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REMEDIATION SUMMARY & RISK-BASED SITE CLOSURE REQUEST

BOPCO, LP
POKER LAKE UNIT DELAWARE "C" TANK BATTERY
Eddy County, New Mexico
Unit Letter "G" (SW/NE), Section 6, Township 24 South, Range 30 East
Latitude 32.18191° North, Longitude 103.91429° West

Prepared For:

BOPCO, LP
522 W. Mermod
Suite 704
Carlsbad, New Mexico 88220

Prepared By:
Basin Environmental Service Technologies, LLC
3100 Plains Highway
Lovington, New Mexico 88260

August 2011

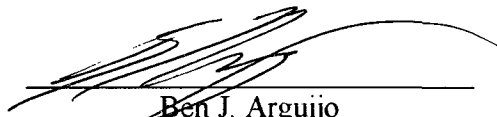

Ben J. Arguijo
Project Manager

TABLE OF CONTENTS

1.0 INTRODUCTION.....	1
2.0 NMOCD SITE CLASSIFICATION.....	1
3.0 SUMMARY OF SOIL REMEDIATION ACTIVITIES.....	2
4.0 QA/QC PROCEDURES.....	4
4.1 Soil Sampling.....	4
4.2 Decontamination of Equipment.....	4
4.3 Laboratory Protocol.....	4
5.0 SITE CLOSURE REQUEST.....	4
6.0 LIMITATIONS.....	5
7.0 DISTRIBUTION.....	6

FIGURES

Figure 1 – Site Location Map

Figure 2 – Site & Sample Location Map

TABLES

Table 1 – Concentrations of Benzene, BTEX, TPH & Chlorides in Soil

APPENDICES

Appendix A – Release Notification and Corrective Action (Form C-141)

Appendix B – Photographs

Appendix C – Soil Boring Logs

Appendix D – Laboratory Analytical Results

1.0 INTRODUCTION

Basin Environmental Service Technologies, LLC (Basin Environmental), on behalf of BOPCO, LP (BOPCO), has prepared this *Remediation Summary & Risk-Based Site Closure Request* for the release site known as Poker Lake Unit (PLU) Delaware "C" Tank Battery. The legal description of the release site is Unit Letter "G" (SW/NE), Section 6, Township 24 South, Range 30 East, in Eddy County, New Mexico. The geographic coordinates of the release site are 32.18191° North latitude and 103.91429° West longitude. The property affected by the release is owned by The United States Department of the Interior - Bureau of Land Management (BLM). Please reference Figure 1 for a "Site Location Map".

On September 28, 2009, BOPCO discovered a release had occurred at the PLU Delaware "C" Tank Battery. The transfer pump on the produced water tank malfunctioned, resulting in a release of produced water and crude oil. The release was contained inside the tank battery. The free-standing fluids were removed via the use of a vacuum truck. The release was reported to the New Mexico Oil Conservation Division (NMOCD) Artesia District Office on September 28, 2009. The Release Notification and Corrective Action (Form C-141) indicated approximately sixty barrels (60 bbls) of produced water and less than five barrels (<5 bbls) of crude oil were released. Approximately fifty barrels (50 bbls) of produced water and crude oil were recovered.

On May 13, 2010, BOPCO discovered an additional release had occurred at the PLU Delaware "C" Tank Battery. A transfer pump malfunctioned, resulting in a release of produced water and crude oil. The release was confined inside the tank battery. The free-standing fluids were removed via the use of a vacuum truck. The release was reported to the NMOCD Artesia District Office on May 13, 2010. The Form C-141 indicated approximately three hundred and twenty barrels (320 bbls) of produced water and approximately eight barrels (8 bbls) of crude oil were released. Approximately three hundred barrels (300 bbls) of produced water and approximately eight barrels (8 bbls) of crude oil were recovered.

The Forms C-141 for both the September 28, 2009, and May 13, 2010, releases are provided as Appendix A. Remediation activities for both releases were conducted simultaneously. General photographs are provided as Appendix B.

2.0 NMOCD SITE CLASSIFICATION

A search of the New Mexico Water Rights Reporting System (NMWRRS) database maintained by the New Mexico Office of the State Engineer (NMOSE) indicated information was unavailable for Section 6, Township 24 South, Range 30 East. A depth-to-groundwater reference map utilized by the NMOCD indicates groundwater should be encountered at approximately one hundred and seventy five feet (175') below ground surface (bgs). Based on the NMOCD ranking system, zero (0) points will be assigned to the site as a result of the depth-to-groundwater criterion.

A search of the NMWRRS database indicated there are no water wells within one thousand feet (1,000') of the release. Based on the NMOCD ranking system, zero (0) points will be assigned to the site as a result of this criterion.

There are no surface water bodies within one thousand feet (1,000') of the release. Based on the NMOCD ranking system, zero (0) points will be assigned to the site as a result of this criterion.

NMOCD guidelines indicate the PLU Delaware "C" Tank Battery release site has an initial ranking score of zero (0). The soil remediation levels for a site with a ranking score of zero (0) points are as follows:

- Benzene – 10 mg/kg (ppm)
- BTEX – 50 mg/kg (ppm)
- TPH – 5,000 mg/kg (ppm)

The New Mexico Administrative Code (NMAC) does not currently specify a remediation level for chloride concentrations in soil. Chloride remediation levels are set by the NMOCD on a site-specific basis.

3.0 SUMMARY OF SOIL REMEDIATION ACTIVITIES

On September 30, 2009, three (3) soil samples (#7, #8, and #13) were collected from inside the containment area of the PLU Delaware "C" Tank Battery and submitted to Cardinal Laboratories in Hobbs, New Mexico, for analysis. Soil sample #7 was analyzed for concentrations of chlorides and benzene, toluene, ethylbenzene, and xylene (BTEX) using EPA Methods 4500 Cl-B and SW-846 8021b, respectively. Soil samples #8 and #13 were analyzed for concentrations of total petroleum hydrocarbons (TPH) using EPA Method SW-846 8015M. Laboratory analytical results indicated the chloride concentration in soil sample #7 was 2,480 mg/Kg, the benzene concentration was 0.101 mg/Kg, and the BTEX concentration was 10.441 mg/Kg. TPH concentrations ranged from 7,670 mg/Kg in soil sample #8 to 13,140 mg/Kg in soil sample #13. Table 1 summarizes the "Concentrations of Benzene, BTEX, TPH & Chlorides in Soil". A "Site & Sample Location Map" is provided as Figure 2. Laboratory analytical reports are provided as Appendix D.

On May 24, 2010, one (1) soil boring (SB-1) was advanced to evaluate the vertical extent of contamination at the site. Soil samples were collected at five foot (5') drilling intervals and field screened using a Photo-Ionization Detector (PID) and chloride test kit. Selected soil samples were submitted to Cardinal Laboratories for analysis of TPH, BTEX, and/or chloride concentrations. The soil boring log is provided as Appendix C.

