State of New Mexico
Oil Conservation Division

Incident ID	NMR2012853960
District RP	
Facility ID	
Application ID	

Site Assessment/Characterization

This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

What is the shallowest depth to groundwater beneath the area affected by the release?	~167 (ft bgs)
Did this release impact groundwater or surface water?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	☐ Yes ☒ No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	☐ Yes ☒ No
Are the lateral extents of the release within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes?	☐ Yes ☒ No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	☐ Yes ☒ No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of a wetland?	☐ Yes ☒ No
Are the lateral extents of the release overlying a subsurface mine?	☐ Yes ☒ No
Are the lateral extents of the release overlying an unstable area such as karst geology?	☐ Yes ☒ No
Are the lateral extents of the release within a 100-year floodplain?	☐ Yes ☒ No
Did the release impact areas **not** on an exploration, development, production, or storage site?	☐ Yes ☒ No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

Characterization Report Checklist: ***Each of the following items must be included in the report.***

☒ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
☒ Field data
☒ Data table of soil contaminant concentration data
☒ Depth to water determination
☒ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
☒ Boring or excavation logs
☒ Photographs including date and GIS information
☒ Topographic/Aerial maps
☒ Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

Form C-141
Page 4

State of New Mexico
Oil Conservation Division

Incident ID	NMR2012853960
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Application ID	

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: James Smith Title: HSE-Regulatory Supervisor

Signature: Date: 11/4/20

email: jsmith@foundationenergy.com Telephone: 918-526-5592

OCD Only

Received by: Date:

Form C-141
Page 5

State of New Mexico
Oil Conservation Division

Incident ID	NMR2012853960
District RP	
Facility ID	
Application ID	

Remediation Plan

Remediation Plan Checklist: ***Each of the following items must be included in the plan.***

☒ Detailed description of proposed remediation technique
☒ Scaled sitemap with GPS coordinates showing delineation points
☒ Estimated volume of material to be remediated
☒ Closure criteria is to Table 1 specifications subject to 19:15.29.12(C)(4) NMAC
☒ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

Deferral Requests Only: ***Each of the following items must be confirmed as part of any request for deferral of remediation.***

☒ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.

☒ Extents of contamination must be fully delineated.

☒ Contamination does not cause an imminent risk to human health, the environment, or groundwater.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: James Smith Title: HSE-Regulatory Supervisor

Signature: Date: 11/4/20

email: jsmith@foundationenergy.com Telephone: 918-526-5592

OCD Only

Received by: Chad Hensley Date: 02/18/2021

☐ Approved ☒ Approved with Attached Conditions of Approval ☐ Denied ☐ Deferral Approved

Signature: Chad Hensley Date: 02/18/2021

September 28, 2020

James Smith
HSE/Regulatory Supervisor
Foundation Energy Management, LLC
15 E 5th Street
Tulsa, OK 74103

Re: Site Delineation Summary, and Proposed Remediation Plan and Deferral Request
Tulk VV State #002
API No. 30-025-28437
GPS: Latitude 33.07348 Longitude -103.71678
UL "N", Sec. 11, T14S, R33E
Lea County, NM
NMOCD Ref. No. NRM20112853960

Tasman Geosciences, LLC (Tasman), on behalf of Foundation Energy Management, LLC (Foundation), has prepared this Site Delineation Summary, and Proposed Remediation Plan and Deferral Request for the Release Site known as the Tulk VV State #002. Details of the release are summarized below:

RELEASE DETAILS					
Type of Release: Produced Water		**Volume of Release:**	178 bbls		
		Volume Recovered:	0 bbls		
Source of Release: Tank Battery		**Date of Release:**	4/24/20	**Date of Discovery:**	4/24/20
Was Immediate Notice Given?	Yes	**If, YES, to Whom?**		NMOCD	
Was a Watercourse Reached?	No	**If YES, Volume Impacting the Watercourse:**		N/A	
Surface Owner:	State	**Mineral Owner:**	State		
Describe Cause of Release and Remedial Action Taken:					
Internal corrosion caused the recirculation line nipple on the back of the fiber water tank to fail. The recirculation line valve completely separated from the nipple resulting in loss of total tank fluids within the containment berm. Upon discovery of the line valve seperation and loss of produced water from the tank, there was no free liquids present in the containment berm encircling the tank battery. Foundation is requesting a "Deferral" to remediation because the tank battery remains activities and the release materials remain immediately under or around production equipment that continues to be active.					

A Site Characteristics Map (Figure 1) is provided as Attachment #1. General Site Photographs are provided as Attachment #8. A copy of the Initial Release Notification and Corrective Action (NMOCD Form C-141) is provided as Attachment #9.

REGULATORY FRAMEWORK

Surface impacts from unauthorized releases of crude oil, gases, produced water, condensate or other oil field waste which occur during normal oilfield operations are generally regulated by the New Mexico Oil Conservation Division (NMOCD) in accordance with 19.15.29 of the New Mexico Administrative Code (NMAC). 19.15.29 NMAC establishes reporting, site assessment/characterization, remediation, closure, variance and enforcement procedures. Table I of 19.15.29.12 NMAC determines the closure criteria for soils impacted by a release based on the depth to groundwater and the following site characteristics:

Site Characteristics	
Approximate Shallowest Depth to Groundwater beneath area affected by the release	**~167 feet bgs**
Did this release impact groundwater or surface water?	☐ Yes ☑ No
Within 300 ft. of any continuously flowing or significant watercourse?	☐ **Yes** ☑ No
Within 200 ft. of any lakebed, sinkhole, or playa lake?	☐ Yes ☑ No
Within 300 ft. of an occupied permanent residence, school, hospital, institution or church?	☐ Yes ☑ No
Within 500 ft. of a spring or private domestic fresh water well?	☐ Yes ☑ No
Within 1,000 ft. of any fresh water well or spring?	☐ Yes ☑ No
Within the incorporated municipal boundaries or within a defined municipal fresh water well field?	☐ Yes ☑ No
Within 300 ft. of a wetland?	☐ Yes ☑ No
Within the area overlying a subsurface mine?	☐ **Yes** ☑ No
Within the area orverlying an unstable area such as karst geology?	☐ Yes ☑ No
Within a 100-year floodplain?	☐ Yes ☑ No
Did the release impact areas NOT on an exploration, development, production or storage site?	☐ **Yes** ☑ **No**

A search of a groundwater database maintained by The New Mexico Office of the State Engineer (NMOSE) was conducted to determine the average depth to groundwater within a 1/2 Mile radius of the Release Site and to identify any registered water wells within one (1) Mile of the Release Site. A total of two (2) water wells were identified within a 1/2 mile radius of the release Site and the average, minimum and maximum depths to groundwater, were estimated to be 187 feet, 167 feet and 208 feet, respectively. A total of four (4) wells were identified within one (1) Mile of the Site. In addition, a Lea County depth to groundwater map prepared by Chevron/Texaco (2/9/2005) was referenced to estimate and crosscheck the approximate depth to groundwater beneath the Site. Well construction and depth to groundwater information for wells within 1/2 mile of Site is provided as Attachment #5.

Based on the approximate depth to groundwater and site characteristics, the NMOCD Closure Criteria are as follows:

Table 1 - Closure Criteria for Soils Impacted by a Release (NMOCD)			
Minimum depth below any point within the horizontal boundary of the release to ground water less than 10,000 mg/l TDS	Constituent	Method*	Limit**
> 100 feet	Chloride***	EPA 300.0 or SM 4500 Cl B	20,000 mg/kg
	TPH (GRO+DRO+MRO)	EPA SW-846 Method 8015M	2,500 mg/kg
	BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Method 8021B or 8260B	10 mg/kg

SITE DELINEATION

On June 24, 2020, Tasman personnel were on site conducting site delineation activities. Four investigative soil borings (SB-1, SB-2, SB-3 and SB-4) were advanced at the site in an effort to delineate the horizontal and vertical extent of soil impacts within the secondary containment berm of the Tank Battery. Soil boring SB-1 was advanced to a total depth (TD) of 20 feet below ground surface (bgs) and soil borings SB-2, SB-3 and SB-4 were advanced to a TD of 15 feet bgs. Groundwater was not encountered during field investigation activities. Soil samples were collected at regular intervals and field tested for chlorides using a Silver Nitrate Kit and volatile organic compounds (VOCs) using a photo-ionization detector (PID). The location of the soil borings advanced at the site are illustrated on the Figure 2 provided as Attachment #2. Soils descriptions of each investigative boring were logged and recorded on the Borehole Logging Forms provided in Attachment #4. A table summarizing the soil samples collected from each investigative soil boring and field screening results is presented below as Table 2.

