/05/2012
E-mail Address	kfagrelus@duganproduction.com	Expiration Date	
Date	September 7, 2010	Conditions of Approval	Attached <input type="checkbox"/>
Phone	505-325-1821		

\* Attach Additional Sheets If Necessary

NJR1206530617

10/14/2010

Permanent pit: Pierre #1 (Separator)  
API number: 30-045-29237

Results of sample analysis on the five-point composite sample collected on the subject permanent pit exceeded limits permissible under the "pit rule" (19.15.17.13.C) (see attached C-141 with analytic results).

The Environmental Bureau of the Oil Conservation Division (OCD) in Santa Fe is hereby provided a C-144 (closure report) and an "initial" C-141 (release notification) with analytic results of soil testing. The closure date on the C-144 (box 21) shows the date that the soil analysis did not meet pit rule standards. Also, this letter hereby provides notice that the subject permanent pit will be closed according to the requirements of the "spill rule" (19.15.30).

The OCD district office in Aztec is hereby provided a copy of the "initial report" C-141 (release notification) with analytic results of soil testing and also notice that the subject permanent pit will be closed according to the requirements of the "spill rule" (19.15.30). Assessment, clean-up and remediation of the reported spill will be done in accordance with the spill rule under the authority of the Aztec District office of the OCD. The "final report" C-141 with photo documentation of site reclamation will be sent to the Aztec District office of the OCD.

Following clean-up of the reported release and determination that the release is not a threat to groundwater contamination, the permanent pit will be closed in accordance with the approved C-144 (closure plan) and will include the following:

1. Stockpiled sub-surface soil will be used to backfill pit and re-contour (to a final or intermediate cover that blends with the surrounding topography). A minimum of four-feet of compacted, non-waste containing, earthen material will be used as backfill.
2. Stockpiled surface soil will be used as a cover over the backfilled pit and disturbed area no longer needed for production operations. The soil cover will include either the background thickness of top soil or one-foot of suitable material to establish vegetation at the site whichever is greater. The soil cover will be constructed to the sites existing grade and prevent water collection or ponding and erosion of the cover material.
3. Disturbed areas will be seeded the first growing season after the pit is closed. Seeding will be accomplished by drilling on contour whenever possible or by other division approved methods. BLM stipulated seed mixes will be used on all Federal lands and OCD approved seed mixes (administratively approved if required) will be used on all State or private lands. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two consecutive growing seasons. If alternate seed mix is required by the state, private owner or tribe, it will be implemented with administrative approval if needed. Seeding or planting will be continued until successful vegetative growth occurs.
4. The Aztec District office of the OCD will be notified after each re-seeding operation and after successful re-vegetation has been achieved.

Kurt Fagrelus  
VP – Exploration, Dugan Production Corp.  
Farmington, New Mexico 87401  
505-325-1821 (O), 505-320-8248 (C)  
kfagrelus@duganproduction.com

Envirotech  
 5796 US Hwy 64  
 Farmington, NM 87401  
 Phone 505-632-0615  
 Fax 505-632-1865



To  
 Dugan Production Corp  
 PO Box 420  
 Farmington, NM 87401

**Invoice**

Invoice Number 23051  
 Job 06094-0059  
 DATE March 10, 2009

Pierre #1- accept exempt contaminated soil and oil from production stream

Ordered by Fred Cornish

Project Manager April Pohl

<u>Employee</u>	<u>Staff Type</u>	<u>Description</u>	<u>Units</u>	<u>Rate</u>	<u>Total</u>
<b>03/02/2009</b>					
<b>Landfarm</b>					
		BOL# 32840	2 00 EA	10 00	20 00
Paint Filter Test		BOL# 32840	2 00 EA	15 00	30 00
Chloride Analysis-Water		BOL# 32840	24 00 CY	18 00	432 00
Contaminated Soil Receival		BOL# 32844	1 00 EA	10 00	10 00
Paint Filter Test		BOL# 32844	1 00 EA	15 00	15 00
Chloride Analysis-Water		BOL# 32844	10 00 CY	18 00	180 00
Contaminated Soil Receival					
<b>Landfarm Total:</b>			<b>40.00</b>		<b>687.00</b>
<b>03/02/2009 Total:</b>			<b>40.00</b>		<b>687.00</b>
<b>03/03/2009</b>					
<b>Landfarm</b>					
		BOL# 32851	6 00 EA	10 00	60 00
Paint Filter Test		BOL# 32851	6 00 EA	15 00	90 00
Chloride Analysis-Water		BOL# 32851	70 00 CY	18 00	1,260 00
Contaminated Soil Receival					
<b>Landfarm Total:</b>			<b>82.00</b>		<b>1,410.00</b>
<b>03/03/2009 Total:</b>			<b>82.00</b>		<b>1,410.00</b>