Soil boring SB-1 was located inside the containment area, on the southeast side of the tank battery. The soil boring was advanced to a total depth of approximately eighty feet (80') bgs. Soil samples collected at five feet (5'), ten feet (10'), twenty feet (20'), thirty (30'), forty feet (40'), fifty feet (50'), sixty feet (60'), seventy feet (70'), seventy-five feet (75') and eighty feet (80') bgs were submitted to the laboratory for determination of concentrations of BTEX, TPH, and/or chlorides. Laboratory analytical results indicated BTEX constituent concentrations were less than the appropriate laboratory method detection limit (MDL) for each of the submitted soil samples, with the exception of SB-1 @ 5', which exhibited a BTEX concentration of 1.096 mg/Kg. TPH concentrations ranged from less than the appropriate laboratory MDL in soil samples SB-1 @ 30', SB-1 @ 70', and SB-1 @ 75' to 2,049 mg/Kg in soil sample SB-1 @ 5'. Chloride concentrations ranged from 80 mg/Kg in soil sample SB-1 @ 75' to 2,200 mg/Kg in soil sample

SB-1 @ 60'. Review of laboratory analytical results indicated benzene, BTEX, and TPH concentrations are less than the NMOCD regulatory standard.

A background soil sample (Background) was also collected in order to establish the baseline concentration of chlorides in the area. Laboratory analytical results indicated the chloride concentration was less than the laboratory MDL in soil sample Background.

On February 16, 2011, excavation of impacted soil commenced at the site. Pursuant to the *Remediation Summary and Risk-Based Closure Strategy* dated August 2010, from February 16 through April 8, 2011, approximately twelve (12) to eighteen inches (18") of heavily saturated soil was removed from inside the containment area of the tank battery. Final dimensions of the excavated area measured approximately four thousand and one hundred square feet (4,100 ft²). The excavated soil was stockpiled on-site, pending final disposition.

Clean, crushed caliche was used to backfill and level the excavated area to a depth approximately six inches (6") below the original ground surface. A new, larger containment area was constructed, which measures approximately eight thousand square feet (8,000 ft²) and includes steel perimeter walls extending approximately two feet (2') above ground surface.

The on-site production tanks were also emptied, cleaned, sandblasted, and inspected for holes.

On February 22, 2011, two (2) soil samples (#2 and #5) were collected from the floor of the excavation and submitted to the laboratory for analysis of TPH concentrations. Laboratory analytical results indicated TPH concentrations ranged from 7,498 mg/Kg in soil sample #5 to 17,110 mg/Kg in soil sample #2.

On February 24, 2011, five (5) soil samples (#1, #3, #4, #5, and #7) were collected from the floor of the excavation and submitted to the laboratory for analysis of TPH concentrations. Soil sample #4 was also submitted for analysis of BTEX concentrations. Laboratory analytical results indicated TPH concentrations ranged from 13.8 mg/Kg in soil sample #5 to 17,674 mg/Kg in soil sample #1. The benzene concentration in soil sample #4 was less than the laboratory MDL, while the BTEX concentration was 3.815 mg/Kg.

On March 2, 2011, one (1) soil sample (Stockpile) was collected from the stockpiled material on-site and submitted for analysis of TPH concentrations. Laboratory analytical results indicated the TPH concentration was 33,960 mg/Kg in soil sample Stockpile.

From April 10 through April 15, 2011, Titan Liner (Carlsbad, New Mexico) installed an impervious Titan[®] liner in the new containment area of the PLU Delaware "C" Tank Battery. The interiors of the on-site production tanks were also coated with an impermeable Titan[®] polyurethane coating.

From June 17 to June 20, 2011, approximately two hundred and twenty cubic yards (220 cy) of impacted soil was transported to Lea Land, Inc. (NMOCD Permit # WM-01-035) for disposal.

4.0 QA/QC PROCEDURES

4.1 Soil Sampling

Soil samples were delivered to Cardinal Laboratories, Inc., of Hobbs, New Mexico, for BTEX, TPH, and/or chloride analyses using the methods described below:

- BTEX concentrations in accordance with EPA Method SW-846 8021b
- TPH concentrations in accordance with modified EPA Method SW-846 8015M
- Chloride concentrations in accordance with EPA Method SM 4500 Cl-B

4.2 Decontamination of Equipment

Cleaning of the sampling equipment was the responsibility of the environmental technician. Prior to use, and between each sample, the sampling equipment was cleaned with Liqui-Nox® detergent and rinsed with distilled water.

4.3 Laboratory Protocol

The laboratory was responsible for proper QA/QC procedures after signing the chain-of-custody form(s). These procedures were either transmitted with the laboratory reports or are on file at the laboratory.

5.0 SITE CLOSURE REQUEST

Remediation activities conducted at the PLU Delaware "C" Tank Battery release site met the objectives set forth in the *Remediation Summary and Risk-Based Closure Strategy* dated August 2010. Basin Environmental recommends BOPCO provide the NMOCD Artesia District Office and the BLM a copy of this *Remediation Summary & Risk-Based Site Closure Request* and request the NMOCD grant site closure to the PLU Delaware "C" Tank Battery release site.

6.0 LIMITATIONS

Basin Environmental Service Technologies, LLC, has prepared this *Remediation Summary & Risk-Based Site Closure Request* to the best of its ability. No other warranty, expressed or implied, is made or intended. Basin Environmental has examined and relied upon documents referenced in the report and on oral statements made by certain individuals. Basin Environmental has not conducted an independent examination of the facts contained in referenced materials and statements. Basin Environmental has presumed the genuineness of these documents and statements and that the information provided therein is true and accurate. Basin Environmental has prepared this report in a professional manner, using the degree of skill and care exercised by similar environmental consultants. Basin Environmental notes that the facts and conditions referenced in this report may change over time, and the conclusions and recommendations set forth herein are applicable only to the facts and conditions as described at the time of this report.

This report has been prepared for the benefit of BOPCO, LP. The information contained in this report, including all exhibits and attachments, may not be used by any other party without the express consent of Basin Environmental Service Technologies, LLC, and/or BOPCO, LP.