Table 2 - Summary of Field Screening Results

Boring ID: / Latitude: / Longitude:	SB1 33.07347 -103.716691		SB2 33.073471 -103.71683		SB3 33.073425 -103.716756		SB4 33.073415 -103.716649	
Depth (ft)	Chlorides (mg/kg)	PID	Chlorides (mg/kg)	PID	Chlorides (mg/kg)	PID	Chlorides (mg/kg)	PID
1	2047	1.2	269	1.3	24306	0.5	22419	0.9
5	150	1	148	0.9	764	3.8	1090	0.8
10	89	0.3	86	0.5	433	1.8	201	1.3
15	-	-	-	-	113	1.5	209	1.1

Notes:
Photo-ionization Detector (PID) used to measure total volatile organics.
A Silver Nitrate Kit was used to measure chlorides.
mg/kg - milligrams per kilograms

Representative soil samples (including "Surface", 5 feet, 10 feet, and 15 feet [SB-3 and SB-4 only]) were collected from each investigative boring and submitted to a commercial laboratory for analysis of chlorides; total petroleum hydrocarbon (TPH); and benzene, toluene, ethylbenzene and xylenes (BTEX) concentrations. Select soil samples were placed on hold at the commercial laboratory and only analyzed if requested by Foundation. Laboratory analytical results indicated chlorides concentrations were below the NMOCD Closure Criteria in the analyzed soil samples with the exception of SB-3 @ Surface and SB-4 @ Surface, which exhibited concentrations of 43,200 and 28,800 mg/kg, respectively. Analytical results for TPH and BTEX were below laboratory reportng limits and NMOCD Closure Criteria for all the soil samples analyzed. A table (Table 3) summarizing laboratory analytical results from soil samples collected from investigative borings and analyzed by the laboratory is provided as Attachment #6. Laboratory analytical reports are provided as Attachment #7.

REMEDIATION PLAN AND DEFERRAL REQUEST

Based on laboratory analytical results, site characteristics, and field observations made during the Site delineation activities, remediation of shallow soils (surface soil samples collected from SB-3 and SB-4) impacted with elevated chloride concentrations above the NMOCD - NMAC Closure Criteria of 20,000 mg/kg is required. Foundation understands that remediation at the site is required however, at this time, is requesting the Division's written approval for "**Remediation Deferral**" based on the following: 1) the release has occured at an active tank battery within the encircling perimeter soil berm, and contamination is located in areas immediately adjacent and/or under production tanks and piping where remediation could cause a major facility descruction, 2) the contamination has been fully delineated and remains within the tank battery encircling perimeter berm (as described above as part of the site delineation), and 3) does not pose an imminent risk to human health, the environment or groundwater. When the site is no longer used for oil and gas operation or the equipment is removed as a result of other operations, Foundation will likely implement remediation and reclamation concurrently in accordance with 19.15.29.12 and 19.15.29.13 NMAC and as described in the remediation plan below:

- Perform utility locates and clearances. Setup Site erosoin and sediment controls and laydown areas.
- Remove contents from production equipment and decontaminate including tanks, piping, etc. Dispose of contents off-site. Dismantle production equipment and remove from site.
- Based on the Site delineation results, the elevated chloride concentrations above the NMOCD - NMAC Closure Criteria of 20,000 mg/kg were present in the surface soils (top one foot) in borings SB-3 and SB-4 and decreased in concentration with depth as defined by samples collected at 5 feet bgs in these borings (SB-3 @ 5' was 768 mg/kg, and SB-4 @ 5' was 1,300 mg/kg). Chloride concentrations in soil borings SB-1 and SB-2, were well below the NMOCD - NMAC Closure Criteria of 20,000 mg/kg. Chloride concentrations in soil samples collected at the surface and/or at 5 feet bgs from borings SB-1, SB-3 and SB-4 were above 600 mg/kg which is the reclamation criteria defined by 19.15.29.13 NMAC in which a minimum of four feet of non-waste containing, uncontaminated, earthen material with chloride concentrations less than 600 mg/kg must be acheived. BTEX

and TPH concentrations are below laboratory reporting limits and NMOCD - NMAC Closure Criteria. Therefore, Foundation anticpates that Site remediation of chloride impacted soil will be driven by the reclamation criteria of 600 mg/kg to a depth of 4 feet bgs and the total co-located area is estimates to be 2,750 square feet to a depth of 4 feet of chloride impacted soil (estimated to be approximately 260 cubic yards of soil) to be removed (Refer to Figure 3 provided in Attachment #3).

• Utilizing mechanical equipment, excavate impacted soil within the release area generally defined by the encircling containment berms for the tank battery and generally characterized by sample points SB-1, SB-2, SB-3 and SB-4 to a depth of four feet bgs (reclamation depth as defined for by 19.15.29.13 NMAC), or until laboratory analytical results from confirmation soil samples collected in the bottom of the excavation indicate concentrations of chlorides are below the NMOCD - NMAC Closure Criteria of 20,000 mg/kg beneath the reclamation depth of four feet.

• Excavated soil will be direct loaded into haul trucks or temporarily stockpiled on-site, on top of a poly liner, pending transportation under manifest to a NMOCD-approved disposal facility.
• Upon receiving favorable laboratory analytical results from confirmation soil samples (below the NMOCD-NMAC Closure Criteria of 20,000 mg/kg beneath the reclamation depth of four feet) excavated areas will be backfilled with locally sourced, non-impacted "like" material, at or near original relative positions. The backfilled area will be contoured and/or compacted to achieve erosion control, stability and preservation of surface water flow to the maximum extent practicable.
• In accordance with 19.15.29.12, at the completion of the remediation activities as well as the reclamation activities, Foundation will prepare a closure report with form C-141 within 90 days of initiating the remedial activities.

SAMPLING PLAN

Upon completion of remediation and reclamation activities, representative five-point composite excavation confirmation soil samples will be collected from the base and sidewalls of the excavated areas representing an area of no more than 200 square feet (anticipated to be approximately 14 samples). Prior to conducting final confirmation sampling at the Site, Foundation will verbally notify the Division District Office sampling efforts at lease two business days before the event. The soil samples will be sent to a commercial laboratory and analyzed for chloride concentrations following SM4500CL-B method. A Proposed Remediation Map (Figure 3) is provided as Attachment #3.

TIMELINE AND ESTIMATED VOLUME OF SOIL TO BE REMEDIATED

As described above, Foundation is requesting the Division's written approval for deferring remediation at the site as defined in the requirements set forth in 19.15.29.12 C. (2) NMAC. Foundation believes that this Site meets the deferral requirements and as such proposes that when the site is no longer used for oil and gas operation or the equipment is removed as a result of other operations, site remediation and reclamation will be performed in concurrently accordance with 19.15.29.12 and 19.15.29.13 NMAC and as described in the remediation plan above. Remediation and reclamation activities will be completed within 90 days of removing the tank battery from operation. Based on laboratory analytical results, site characteristics, field observations made during the initial site assessment and as described above, it is estimated approximately 260 cubic yards of soil will be remediated (soil with chloride concentrations above the 20,000 mg/kg NMOCD - NMAC Closure Criteria) and/or removed as part of the reclamation process (soil with chloride concentrations above the NMOCD - NMAC Reclamation Criteria of 600 mg/kg within the top 4 feet at the site).

RESTORATION, RECLAMATION AND RE-VEGETATION

Areas affected by the release, and remediation and reclamation activities will be substantially restored to the condition which existed prior to the release to the maximum extent practicable. Excavated areas will be backfilled with locally sourced, non-impacted "like" material from a minimum of four feet bgs or bottom of the excavation to the original relative ground surface. The top layer soil cover will either consist of the background thickness of topsoil or one foot of suitable material to establish vegetation at the Site. The affected area will be contoured and/or compacted to achieve erosion control, stability and preservation of surface water flow to the extent practicable and re-vegetated in accordance with 19.15.29.13 NMAC.

If you have any questions, or if additional information is required, please feel free to contact either of the undersigned by phone or email.