Invoice # 23051 Job # 06094-0059

<u>Employee</u>	<u>Staff Type</u>	<u>Description</u>	<u>Units</u>	<u>Rate</u>	<u>Total</u>
		Invoice Sub-total			2,097 00
		Sales Tax			129 75
Amount due this Invoice					<u><u>\$2,226.75</u></u>

*All invoices are due upon receipt A late charge of 1 5% will be added to any unpaid balance after 30 days*

**This may not be the final bill** - if charges are received after this invoice has been mailed, you will receive a separate invoice for those costs

## 1

C-144 ranking =20 Chloride release does not pose a threat to groundwater contamination

DUGAN PRODUCTION CORP.

PIERRE #1

NM-80498 API-30-045-29237

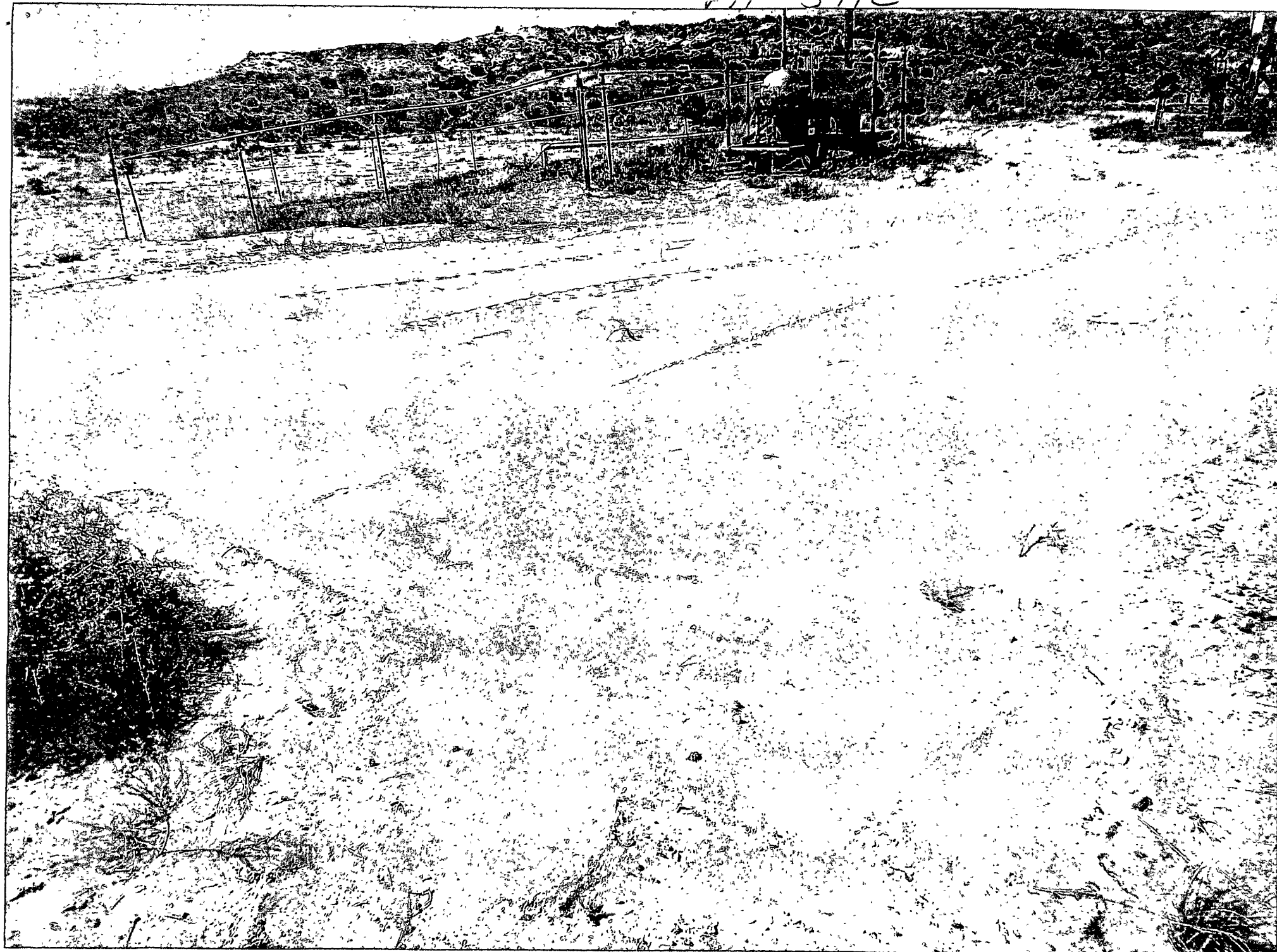
NW/4 NW/4 UNIT D

SEC. 12 T23N R11W

LAT 36°14'48" LONG 107°57'42"

SAN JUAN COUNTY NM

For Emergency Call (505) 325-1823



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Facility Name	Pierre #1 (Separator)	Facility Type	Permanent Pit
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Was Immediate Notice Given?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom? N/A			
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 *		RCVD OCT 14'10			
N/A		OIL CONS. DIV. DIST. 3			
Describe Cause of Problem and Remedial Action Taken *					
During permanent pit closure a chloride impact was discovered A five-point composite sample tested 336-mg/kg chlorides which exceeds the threshold limits as per subsection B of 19.15.17 13(B) (1) (b). See attached sample results					
Describe Area Affected and Cleanup Action Taken *					
Contamination will be addressed under the "spill rule", 19.15 30					
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 then 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>Kurt Fagrelus</i>		OIL CONSERVATION DIVISION			