7.0 DISTRIBUTION:

- Copy 1: Mike Bratcher
New Mexico Energy, Minerals and Natural Resources Department
Oil Conservation Division (District 2)
1301 E. Grand Avenue
Artesia, NM 88210
- Copy 2: James Amos
Bureau of Land Management
602 E. Greene Street
Carlsbad, NM 88220
- Copy 3: Tony Savoie
BOPCO, LP
522 W. Mermod, Suite 704
Carlsbad, NM 88220
- Copy 4: Basin Environmental Service Technologies, LLC
P.O. Box 301
Lovington, NM 88260

Figures

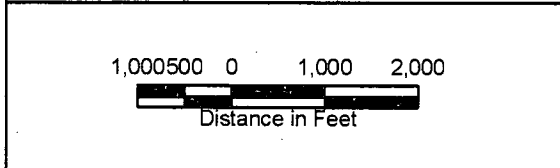
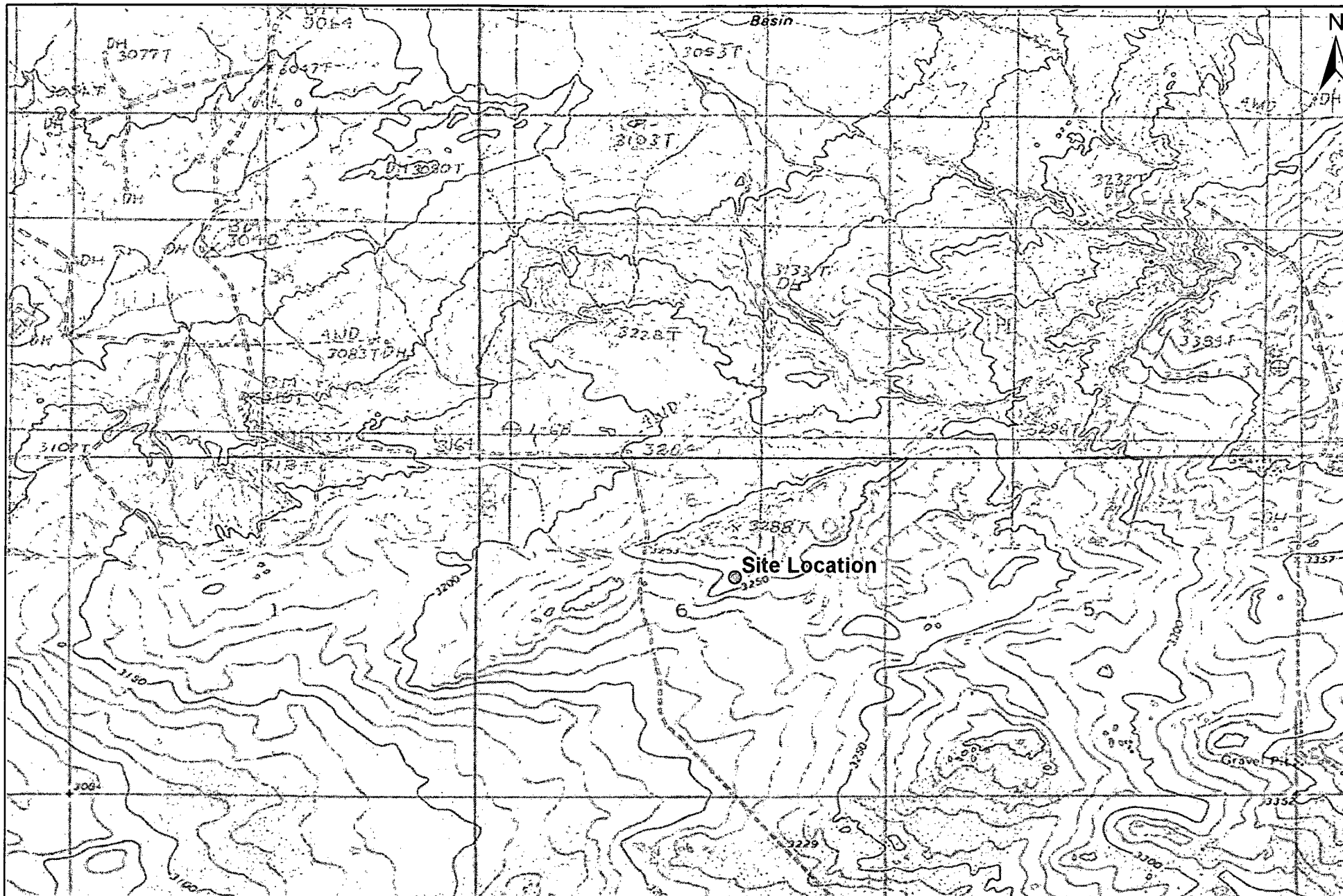
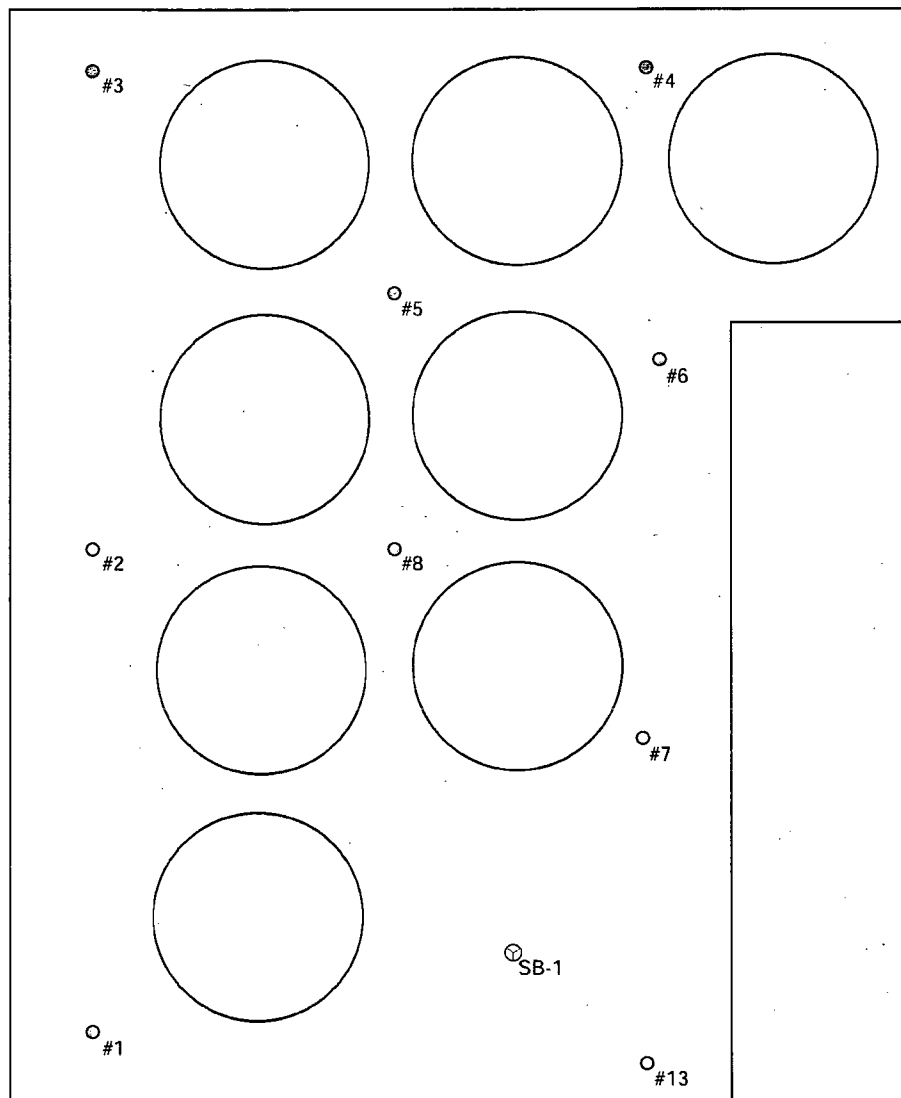