Respectfully,

Kyle Norman
Regional Project Manager

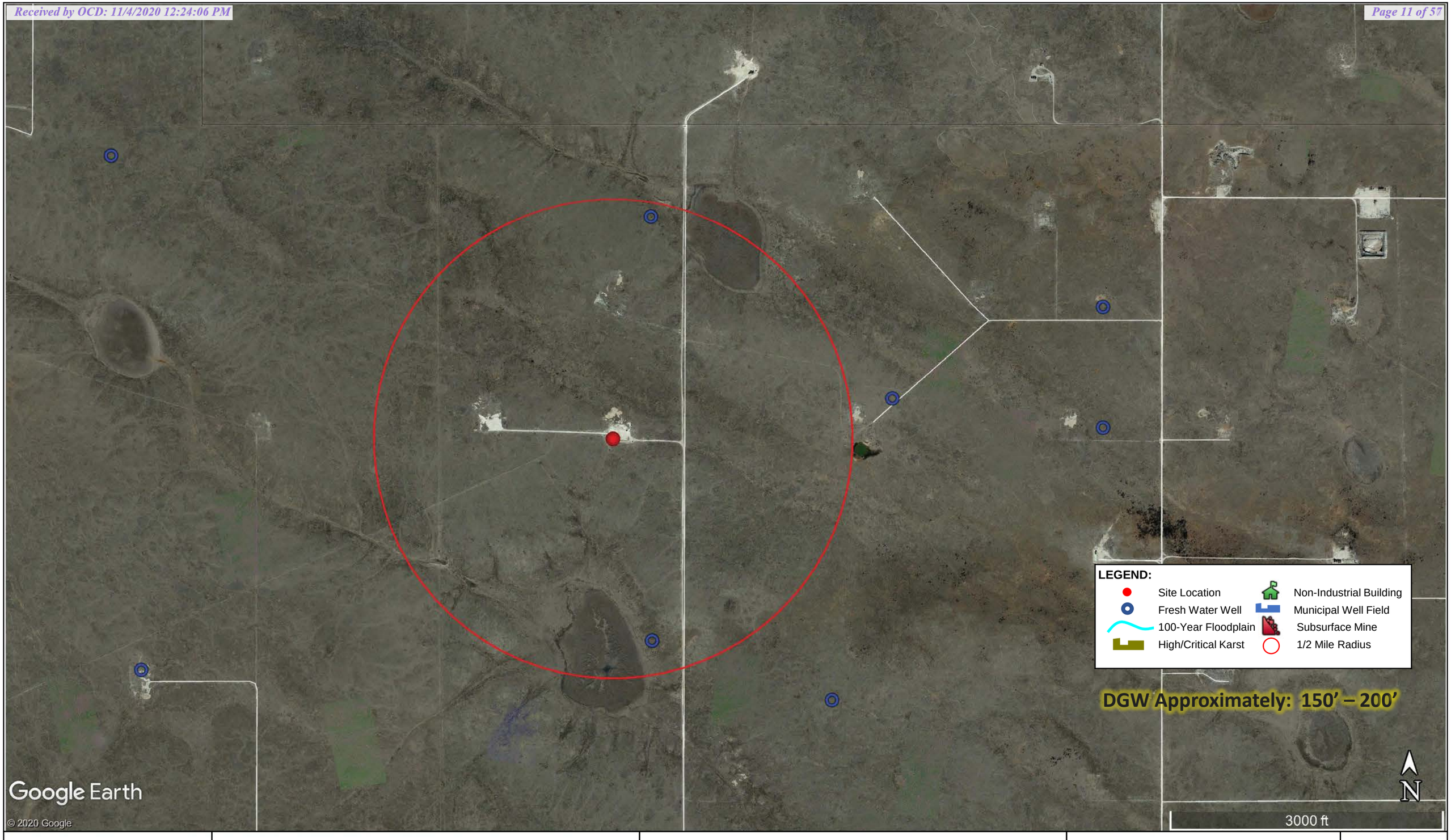
Attachments:

Attachment #1-	Figure 1 - Site Characteristics Map
Attachment #2-	Figure 2 - Soil Bore Location Map
Attachment #3-	Figure 3 - Proposed Remediation Map
Attachment #4-	Soil Boring Logs
Attachment #5-	Depth to Groundwater Data
Attachment #6-	Table 3 - Summary of Soil Laboratory Analytical Results
Attachment #7-	Laboratory Analytical Reports
Attachment #8-	General Site Photographs
Attachment #9-	Release Notification and Corrective Action (FORM C-141)

ATTACHMENTS

Attachment #1

Figure 1 – Site Characterization Map



DATE: May 2020 DESIGNED BY : KN DRAWN BY: KN	TASMAN GEOSCIENCES	*Tasman Geosciences, Inc.* *2620 W. Marland Blvd.* *Hobbs, NM 88240*	**Foundation Energy** **Tulk VV State 2** GPS: 33.073471, -103.716693 UL “K”, Section 28, Township 14 South, Range 32 East Lea County, New Mexico	Site Characteristics Map	**Figure 1**

Attachment #2

Figure 2 – Soil Boring Location Map

DATE: September 2020 DESIGNED BY : CEM DRAWN BY: CEM	TASMAN GEOSCIENCES	*Tasman Geosciences, Inc.* *2620 W. Marland Blvd.* *Hobbs, NM 88240*	**Foundation Energy Management, LLC** **Tulk VV State #2 Tank Battery** GPS: 33.073477, -103.716779 Lea County, New Mexico	Soil Boring Location	**Figure 2**

Attachment #3

Figure 3 – Proposed Remediation Map

Legend:

- Approximate Extent of Encircling Soil Berm
- SB-1 — Approximate Location of Soil Boring and Designation
- Approximate Extent of Soils Impacted above 20,000 mg/kg of Chloride (NMOC Closure Criteria based on Groundwater Depth > 100 feet bgs)
- Approximate Extent of Soils Impacted above 600 mg/kg of Chloride (NMOC Reclamation Criteria for soil to a depth of 4 feet bgs)

NOTES:

1. Foundation is requesting written District approval for deferral of Remediation until the Site is no longer being used for oil and gas operations (19.15.29.12 NMAC).
2. Remediation Area is co-located within the Reclamation Area which requires removal of non-waste containing, uncontaminated, earthen materials to a depth of 4 feet (Total estimated area of soil to removed - approximately 1750 square feet by a depth of 4 feet [260 cubic yards]).
3. Restoration, reclamation and re-vegetation of the entire tank battery site will also be performed in accordance with 19.15.29.13 NMAC) when shuttered.

DATE: September 2020 DESIGNED BY : CEM DRAWN BY : CEM	TASMAN GEOSCIENCES	***Tasman Geosciences, Inc.*** ***2620 W. Marland Blvd.*** ***Hobbs, NM 88240***	**Foundation Energy Management, LLC** **Tulk VV State #2 Tank Battery** GPS: 33.073477, -103.716779 Lea County, New Mexico	Proposed Deferred Remediation and Reclamation Plan	**Figure 3**

Attachment #4

Soil Boring Logs

TASMAN GEOSCIENCES

Borehole Logging Form

Boring/Well ID #: SB-1	SITE NAME: Tulk VV State 2	CLIENT NAME: Foundation Energy
Date Started: 6/24/2020	Location: Tulk V V st 2 Battery	
Date Completed: 6/24/2020	TOC Elevation: N/A	DTW: 150' - 200'
Type of Drill: Air Rotary	Geologist: KW	
Bit Size: 6"	Project Manager: Kyle Norman	
Drilling Company: HCI Drilling		

Depth (feet)	Well Completion	Sample Type	Field CL-	PID (ppm)	Laboratory Sample	USCS	Description
Surface			2,047	1.2			(SS) SW - Brown, well graded, no odor
5			150	1.0			(5') SW - tan, well graded, caliche, No odor
10			89	0.3			(10') SW - tan, well graded caliche, no odor
15							
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							
105							
110							
115							
120							

TASMAN GEOSCIENCES

Borehole Logging Form

Boring/Well ID #: SB-2	SITE NAME: Tulk VV State 2	CLIENT NAME: Foundation Energy
Date Started: 6/24/2020	Location: Tulk VV St 2 Battery	
Date Completed: 6/24/2020	TOC Elevation: N/A	DTW: 150'-200'
Type of Drill: Air Rotary	Geologist: KW	
Bit Size: 6"	Project Manager: Kyle Norman	
Drilling Company: HCI Drilling		

Depth (feet)	Well Completion	Sample Type	Field CL-	PID (ppm)	Laboratory Sample	USCS	Description
Surface			269	1.3			(SS) SW- Brown, well graded, no odor
5			148	0.9			(5') SW- tan, well graded, Caliche, no odor
10			86	0.5			(10') SW- tan, well graded caliche, no odor
15							
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							
105							
110							
115							
120							

TASMAN GEOSCIENCES

Borehole Logging Form

Boring/Well ID #: SB-3	SITE NAME: Tulk VV State 2	CLIENT NAME: Foundation Energy
Date Started: 6/24/2020	Location: Tulk VV St 2 Battery	
Date Completed: 6/24/2020	TOC Elevation: N/A	DTW: 150'-200'
Type of Drill: Air Rotary	Geologist: KN	
Bit Size: 6"	Project Manager: Kyle Norman	
Drilling Company: HCI Drilling		