Printed Name Kurt Fagrelus		Approved by District Supervisor			
Title VP Exploration		Approval Date		Expiration Date	
E-mail Address kfagrelus@duganproduction.com		Conditions of Approval			Attached <input type="checkbox"/>
Date September 7, 2010 Phone 505-325-1821					

\* Attach Additional Sheets If Necessary

Permanent pit: Pierre #1 (Separator)  
API number: 30-045-29237

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Kurt Fagrelus  
VP – Exploration, Dugan Production Corp.  
Farmington, New Mexico 87401  
505-325-1821 (O), 505-320-8248 (C)  
kfagrelus@duganproduction.com

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

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December 31, 2009

Fred Cornish  
Dugan Production Corporation  
4100 Piedras Street  
Farmington, NM 87401

Re: Earth Pit Closure

Enclosed are the results of analyses for sample number H18943, received by the laboratory on 12/23/09 at 11:15 am.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

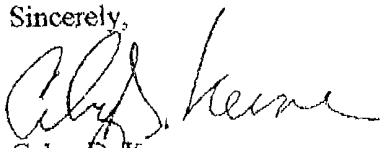
Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report: 5 (includes Chain of Custody)

Sincerely,



Celey D. Keene  
Laboratory Director

---

This report conforms with NELAP requirements.



# **ARDINAL LABORATORIES**

PHONE (576) 383-2326 • 101 E. MARLAND • HUBBS, NM 88240

ANALYTICAL RESULTS FOR  
DUGAN PRODUCTION CORP.  
ATTN: FRED CORNISH  
4100 PIEDRAS ST.  
FARMINGTON, NM 87401  
FAX TO (505) 325-4873

Receiving Date: 12/23/09  
Reporting Date: 12/31/09  
Project Number: NOT GIVEN  
Project Name: EARTH PIT CLOSURE  
Project Location: NOT GIVEN

Sampling Date: 12/22/09  
Sample Type: SOIL  
Sample Condition: COOL & INTACT @ 6 °C  
Sample Received By: CK  
Analyzed By: ZL