Figure 1
Site Location Map
BOPCO, LP
Poker Lake Unit Delaware "C" Tank Battery
Eddy County, New Mexico

Basin Environmental
Service Technologies
 Effective Solutions

Basin Environmental Service Technologies, LLC
 3100 Plains Hwy.
 Lovington, NM 88260

Drawn By: BJA	Checked By: BRB
July 29, 2011	Scale: 1" = 2000'



10 5 0 10 20
Distance in Feet

Legend:





-  Firewall
-  Storage Tank
-  Sample Location
-  Soil Bore

Figure 2
Site & Sample Location Map
BOPCO, LP
Poker Lake Unit Delaware "C" Tank Battery
Eddy County, New Mexico



Basin Environmental Service Technologies, LLC
3100 Plains Hwy.
Lovington, NM 88260

Drawn By: BJA	Checked By: BRB
July 29, 2011	Scale: 1" = 20'

Tables

TABLE 1

CONCENTRATIONS OF BENZENE, BTEX, TPH & CHLORIDES IN SOIL

BOPCO, LP
POKER LAKE UNIT DELAWARE "C" BATTERY
EDDY COUNTY, NEW MEXICO

SAMPLE LOCATION	SAMPLE DEPTH (BGS)	SAMPLE DATE	SOIL STATUS	METHOD: EPA SW 846-8021B, 5030					METHOD: 8015M			TOTAL	TOTAL	E 300
				BENZENE (mg/Kg)	TOLUENE (mg/Kg)	ETHYL-BENZENE (mg/Kg)	TOTAL XYLENES (mg/Kg)	TOTAL BTEX (mg/Kg)	GRO C ₆ -C ₁₂ (mg/Kg)	DRO C ₁₂ -C ₂₈ (mg/Kg)	ORO C ₂₈ -C ₃₅ (mg/Kg)	C ₆ -C ₂₈ (mg/Kg)	C ₆ -C ₃₅ (mg/Kg)	CHLORIDE (mg/Kg)
#7	2'	9/30/2009	In-Situ	0.101	1.1	2.01	7.23	10.441	-	-	-	-	-	2,480
#8	1'	9/30/2009	In-Situ	-	-	-	-	-	1,000	6,670	-	7,670	-	-
#13	Surface	9/30/2009	In-Situ	-	-	-	-	-	4,150	8,990	-	13,140	-	-
Background	Surface	5/24/2010	In-Situ	-	-	-	-	-	-	-	-	-	-	<16.0
SB-1 @ 5'	5'	5/24/2010	In-Situ	<0.050	<0.050	0.246	0.85	1.096	95.9	1,940	12.9	-	2,049	-
SB-1 @ 10'	10'	5/24/2010	In-Situ	-	-	-	-	-	-	-	-	-	-	1,090
SB-1 @ 20'	20'	5/24/2010	In-Situ	-	-	-	-	-	-	-	-	-	-	1,460
SB-1 @ 30'	30'	5/24/2010	In-Situ	<0.050	<0.050	<0.050	<0.300	<0.300	<10.0	<10.0	<10.0	-	<10.0	976
SB-1 @ 40'	40'	5/24/2010	In-Situ	-	-	-	-	-	-	-	-	-	-	1,040
SB-1 @ 50'	50'	5/24/2010	In-Situ	-	-	-	-	-	-	-	-	-	-	1,860
SB-1 @ 60'	60'	5/24/2010	In-Situ	-	-	-	-	-	-	-	-	-	-	2,200
SB-1 @ 70'	70'	5/24/2010	In-Situ	<0.050	<0.050	<0.050	<0.300	<0.300	<10.0	<10.0	<10.0	-	<10.0	368
SB-1 @ 75'	75'	5/24/2010	In-Situ	<0.050	<0.050	<0.050	<0.300	<0.300	<10.0	<10.0	<10.0	-	<10.0	80
SB-1 @ 80'	80'	5/24/2010	In-Situ	<0.050	<0.050	<0.050	<0.300	<0.300	<10.0	11.6	<10.0	-	11.6	256
#2	1'	2/22/2011	In-situ	-	-	-	-	-	1,490	14,100	1,520	-	17,110	-
#5	1'	2/22/2011	In-situ	-	-	-	-	-	1,050	5,750	698	-	7,498	-
#1	7'	2/24/2011	In-situ	-	-	-	-	-	3,880	12,900	894	-	17,674	-
#3	3'	2/24/2011	In-situ	-	-	-	-	-	593	4,180	327	-	5,100	-
#4	8'	2/24/2011	In-situ	<0.05	0.176	0.649	2.99	3.815	380	4,380	381	-	5,141	-
#5	6'	2/24/2011	In-situ	-	-	-	-	-	<10.0	13.8	<10.0	-	13.8	-
#7	6.5'	2/24/2011	In-situ	-	-	-	-	-	2,060	7,840	522	-	10,422	-
Stockpile	N/A	3/2/2011	Excavated	-	-	-	-	-	3,010	28,400	2,550	-	33,960	-
NMOCD Regulatory Standard				10				50				5,000		1,000

- = Not analyzed.

Appendices

Appendix A
Release Notification &
Corrective Action (Form C-141)

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

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company BOPCO, L.P.	Contact Tony Savoie	
Address 522 W. Mermod, Suite 704 Carlsbad, N.M. 88220	Telephone No. 432-556-8730	
Facility Name Poker Lake Delaware "C" Tank Battery	Facility Type E&P	
Surface Owner Federal	Mineral Owner Federal	Lease No.

LOCATION OF RELEASE

Unit Letter G	Section 6	Township 24S	Range 30E	Feet from the	North/South Line	Feet from the	East/West Line	County Eddy
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Latitude N 32.18191__ Longitude W 103.91429__

NATURE OF RELEASE

Type of Release: Produced water and crude oil	Volume of Release: 60 bbls produced water and less than 5 bbls crude oil	Volume Recovered: 50 bbls total volume
Source of Release: Tank Failure	Date and Hour of Occurrence 9/28/09, Hour unknown	Date and Hour of Discovery 9/28/09 8:00 a.m.
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Artesia Emergency Phone Msg. System Msg. to Sherry Bonham and Mike Bratcher	
By Whom? Tony Savoie	Date and Hour 9/28/09 11:55 a.m.	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*

The produced water transfer pump electrical service had been damaged the day before, the produced water tank overflowed inside the earthen containment. All of the standing fluid was removed with a vacuum truck and placed back into the facility tankage.