Depth (feet)	Well Completion	Sample Type	Field CL-	PID (ppm)	Laboratory Sample	USCS	Description
Surface			24,306	0.5			(5) SW - Brown, well graded, no odor
5			764	3.8			(5) SW - tan, well graded, caliche, no odor
10			433	1.8			(10)
15			113	1.5			(15)
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							
105							
110							
115							
120							

TASMAN GEOSCIENCES

Borehole Logging Form

Boring/Well ID #: SB-4	SITE NAME: Tulk VV State 2	CLIENT NAME: Foundation Energy
Date Started: 6/24/2020	Location: Tulk VV St 2 Battery	
Date Completed: 6/24/2020	TOC Elevation: N/A	DTW: 150' - 200'
Type of Drill: Air Rotary	Geologist: KN	
Bit Size: 6"	Project Manager: Kyle Norman	
Drilling Company: HCI Drilling		

Depth (feet)	Well Completion	Sample Type	Field CL-	PID (ppm)	Laboratory Sample	USCS	Description
Surface			22,419	0.9			(SS) SW- Brown, well graded, no odor
5			1,090	0.8			(5) SW- tan, well graded, caliche, no odor
10			201	1.3			(10)
15			209	1.1			(15)
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							
105							
110							
115							
120							

Attachment #5

Depth to Groundwater Data

New Mexico Office of the State Engineer

Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has been replaced & no longer serves a water right file.)

(R=POD has been replaced, O=orphaned, C=the file is closed)

(quarters are 1=NW 2=NE 3=SW 4=SE)
(quarters are smallest to largest) (NAD83 UTM in meters) (In feet)

POD Number	Code	POD Sub-basin	County	Q 64	Q 16	Q 4	Sec	Twn	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 05142 POD2		L	LE	2	2	2	33	14S	32E	619925	3659493*	687	314	208	106
L 05142 X6		L	LE	4	2	2	28	14S	32E	619904	3660903*	749	310	167	143

Average Depth to Water: **187 feet**

Minimum Depth: **167 feet**

Maximum Depth: **208 feet**

Record Count: 2

Basin/County Search:

Basin: Lea County

UTMNAD83 Radius Search (in meters):

Easting (X): 619777.78 **Northing (Y):** 3660164.7 **Radius:** 805

***UTM location was derived from PLSS - see Help**

New Mexico Office of the State Engineer

Point of Diversion Summary

(quarters are 1=NW 2=NE 3=SW 4=SE)
(quarters are smallest to largest) (NAD83 UTM in meters)

Well Tag	POD Number	Q64	Q16	Q4	Sec	Twn	Rng	X	Y
	L 05142 POD2	2	2	2	33	14S	32E	619925	3659493*

Driller License: 111 **Driller Company:** BURKE, EDWARD B.

Driller Name:

Drill Start Date:	08/19/1964	**Drill Finish Date:**	08/26/1964	**Plug Date:**	
Log File Date:	09/04/1964	**PCW Rcv Date:**	09/22/1964	**Source:**	Shallow
Pump Type:	SUBMER	**Pipe Discharge Size:**		**Estimated Yield:**	
Casing Size:	10.75	**Depth Well:**	314 feet	**Depth Water:**	208 feet

Water Bearing Stratifications:	Top	Bottom	Description
	210	246	Shallow Alluvium/Basin Fill
	261	307	Shallow Alluvium/Basin Fill

Casing Perforations:	Top	Bottom
	219	313

***UTM location was derived from PLSS - see Help**

New Mexico Office of the State Engineer

Point of Diversion Summary

(quarters are 1=NW 2=NE 3=SW 4=SE)
(quarters are smallest to largest) (NAD83 UTM in meters)

Well Tag	POD Number	Q64	Q16	Q4	Sec	Twn	Rng	X	Y
	L 05142 X6	4	2	2	28	14S	32E	619904	3660903*

Driller License: 111 **Driller Company:** BURKE, EDWARD B.

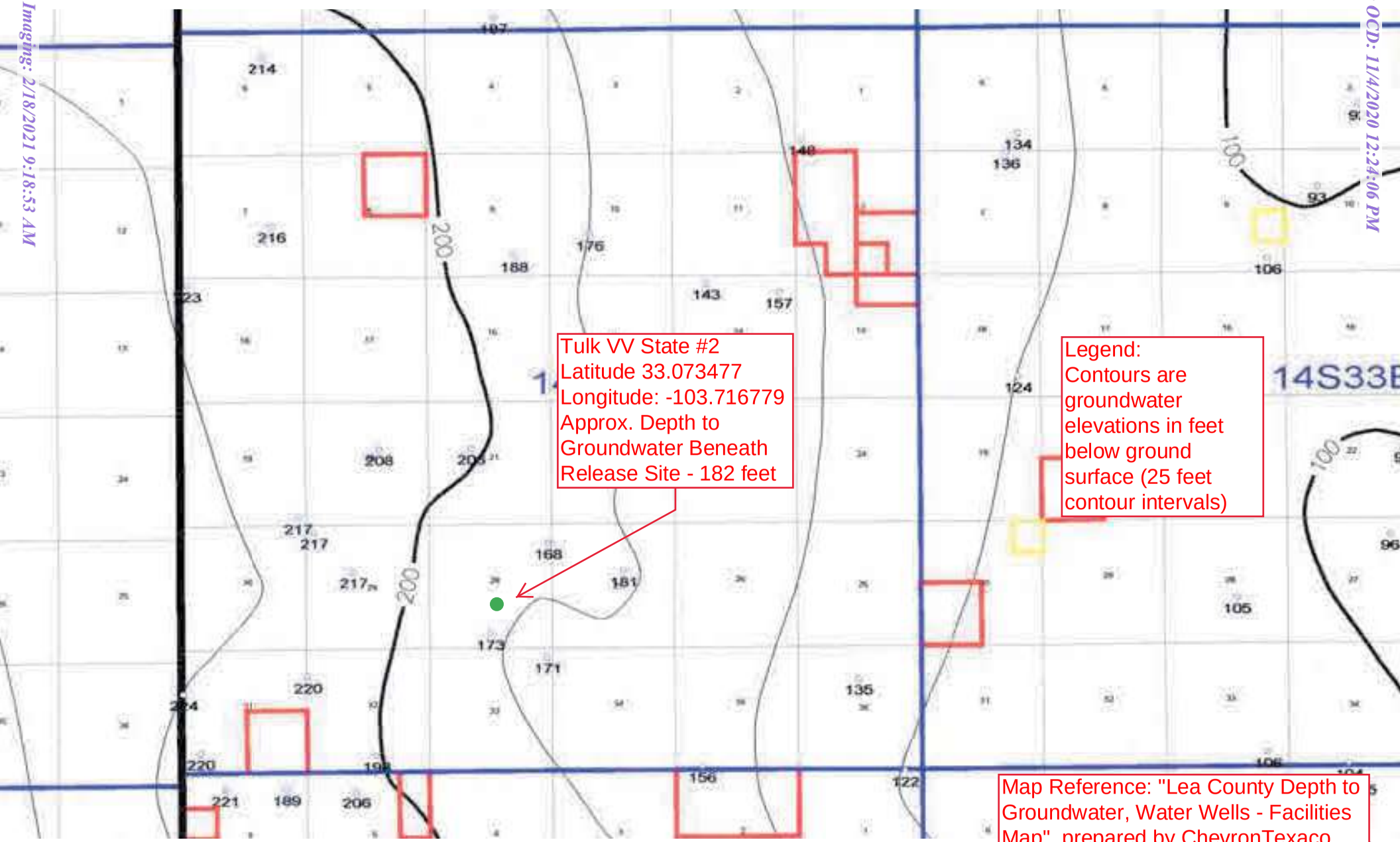
Driller Name:

Drill Start Date:	10/26/1963	**Drill Finish Date:**	11/02/1963	**Plug Date:**	
Log File Date:	11/08/1963	**PCW Rcv Date:**	04/09/1964	**Source:**	Shallow
Pump Type:	SUBMER	**Pipe Discharge Size:**		**Estimated Yield:**	
Casing Size:	10.38	**Depth Well:**	310 feet	**Depth Water:**	167 feet

Water Bearing Stratifications:	Top	Bottom	Description
	170	238	Shallow Alluvium/Basin Fill
	243	302	Shallow Alluvium/Basin Fill