LAB NO	SAMPLE ID	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
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ANALYSIS DATE:	12/30/09	12/30/09	12/30/09	12/30/09
H18943-1 ROADRUNNER #1 SEP.	<0.050	<0.050	<0.050	<0.300
H18943-2 FLO JO #2 SEP.	<0.050	<0.050	<0.050	<0.300
H18943-3 FLO JO #4	<0.050	<0.050	<0.050	<0.300
H18943-4 PIERRE #1 SEP.	0.112	0.132	<0.050	<0.300
H18943-5 HOSS #1 SEP.	<0.050	<0.050	<0.050	<0.300
H18943-6 HERRY MONSTER #1	<0.050	<0.050	<0.050	<0.300
H18943-7 PLATERO NAVAJO #1 PROD. TANK	<0.050	<0.050	<0.050	<0.300
H18943-8 PLATERO NAVAJO #1 SEP	<0.050	<0.050	<0.050	<0.300
H18943-9 RACHET #2 SEP.	<0.050	<0.050	<0.050	<0.300
H18943-10 CHACO PLANT 90 SEP.	0.101	<0.050	<0.050	<0.300
Quality Control	0.047	0.047	0.048	0.149
True Value QC	0.050	0.050	0.050	0.150
% Recovery	94.0	94.0	96.0	99.3
Relative Percent Difference	4.1	3.3	3.1	3.5

METHODS: BTEX - SW-846 8021B

TEXAS NELAP ACCREDITATION T104704398-08-TX FOR BENZENE, TOLUENE, ETHYL BENZENE,  
AND TOTAL XYLENES. Reported on wet weight

*Ally S. Keene*  
Chemist

*12/31/09*  
Date

H18943 BTEX DUGAN

PLEASE NOTE: Liability and Damages: Cardinal's liability and claims are exclusive remedies for any claim arising, whether based in contract or tort, shall be limited to the amount paid for the amount paid for the service. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 90 days after completion of the appropriate service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, lost profits, interruptions, loss of use, or loss of data or information. Please do not attempt to alter or modify the results of any analysis performed by Cardinal Laboratories. Results are the property of Cardinal Laboratories and shall remain confidential. Results are not to be released or used for any purpose other than that for which they were originally intended without the written approval of Cardinal Laboratories.



**ARDINAL**  
LABORATORIES

PHONE (575) 395-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR  
DUGAN PRODUCTION CORP  
ATTN: FRED CORNISH  
4100 PIEDRAS ST  
FARMINGTON, NM 87401  
FAX TO: (505) 325-4873

Receiving Date 12/23/09  
Reporting Date 12/30/09  
Project Number NOT GIVEN  
Project Name: EARTH PIT CLOSURE  
Project Location NOT GIVEN

Sampling Date: 12/22/09  
Sample Type SOIL  
Sample Condition: COOL & INTACT @ 6°C  
Sample Received By: CK  
Analyzed By: AB

LAB NUMBER SAMPLE ID		418.1 TOTAL TPH (mg/kg)
ANALYSIS DATE		12/29/09
H18943-1	ROADRUNNER #1 SEP.	<100
H18943-2	FLO JO #2 SEP.	<100
H18943-3	FLO JO #4	<100
H18943-4	PIERRE #1 SEP.	<100
H18943-5	HOSS #1 SEP.	136
H18943-6	HERRY MONSTER #1	<100
H18943-7	PLATERO NAVAJO #1 PROD TANK	<100
H18943-8	PLATERO NAVAJO #1 SEP.	<100
H18943-9	RACHET #2 SEP.	113
H18943-10	CHACO PLANT 90 SEP.	<100
Quality Control		315
True Value QC		300
% Recovery		105
Relative Percent Difference		0.6

METHODS EPA 418.1

Not accredited for TPH 418.1 Reported on wet weight.

Chemist

Date

H18943 418.1 DUGAN

PLEASE NOTE: Liability and Damages: Cardinal's liability and client's exclusive remedy for any claim arising, whether made in Contract or tort, shall be limited to the amount paid by client for analysis. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 90 days after completion of the analysis. Further, in no event shall Cardinal be liable for indirect or consequential damages, including, without limitation, business interruption, loss of revenue, or loss of profits, even if such damages are foreseeable or otherwise, arising out of or in relation to the performance of services provided by Cardinal, regardless of whether such claim is made in writing or otherwise. Release of this report to the client or any other party shall not be deemed an endorsement of the results of the analysis by Cardinal Laboratories.