Describe Area Affected and Cleanup Action Taken.*

An area measuring approximately 6,700 sq.ft. inside the tank containment was affected by the produced water and crude oil. A crew was dispatched to the site on 9/30/09 to collect soil samples to try and delineate the vertical extent of the spill. The equipment on hand couldn't obtain samples deeper than 2 ft. below ground surface. Another sampling event will be scheduled for delineation purposes.

The Site remediation for the produced water and crude oil spill will follow the NMOCD guidelines for leaks and spills.

The facility will be retrofitted with a rhino-liner containment following the remediation.

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.

OIL CONSERVATION DIVISION

Signature: <i>Tony Savoie</i>	Approved by District Supervisor:	
Printed Name: Tony Savoie	Approval Date:	Expiration Date:
Title: Waste Mgmt. & Remediation Specialist	Conditions of Approval:	
E-mail Address: TASavoie@BassPet.com	Attached <input type="checkbox"/>	
Date: 10/12/09	Phone: 432-556-8730	

* Attach Additional Sheets If Necessary

District I
1625 N. French Dr., Hobbs, NM 88240
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Form C-141
Revised October 10, 2003

Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

Release Notification and Corrective Action

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company BOPCO, L.P.	Contact Tony Savoie
Address 522 W. Mermod, Suite 704 Carlsbad, N.M. 88220	Telephone No. 432-556-8730
Facility Name Poker Lake Unit Delaware C Tank Battery	Facility Type E&P

Surface Owner Federal	Mineral Owner Federal	Lease No.
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LOCATION OF RELEASE

Unit Letter G	Section 6	Township 24S	Range 30E	Feet from the	North/South Line	Feet from the	East/West Line	County Eddy
------------------	--------------	-----------------	--------------	---------------	------------------	---------------	----------------	----------------

Latitude N 32.248735 Longitude W 103.918671

NATURE OF RELEASE

Type of Release: Produced water and crude oil	Volume of Release: 320 Bbls of Produced water and 8 Bbls of Crude oil	Volume Recovered: 300 bbls of produced water and 8 bbls crude oil
Source of Release: 300 bbl produced water tank overflow	Date and Hour of Occurrence Unknown	Date and Hour of Discovery 5/13/10 8:00 a.m.
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Randy NMOCD on call operator	
By Whom? Tony Savoie	Date and Hour 5/13/10 10:21 a.m.	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.* The produced water tank overflowed due to a pump malfunction. The main water transfer pump failed to come. The pump was re-set.

Describe Area Affected and Cleanup Action Taken.* The released fluid affected an area of approximately 6700 sq. ft inside the earthen containment around the tanks. The free standing fluids were removed. An area inside the containment area was sampled on 5/24/10 to a depth of approximately 80 ft. Below ground surface, samples were collected at 5 ft. intervals and sampled for TPH, BTEX and Chlorides. Estimated depth to water is thought to be greater than 200 ft. A remediation plan along with a new containment plan will be submitted.

The Site remediation for the produced water and crude oil spill will follow the NMOCD guidelines for leaks and spills.

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.

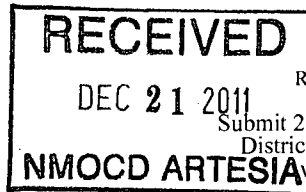
OIL CONSERVATION DIVISION

Signature: <i>Tony Savoie</i>	Approved by District Supervisor:	
Printed Name: Tony Savoie		
Title: Waste Mgmt. & Remediation Specialist	Approval Date:	Expiration Date:
E-mail Address: TASavoie@BassPet.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: 5/27/10	Phone: 432-556-8730	

* Attach Additional Sheets If Necessary

District I
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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

Release Notification and Corrective Action

OPERATOR

Initial Report

X Final Report

Name of Company	BOPCO, LP	Contact	Tony Savoie
Address	522 W. Mermod, Suite 704, Carlsbad, NM 88220	Telephone No.	(432)556-8730
Facility Name	Poker Lake Delaware "C" Tank Battery	Facility Type	E&P
Surface Owner	Federal	Mineral Owner	Federal
		Lease No.	

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
G	6	24S	30E					Eddy

Latitude 32.18191° North

Longitude 103.91429° West

NATURE OF RELEASE

Type of Release	Produced water and crude oil	Volume of Release	60 bbls of produced water and <5 bbls of crude oil	Volume Recovered	50 bbls total volume
Source of Release	Tank failure	Date and Hour of Occurrence	9/28/09, Unknown	Date and Hour of Discovery	9/28/2009, 8:00 AM
Was Immediate Notice Given?	X Yes No Not Required	If YES, To Whom?	Artesia Emergency Phone Msg. System Msg. to Sherry Bonham and Mike Bratcher		
By Whom?	Tony Savoie	Date and Hour	9/28/2009, 11:55 AM		
Was a Watercourse Reached?	<input type="checkbox"/> Yes X No	If YES, Volume Impacting the Watercourse.			

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken:

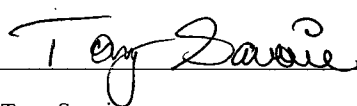
The produced water transfer pump electrical service had been damaged the day before, and the produced water tank overflowed inside the earthen containment. All of the standing fluid was removed with a vacuum truck and placed back into the facility tankage.

Describe Area Affected and Cleanup Action Taken.

An area measuring approximately 6,700 sq.ft. inside the tank containment was affected by the produced water and crude oil.

Following initial response activities, the release was remediated as per NMOCD approval. Please reference the attached *Remediation Summary & Risk-Based Site Closure Request* for remediation details.

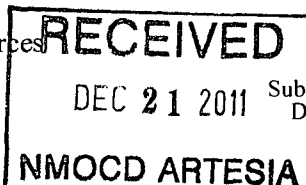
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases, which may endanger 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: 	OIL CONSERVATION DIVISION		
Printed Name: Tony Savoie	Approved by District Supervisor:		
Title: Waste Mgmt. & Remediation Specialist	Approval Date:	Expiration Date:	
E-mail Address: TASavoie@BassPet.com	Conditions of Approval:		
Date: 12/6/2011	Phone: (432)556-8730		

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

OPERATOR

Initial Report

☒ Final Report

Name of Company	BOPCO, LP	Contact	Tony Savoie
Address	522 W. Mermod, Suite 704, Carlsbad, NM 88220	Telephone No.	(432)556-8730
Facility Name	Poker Lake Delaware "C" Tank Battery	Facility Type	E&P

Surface Owner	Federal	Mineral Owner	Federal	Lease No.	
---------------	---------	---------------	---------	-----------	--

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
G	6	24S	30E					Eddy

Latitude 32.248735° North

Longitude 103.918671° West

NATURE OF RELEASE

Type of Release	Produced water and crude oil	Volume of Release	320 bbls of produced water 8 bbls of crude oil	Volume Recovered	300 bbls of produced water 8 bbls of crude oil
Source of Release	300 bbl produced water tank overflow	Date and Hour of Occurrence	Unknown	Date and Hour of Discovery	5/13/10, 8:00 AM
Was Immediate Notice Given?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom?	Randy, NMOCD on-call operator		
By Whom?	Tony Savoie	Date and Hour	5/13/10, 10:21 AM		
Was a Watercourse Reached?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.			