Casing Perforations:	Top	Bottom
	206	305

***UTM location was derived from PLSS - see Help**



Attachment #6

Table 3 – Summary of Soil Laboratory Analytical Results

Table 2 - Concentrations of BTEX, TPH and Chlorides in Soil													
Sample ID	Date	Depth	Soil Status	SW 846 8260C					SW 846 8015M Ext.				SM4500CL-B
				Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	Total BTEX (mg/kg)	GRO C_6-C_{10} (mg/kg)	DRO C_{10}-C_{28} (mg/kg)	MRO C_{28}-C_{35} (mg/kg)	TPH C_6-C_{35} (mg/kg)	Chloride (mg/kg)
SB-1@Surface	6/24/2020	Surface	In-Situ	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	<10.0	1,800
SB-1@10'	6/24/2020	10'	In-Situ	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	<10.0	64
SB-2@Surface	6/24/2020	Surface	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	272
SB-2@10'	6/24/2020	10'	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	112
SB-3@Surface	6/24/2020	Surface	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	**43,200**
SB-3@5'	6/24/2020	5'	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	768
SB-3@15'	6/24/2020	15'	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	112
SB-4@Surface	6/24/2020	Surface	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	**28,800**
SB-4@5'	6/24/2020	5'	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	1,300
SB-4@15'	6/24/2020	15'	In-Situ	<0.050	<0.050	<0.050	<0.050	<0.150	<0.300	<10.0	<10.0	<10.0	304
NMOCD Closure Criteria (a)				**10**	**-**	**-**	**-**	**50**	**-**	**-**	**-**	**2,500**	**20,000 (b)**

Notes:

(a) New Mexico Oil Conservation Division (NMOCD) - New Mexico Administrative Code (NMAC) Closure Criteria defined based on Table 1 of 19.15.29.12 constituents to delineate a release (> 10,000 mg/l total dissolved solids) both horizontally and vertically at sites that have minimum depth to groundwater > 100 feet bgs.

(b) NMOCD - NMAC 19.15.29.13 requires that reclamation areas at sites no longer in use (remediated and/or being closed), have a minimum of four feet of non-waste containing, uncontaminated, earthern material with chloride concentrations less than 600 mg/kg. This criteria would apply to this site as part of reclamation.

Bold - Indicates constituent concentration above respective NMOCD - NMAC Closure Criteria.

Attachment #6

Laboratory Analytical Reports

CARDINAL Laboratories

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

June 26, 2020

KYLE NORMAN

FOUNDATION ENERGY

15 E. 5TH STREET, SUITE 1200

TULSA, OK 74103

RE: TULK VV STATE 2 BATTERY

Enclosed are the results of analyses for samples received by the laboratory on 06/24/20 13:50.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-20-13. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (*). For a complete list of accredited analytes and matrices visit the TCEQ website at www.tceq.texas.gov/field/qa/lab_accred_certif.html.

Cardinal Laboratories is accreditated 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 524.4	Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Celey D. Keene

Celey D. Keene

Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 1 @ SURFACE (H001658-01)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *98.3 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**1800**	16.0	06/25/2020	ND	432	108	400	0.00	QM-07

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *114 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *130 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 1 @ 10' (H001658-03)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *99.3 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**64.0**	16.0	06/25/2020	ND	432	108	400	0.00	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *114 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *125 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 2 @ SURFACE (H001658-04)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *97.6 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**272**	16.0	06/25/2020	ND	432	108	400	0.00	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *120 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *131 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 2 @ 10' (H001658-06)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *97.9 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**112**	16.0	06/25/2020	ND	432	108	400	0.00	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *114 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *121 %* *42.2-156*

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Celey D. Keene

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 3 @ SURFACE (H001658-07)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *98.1 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**43200**	16.0	06/25/2020	ND	432	108	400	0.00	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *115 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *123 %* *42.2-156*

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Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 3 @ 5' (H001658-08)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/26/2020	ND	1.94	96.8	2.00	4.70	
Toluene*	<0.050	0.050	06/26/2020	ND	1.93	96.6	2.00	4.94	
Ethylbenzene*	<0.050	0.050	06/26/2020	ND	1.97	98.5	2.00	4.31	
Total Xylenes*	<0.150	0.150	06/26/2020	ND	5.77	96.2	6.00	4.29	
Total BTEX	<0.300	0.300	06/26/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *95.8 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: GM

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**768**	16.0	06/26/2020	ND	400	100	400	7.69	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	202	101	200	11.4	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	199	99.7	200	12.7	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *112 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *122 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 3 @ 15' (H001658-10)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *97.7 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**112**	16.0	06/25/2020	ND	432	108	400	0.00	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *110 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *120 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 4 @ SURFACE (H001658-11)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *96.9 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**28800**	16.0	06/25/2020	ND	432	108	400	0.00	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *110 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *124 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 4 @ 5' (H001658-12)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/26/2020	ND	1.94	96.8	2.00	4.70	
Toluene*	<0.050	0.050	06/26/2020	ND	1.93	96.6	2.00	4.94	
Ethylbenzene*	<0.050	0.050	06/26/2020	ND	1.97	98.5	2.00	4.31	
Total Xylenes*	<0.150	0.150	06/26/2020	ND	5.77	96.2	6.00	4.29	
Total BTEX	<0.300	0.300	06/26/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *95.4 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: GM

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**1300**	16.0	06/26/2020	ND	416	104	400	3.92	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	202	101	200	11.4	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	199	99.7	200	12.7	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *112 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *122 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Analytical Results For:

FOUNDATION ENERGY
KYLE NORMAN
15 E. 5TH STREET, SUITE 1200
TULSA OK, 74103
Fax To:

Received:	06/24/2020	Sampling Date:	06/24/2020
Reported:	06/26/2020	Sampling Type:	Soil
Project Name:	TULK VV STATE 2 BATTERY	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Tamara Oldaker
Project Location:	NOT GIVEN		

Sample ID: SB - 4 @ 15' (H001658-14)

BTEX 8021B mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.68	
Toluene*	<0.050	0.050	06/25/2020	ND	2.10	105	2.00	9.85	
Ethylbenzene*	<0.050	0.050	06/25/2020	ND	2.13	106	2.00	10.0	
Total Xylenes*	<0.150	0.150	06/25/2020	ND	6.22	104	6.00	10.2	
Total BTEX	<0.300	0.300	06/25/2020	ND					

Surrogate: 4-Bromofluorobenzene (PID *97.4 %* *73.3-129*

Chloride, SM4500Cl-B mg/kg Analyzed By: AC

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**304**	16.0	06/25/2020	ND	432	108	400	0.00	

TPH 8015M mg/kg Analyzed By: MS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10*	<10.0	10.0	06/25/2020	ND	210	105	200	1.56	
DRO >C10-C28*	<10.0	10.0	06/25/2020	ND	222	111	200	0.786	
EXT DRO >C28-C36	<10.0	10.0	06/25/2020	ND					

Surrogate: 1-Chlorooctane *113 %* *44.3-144*

Surrogate: 1-Chlorooctadecane *124 %* *42.2-156*

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene, Lab Director/Quality Manager

CARDINAL Laboratories

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

Notes and Definitions

QM-07	The spike recovery was outside acceptance limits for the MS and/or MSD. The batch was accepted based on acceptable LCS recovery.
ND	Analyte NOT DETECTED at or above the reporting limit
RPD	Relative Percent Difference
**	Samples not received at proper temperature of 6°C or below.
***	Insufficient time to reach temperature.
-	Chloride by SM4500Cl-B does not require samples be received at or below 6°C
	Samples reported on an as received basis (wet) unless otherwise noted on report

Cardinal Laboratories *=Accredited Analyte

Celey D. Keene, Lab Director/Quality Manager

1 of 2

CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

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

Company Name: Foundation Energy Managment	**BILL TO**
Project Manager: Kyle Norman	**P.O. #:** Tulk VV State 2 Battery
Address: 1801 Broadway Suite 1500	**Company:** Tasman
City: Denver **State:** CO **Zip:** 80202	**Attn:** Kyle Norman
Phone #: **Fax #:**	**Address:** 6855 W. 119th Ave.
Project #: **Project Owner:**	**City:** Broomfield
Project Name: Tulk VV State 2 Battery	**State:** CO **Zip:** 80020
Project Location:	**Phone #:** 303-487-1228
Sampler Name: Kyle Norman	**Fax #:**

FOR LAB USE ONLY				MATRIX						PRESERV.			SAMPLING		ANALYSIS REQUEST										
Lab I.D.	Sample I.D.	(G)RAB OR (C)OMP.	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER :	ACID/BASE:	ICE / COOL	OTHER :	DATE	TIME	Chlorides	TPH 8015 M EXT	BTEX	Texas TPH	Complete Cations/Anions	TDS	Total RCRA 8 Metals					HOLD
H001658																									
1	SB-1 @ Surface	G	1			✓					✓		6/24/20	0845	✓	✓	✓									
2	SB-1 @ 5ft					✓					✓			0850	✓	✓	✓									X
3	SB-1 @ 10 ft					✓					✓			0853	✓	✓	✓									
4	SB-2 @ Surface					✓					✓			0900	✓	✓	✓									
5	SB-2 @ 5 ft					✓					✓			0905	✓	✓	✓									X
6	SB-2 @ 10 ft					✓					✓			0915	✓	✓	✓									
7	SB-3 @ Surface					✓					✓			1000	✓	✓	✓									
8	SB-3 @ 5ft					✓					✓			1015	✓	✓	✓			added		6/25/20				X
9	SB-3 @ 10 ft					✓					✓			1020	✓	✓	✓									X
10	SB-3 @ 15 ft					✓					✓			1025	✓	✓	✓									