PHONE (505) 393-2936 • 101 E. MAINLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR  
DUGAN PRODUCTION  
ATTN: FRED CORNISH  
4100 PIEDRAS STREET  
FARMINGTON, NM 87401  
FAX TO: (505) 325 4873

Receiving Date: 12/23/09  
Reporting Date: 12/30/09  
Project Number: NOT GIVEN  
Project Name: EARTH PIT CLOSURE  
Project Location: NOT GIVEN

Analysis Date: 12/29/09  
Sampling Date: 12/22/09  
Sample Type: SOIL  
Sample Condition: COOL & INTACT @ 6°C  
Sample Received By: CK  
Analyzed By: HM

LAB NUMBER	SAMPLE ID	Cl <sup>-</sup> (mg/kg)
H18943-1	ROADRUNNER #1 SEP	1,440
H18943-2	FLO JO #2 SEP	992
H18943-3	FLO JO #4	800
H18943-4	PIERRE #1 SEP	336
H18943-5	HOSS #1 SEP	688
H18943-6	HERRY MONSTER #1	1,490
H18943-7	PLATERO NAVAJO #1 PROD. TANK	224
H18943-8	PLATERO NAVAJO #1 SEP	112
H18943-9	RACHET #2 SEP	896
H18943-10	CHACO PLANT 90 SEP	768
Quality Control		500
True Value QC		500
% Recovery		100
Relative Percent Difference		< 0.1

METHOD: Standard Methods

4500-ClB

Note: Analyses performed on 1:4 w/v aqueous extracts. Not accredited for Chloride.

*Cheryl Hume*  
Chemist

*12/31/09*  
Date

H18943 Dugan

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 client to Cardinal for the analysis of the sample. Cardinal shall not be liable for any consequential or incidental damages, including but not limited to, lost profits, lost income, lost data, or any other damages, whether or not such damages are foreseeable. Cardinal's liability shall be limited to the amount paid by client to Cardinal for the analysis of the sample. Cardinal shall not be liable for any consequential or incidental damages, including but not limited to, lost profits, lost income, lost data, or any other damages, whether or not such damages are foreseeable.



# CHAIN OF CUSTODY RECORD

Page 1 of 1

Client: Jagan PRODUCTION  
Contact: FRED CARNISH  
Address: \_\_\_\_\_

Phone Number: 505-330-0929

FAX Number: 505-325-4873

## NOTES:

- 1) Ensure proper container packaging.
- 2) Ship samples promptly following collection.
- 3) Designate Sample Reject Disposition

PO# \_\_\_\_\_

Project Name: EARTH PIT Closure

## Table 1. - Matrix Type

1 = Surface Water, 2 = Ground Water  
3 = Soil/Sediment, 4 = Rinsate, 5 = Oil  
6 = Waste, 7 = Other (Specify) \_\_\_\_\_

FOR GAL USE ONLY

GAL ICP # \_\_\_\_\_

Samplers Signature: Fred Carnish

Lab Name: Green Analytical Laboratories (970) 247-4220 FAX (970) 247-4227		Analyses Required										Comments	
Address: 75 Suttle Street, Durango, CO 81303		Collection		Miscellaneous			Preservative(s)						
Sample ID	Date	Time	Collected by: (Init)	Matrix Type From Table 1	No. of Containers	Sample Filtered ? Y/N	Unpreserved (Ice Only)	HNO3	HCL	H2SO4	NAOH		Other (Specify)
H18943-													
1. Picacho #1 Sep	12-22-09	1:58 PM		3									Benzen
2. Flp. Sc #2 Sep.	12-22-09	2:15 PM											<del>Flp. Sc</del> BTEX
3. El Paso #1	12-22-09	2:45 PM											418.1
4. Picacho #1 Sep.	12-22-09	9:12 AM											Chlorides
5. Hoss #1 Sep.	12-22-09	9:30 AM											
6. Perry Monster #1	12-22-09	10:35 AM											
7. Platero Navajo #1	12-22-09	11:41 AM											
8. Platero Navajo #1 Sep.	12-22-09	12:10 AM											
9. Ratchet #2 Sep	12-22-09	1:00 PM											
10. Chaco Platero #2 Sep	12-22-09	1:20 PM											
Relinquished by: <u>Fred Carnish</u>			Date: <u>12-22-09</u>	Time: <u>2:48 PM</u>	Received by: <u>Christina L. Carr</u>			Date: <u>12/22/09</u>	Time: <u>10:48</u>				
Relinquished by: <u>Fred EX</u>			Date: _____	Time: _____	Received by: <u>Cal Greene</u>			Date: <u>12/23/09</u>	Time: <u>11:05</u>				

Sample Reject [ ] Return [ ] Dispose [ ] Store (30 Days)

6°C C+I #26