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken:

The produced water tank overflowed due to a pump malfunction. The main water transfer pump failed to come on. The pump was reset.

Describe Area Affected and Cleanup Action Taken.

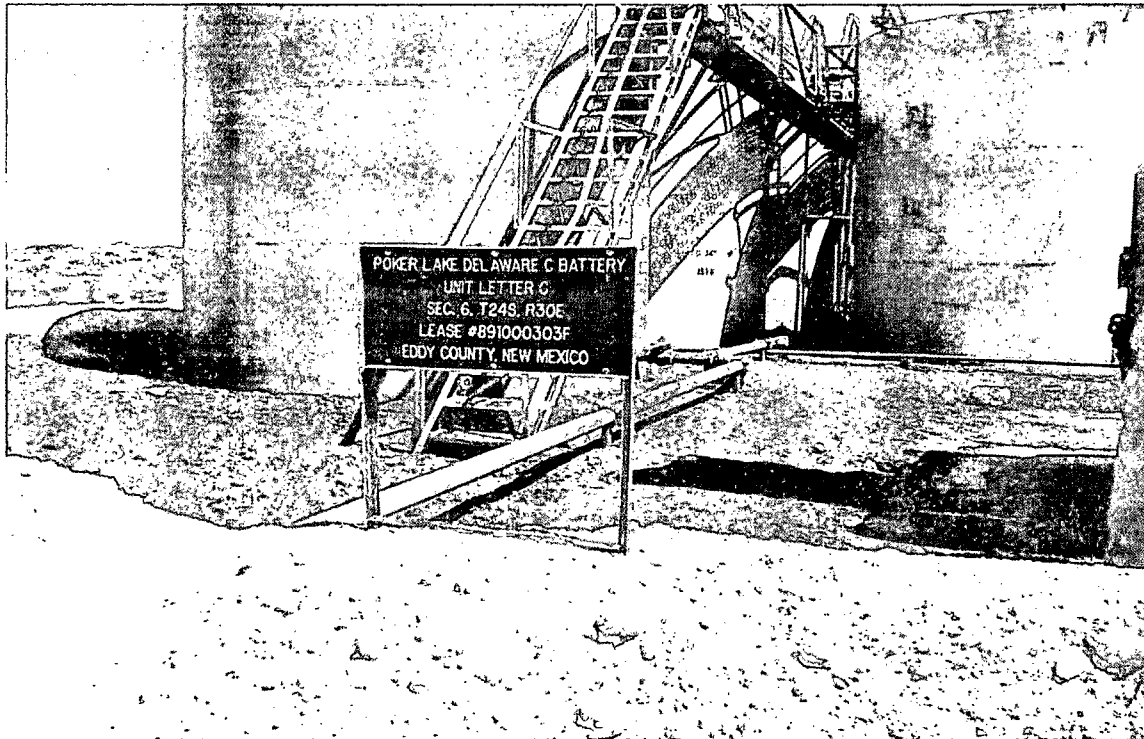
The released fluid affected an area approximately 6,700 sq. ft inside the earthen containment around the tanks. The free-standing fluids were removed. Following initial response activities, the release was remediated as per NMOCD approval. Please reference the attached *Remediation Summary & Risk-Based Site Closure Request* for remediation details.

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.

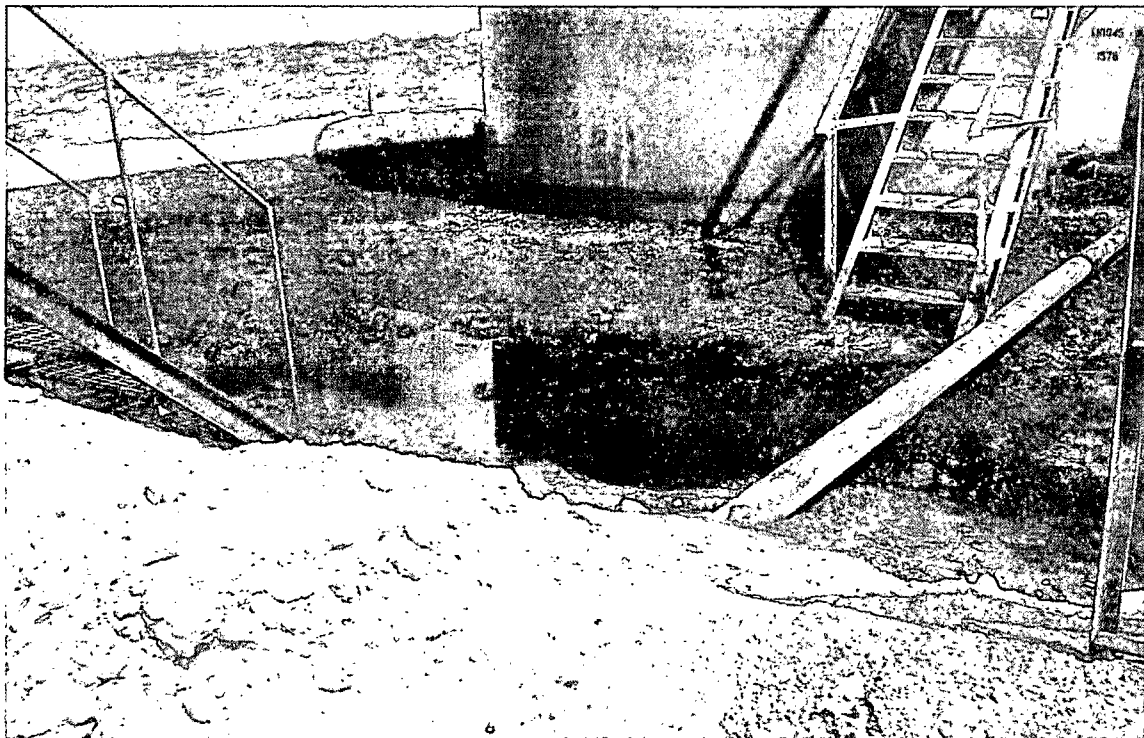
Signature:	OIL CONSERVATION DIVISION		
Printed Name: Tony Savoie	Approved by District Supervisor:		
Title: Waste Mgmt. & Remediation Specialist	Approval Date:	Expiration Date:	
E-mail Address: TASavoie@BassPet.com	Conditions of Approval:		
Date: 12/6/2011	Phone: (432)556-8730		