Relinquished By: Kyle Norman	**Date:** ~~6/24/20~~ 6/25/20 KN **Time:** ~~1300~~ 1000	**Received By:** Miguel Cardenas Jr	Phone Result: ☐ Yes ☑ No Add'l Phone #:
Relinquished By: Miguel Cardenas Jr	**Date:** 6-24-20 **Time:** 1350	**Received By:** Tamara Oldaker	Fax Result: ☐ Yes ☑ No Add'l Fax #:
Delivered By: (Circle One) Sampler - UPS - Bus - Other: 2.4°C #113	**Sample Condition** Cool: ~~Yes~~ No Intact: ~~Yes~~ No	**CHECKED BY: (Initials)** T.O.	**REMARKS:** email results: knorman@tasman-geo.com jsmith@foundationenergy.com

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

2 of 2

CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

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

Company Name: Foundation Energy Managment	**BILL TO**
Project Manager: Kyle Norman	**P.O. #:** Tulk VV State 2 Battery
Address: 1801 Broadway Suite 1500	**Company:** Tasman
City: Denver **State:** CO **Zip:** 80202	**Attn:** Kyle Norman
Phone #: **Fax #:**	**Address:** 6855 W. 119th Ave.
Project #: **Project Owner:**	**City:** Broomfield
Project Name: Tulk VV State 2 Battery	**State:** CO **Zip:** 80020
Project Location:	**Phone #:** 303-487-1228
Sampler Name: Kyle Norman	**Fax #:**

FOR LAB USE ONLY				MATRIX						PRESERV.			SAMPLING		ANALYSIS REQUEST											
Lab I.D.	Sample I.D.	(G)RAB OR (C)OMP.	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER :	ACID/BASE:	ICE / COOL	OTHER :	DATE	TIME	Chlorides	TPH 8015 M EXT	BTEX	Texas TPH	Complete Cations/Anions	TDS	Total RCRA 8 Metals					HOLD
H001658																									
11	SB-4 @ Surface	G	1			✓					✓		6/24/20	1100	✓	✓	✓									
12	SB-4 @ 5 ft					✓					✓			1110	✓	✓	✓				added			6/25/20		X
13	SB-4 @ 10 ft					✓					✓			1115	✓	✓	✓									X
14	SB-4 @ 15 ft					✓					✓			1125	✓	✓	✓									

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 consequental 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: Kyle N.	**Date:** 6/24/20 **Time:** 1300	**Received By:**	
Relinquished By:	**Date:** 6-24-20 **Time:** 1350	**Received By:** Tamara Oldaker	
Delivered By: (Circle One) Sampler - UPS - Bus - Other: 2.4c #113		**Sample Condition** Cool: ☐ Yes ☐ No Intact: ☐ Yes ☐ No	**CHECKED BY: (Initials)** TC

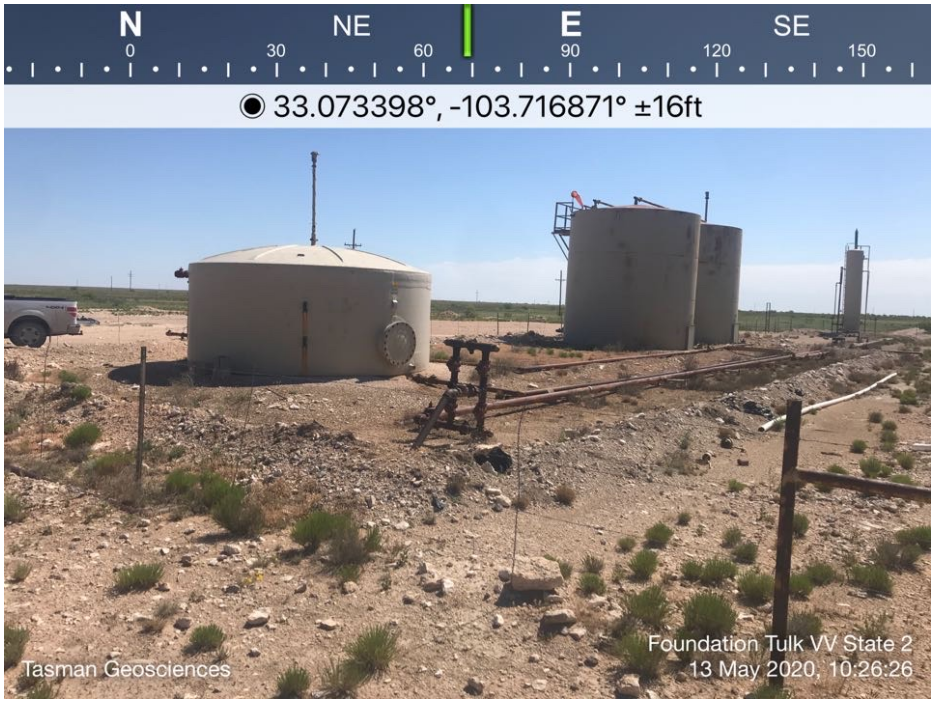
Phone Result:	☐ Yes	☑ No	**Add'l Phone #:**
Fax Result:	☐ Yes	☑ No	**Add'l Fax #:**
REMARKS: email results: knorman@tasman-geo.com jsmith@foundationenergy.com			

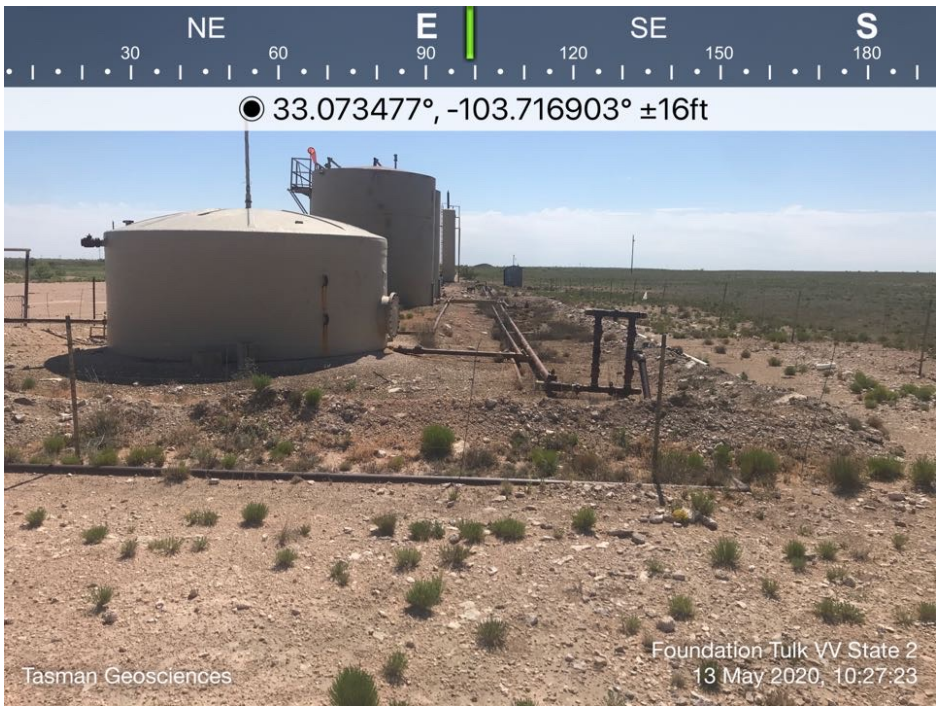
† Cardinal cannot accept verbal changes. Please fax written changes to 505-393-2476