Appendix B

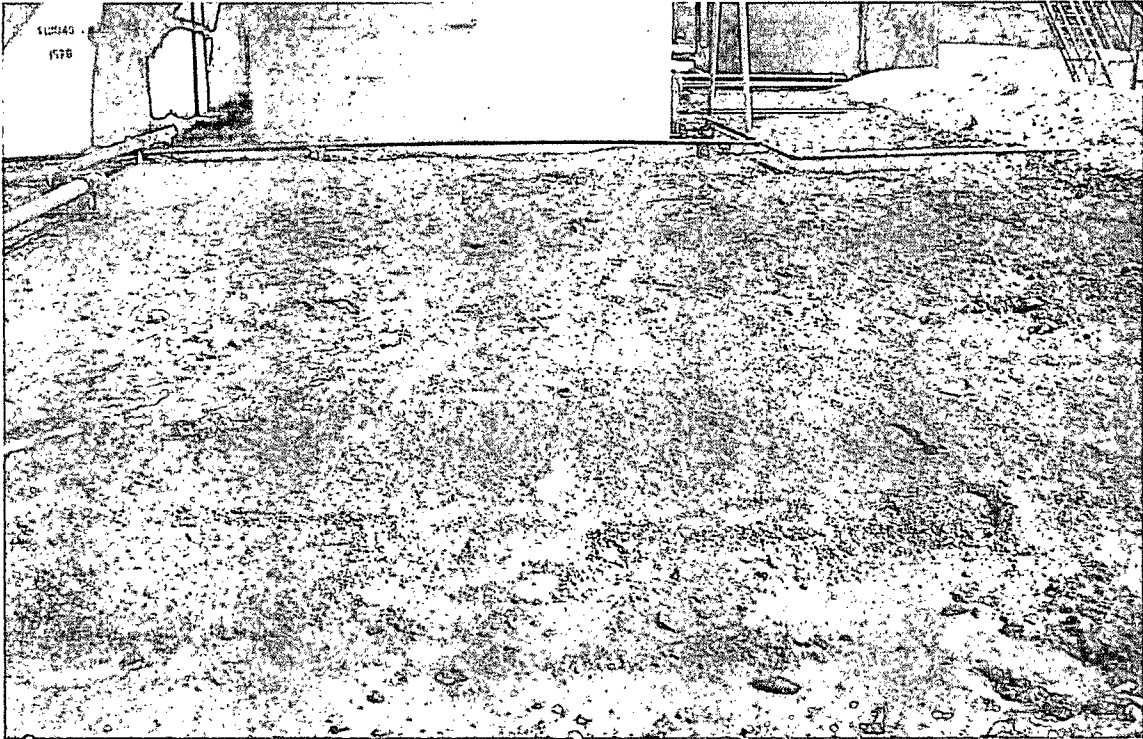
Photographs



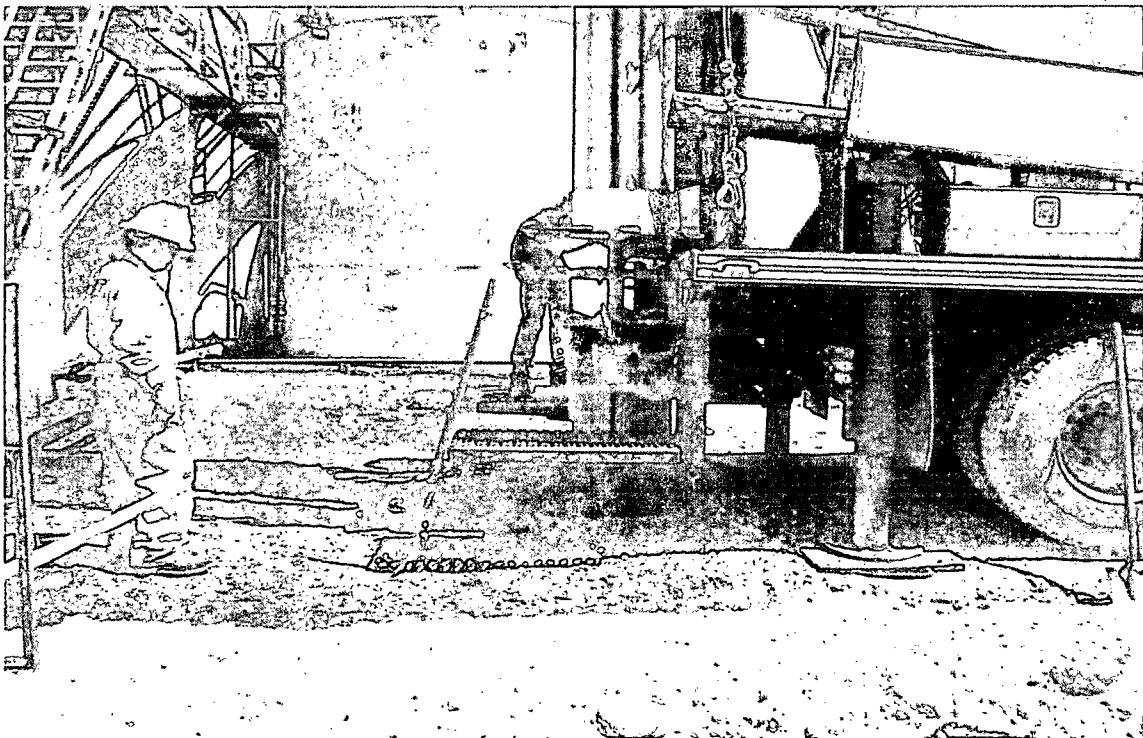
Poker Lake Unit Delaware "C" Tank Battery - Release Site