Attachment #7

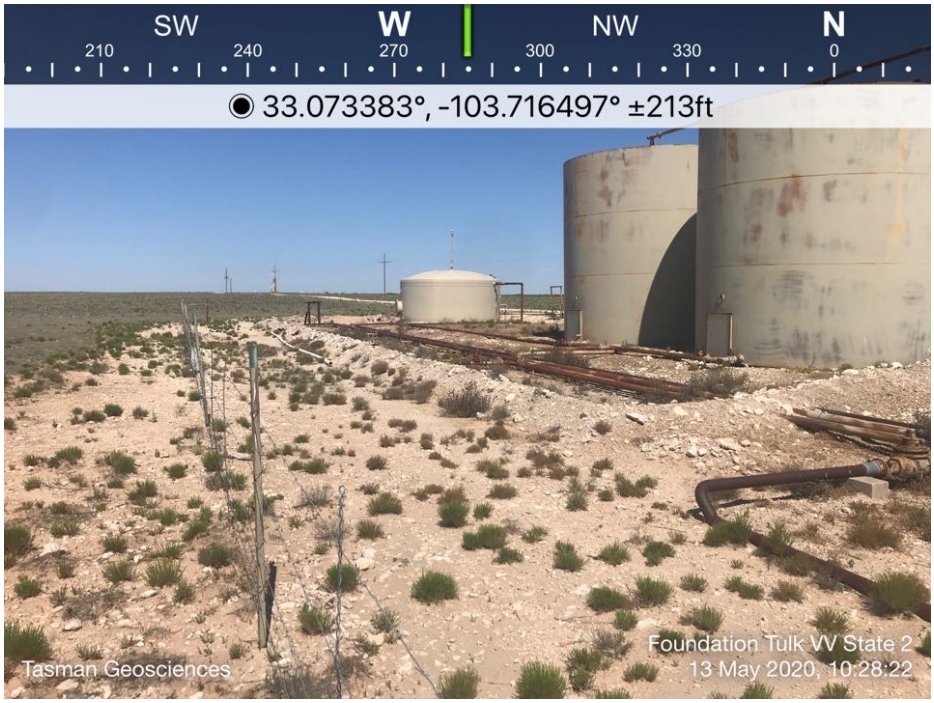
General Site Photographs

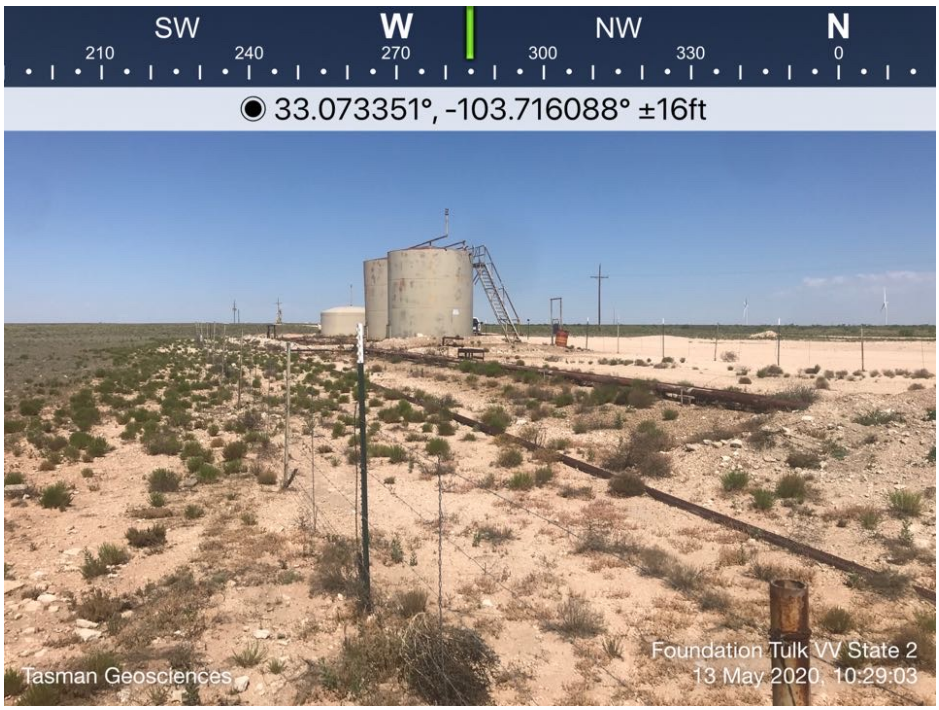
Foundation
Tulk VV State 2
05/13/2020



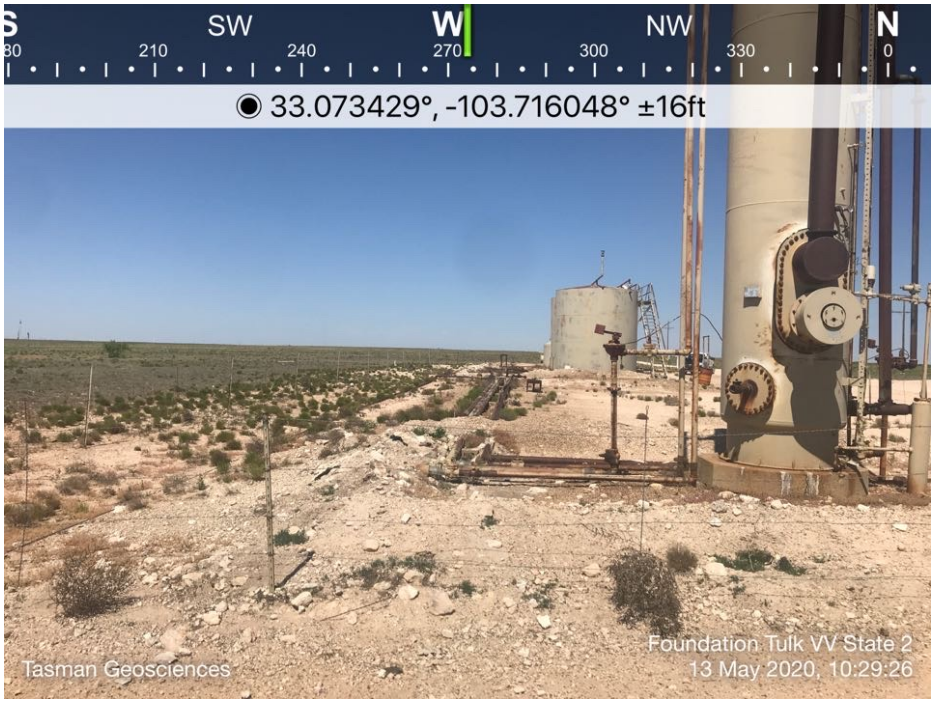


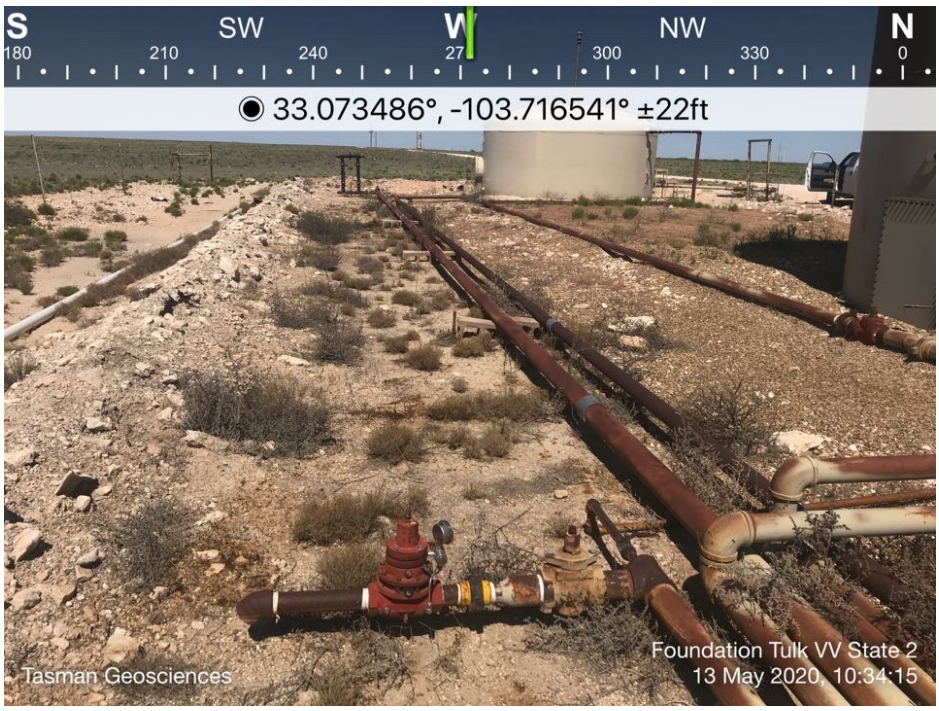
Foundation
Tulk VV State 2
05/13/2020





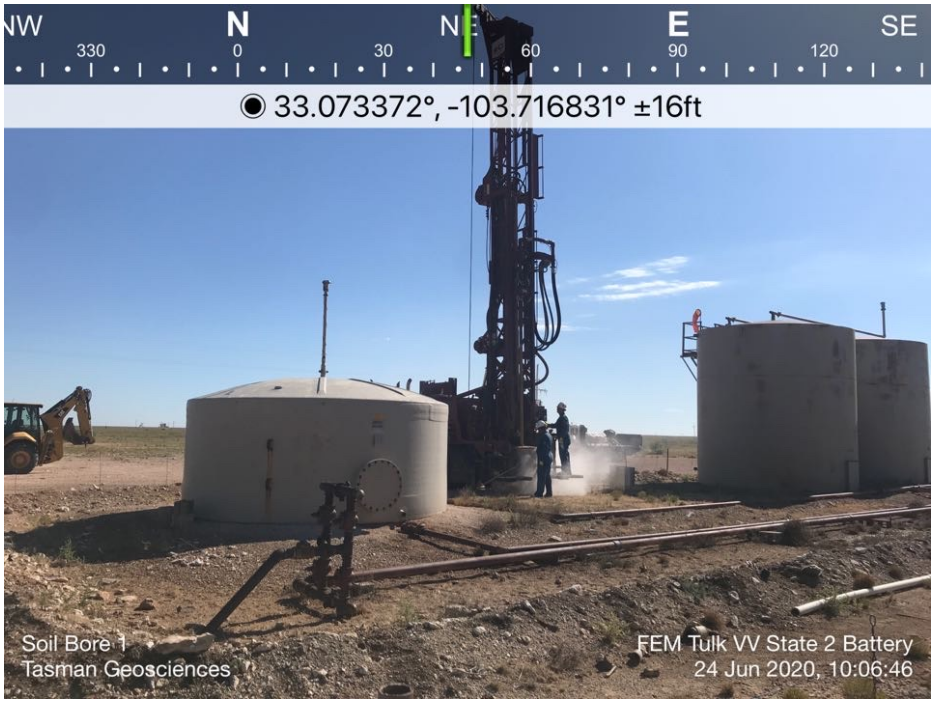
Foundation
Tulk VV State 2
05/13/2020





Foundation
Tulk VV State 2
05/13/2020

Foundation
Tulk VV State 2
6/24/2020



Foundation
Tulk VV State 2
6/24/2020

Attachment #9

Release Notification and Corrective action (Form C-141)

District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., 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 Department

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

Form C-141
Revised August 24, 2018
Submit to appropriate OCD District office

Incident ID	NRM2012853960
District RP	
Facility ID	
Application ID	

Release Notification

Responsible Party

Responsible Party Foundation Energy Management, LLC	OGRID 370740
Contact Name James Smith	Contact Telephone 918-526-5592
Contact email jsmith@foundationenergy.com	Incident # *(assigned by OCD)*
Contact mailing address 15 E 5th St Suite 1200 Tulsa, OK 74103	

Location of Release Source

Latitude 33.073477 Longitude -103.716779
(NAD 83 in decimal degrees to 5 decimal places)

Site Name Tulk VV State #002	Site Type Tank Battery
Date Release Discovered 4/24/2020	API# *(if applicable)* 30-025-28437

Unit Letter	Section	Township	Range	County
I	28	14S	32E	Lea

Surface Owner: ☒ State ☐ Federal ☐ Tribal ☐ Private (*Name:* _____)

Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

☐ Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
☒ Produced Water	Volume Released (bbls) 178	Volume Recovered (bbls) 0
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	☒ Yes ☐ No
☐ Condensate	Volume Released (bbls)	Volume Recovered (bbls)
☐ Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
☐ Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release

Internal corrosion caused the recirculation line nipple on the back of the fiberglass water tank to fail. Recirculation line valve completely seperated from the nipple resulting in loss of total tank fluids within the containment berm.

State of New Mexico
Oil Conservation Division

Incident ID	NRM2012853960
District RP	
Facility ID	
Application ID	

Was this a major release as defined by 19.15.29.7(A) NMAC? ☒ Yes ☐ No	If YES, for what reason(s) does the responsible party consider this a major release? Volume greater than 25 bbls

If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?

Yes. Via phone call from James Smith (Foundation Energy) to Mike Bratcher at 12:30 pm on 4/24/2020. Then subsequent email to Mike Bratcher and Jim Griswold at 12:45 on 4/24/2020.

Initial Response

The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury

☒ The source of the release has been stopped.

☒ The impacted area has been secured to protect human health and the environment.

☒ Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.

☐ All free liquids and recoverable materials have been removed and managed appropriately.

If all the actions described above have not been undertaken, explain why:

Removal of the contaminated soil has not taken place. The contamination is confined within the berm. Removal of the tank battery and associated infrastructure would be required to remove the soil. Delineation work will begin. Deferral of remediation is being requested due to the need of dismantling the tank battery and its infrastructure.

Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: James Smith Title: HSE-Regulatory Supervisor

Signature: Date: 5/7/2020

email: jsmith@foundationenergy.com Telephone: 918-526-5592

OCD Only

Received by: Ramona Marcus Date: 5/11/2020

State of New Mexico
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

Site Assessment/Characterization

This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

What is the shallowest depth to groundwater beneath the area affected by the release?	_____ (ft bgs)
Did this release impact groundwater or surface water?	☐ Yes ☐ No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	☐ Yes ☐ No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	☐ Yes ☐ No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	☐ Yes ☐ No
Are the lateral extents of the release within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes?	☐ Yes ☐ No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	☐ Yes ☐ No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	☐ Yes ☐ No
Are the lateral extents of the release within 300 feet of a wetland?	☐ Yes ☐ No
Are the lateral extents of the release overlying a subsurface mine?	☐ Yes ☐ No
Are the lateral extents of the release overlying an unstable area such as karst geology?	☐ Yes ☐ No
Are the lateral extents of the release within a 100-year floodplain?	☐ Yes ☐ No
Did the release impact areas **not** on an exploration, development, production, or storage site?	☐ Yes ☐ No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

Characterization Report Checklist: ***Each of the following items must be included in the report.***

- ☐ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
- ☐ Field data
- ☐ Data table of soil contaminant concentration data
- ☐ Depth to water determination
- ☐ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
- ☐ Boring or excavation logs
- ☐ Photographs including date and GIS information
- ☐ Topographic/Aerial maps
- ☐ Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

Form C-141
Page 4

State of New Mexico
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: James Smith Title: HSE-Regulatory Supervisor

Signature: Date: 5/7/2020

email: jsmith@foundationenergy.com Telephone: 918-526-5592

OCD Only

Received by: Chad Hensley Date: 02/18/2021

Form C-141
Page 5

State of New Mexico
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

Remediation Plan

Remediation Plan Checklist: ***Each of the following items must be included in the plan.***

- ☐ Detailed description of proposed remediation technique
- ☐ Scaled sitemap with GPS coordinates showing delineation points
- ☐ Estimated volume of material to be remediated
- ☐ Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
- ☐ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

Deferral Requests Only: ***Each of the following items must be confirmed as part of any request for deferral of remediation.***

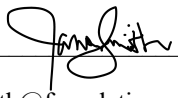
☐ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.

☐ Extents of contamination must be fully delineated.

☐ Contamination does not cause an imminent risk to human health, the environment, or groundwater.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: James Smith Title: HSE-Regulatory Supervisor

Signature:  Date: 5/7/2020

email: jsmith@foundationenergy.com Telephone: 918-526-5592

OCD Only

Received by: Chad Hensley Date: 02/18/2021

☐ Approved ☐ Approved with Attached Conditions of Approval ☒ Denied ☐ Deferral Approved

Signature: Deferral D E N I E D Date: 02/18/2021

State of New Mexico
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

Closure Report Attachment Checklist: ***Each of the following items must be included in the closure report.***

☐ A scaled site and sampling diagram as described in 19.15.29.11 NMAC

☐ Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection)

☐ Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling)

☐ Description of remediation activities

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.

Printed Name: _____ Title: _____

Signature: _____ Date: _____

email: _____ Telephone: _____

OCD Only

Received by: _____ Date: _____

Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance with any other federal, state, or local laws and/or regulations.

Closure Approved by: _____ Date: _____

Printed Name: _____ Title: _____

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720
District III
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170
District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 11076

CONDITIONS OF APPROVAL

Operator:	OGRID:	Action Number:	Action Type:
FOUNDATION ENERGY MANAGEMENT, 5057 KELLER SPRINGS RD Suite 650 ADDISON, TX75001	370740	11076	C-141

OCD Reviewer	Condition
chensley	Before we can approve a deferral, the spill must be fully delineated. OCD will not defer the entire battery as a whole. Please remove as much of the contaminated soil with shovels and a hydrovac. If you believe a certain area will require a deferral, please make sure that it has been fully delineated and include a picture of the area to validate the request.