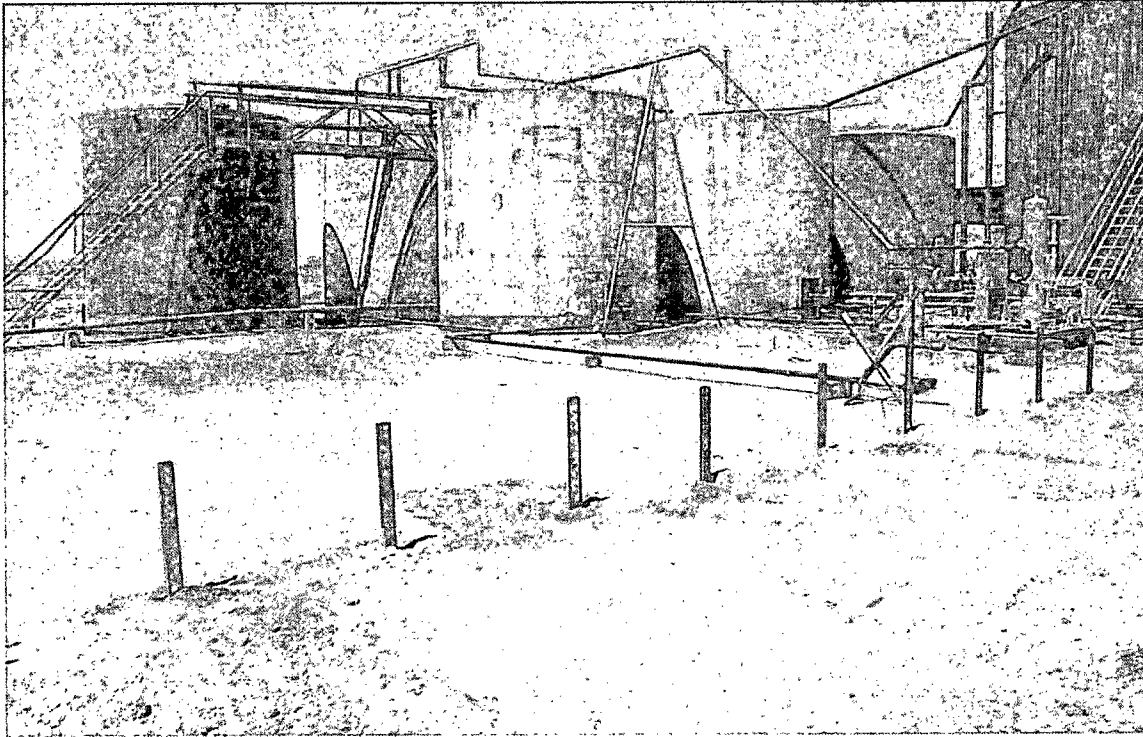
Poker Lake Unit Delaware "C" Tank Battery - Release Site



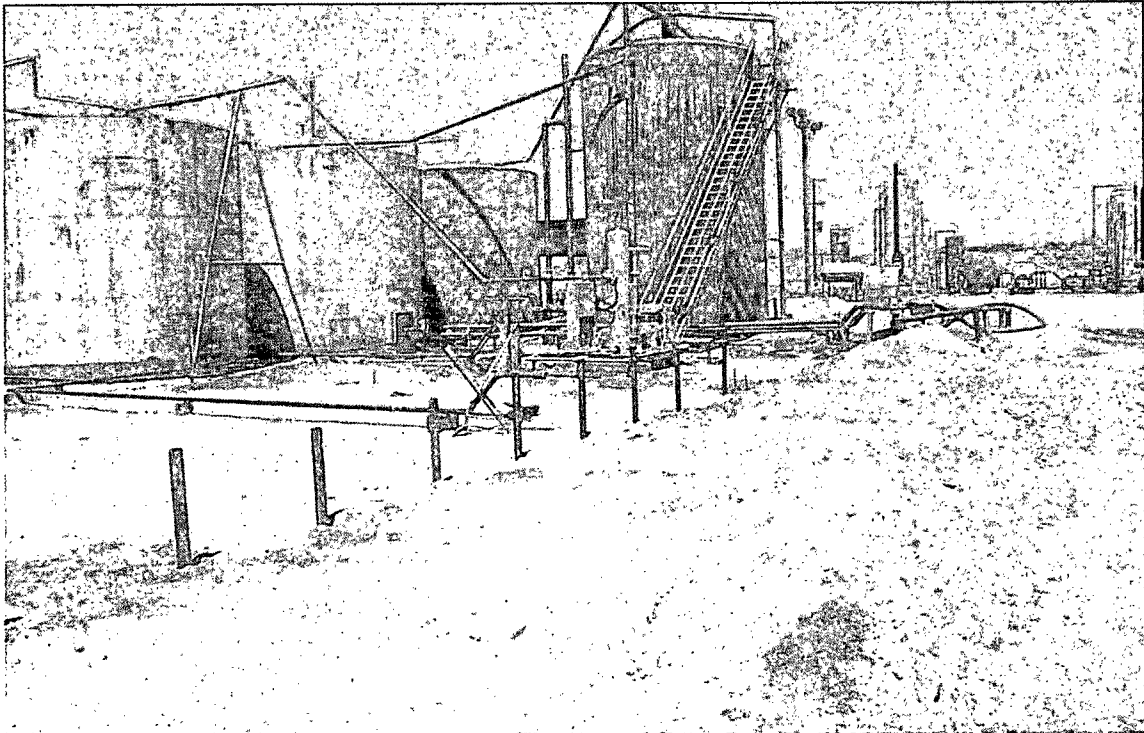
Poker Lake Unit Delaware "C" Tank Battery - Release Site



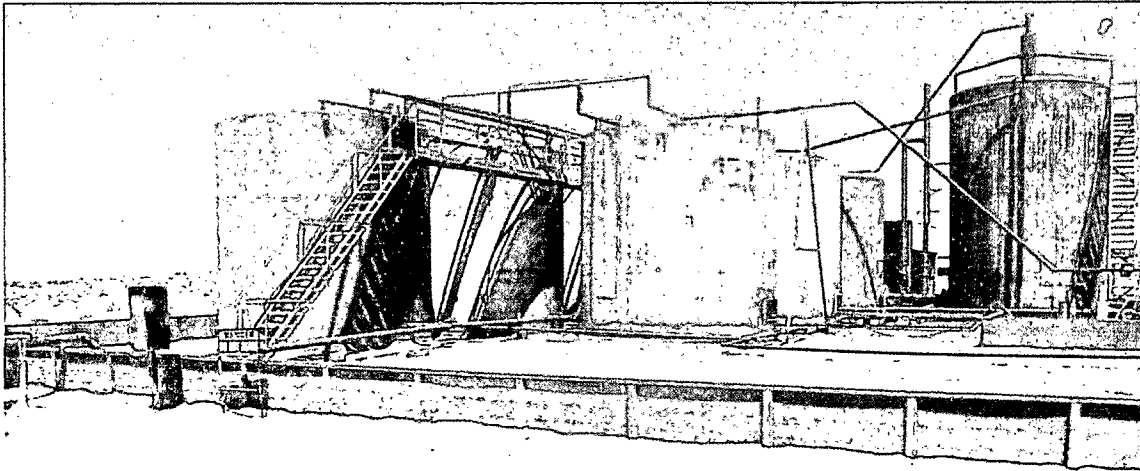
Poker Lake Unit Delaware "C" Tank Battery - Advancement of Soil Bore SB-1



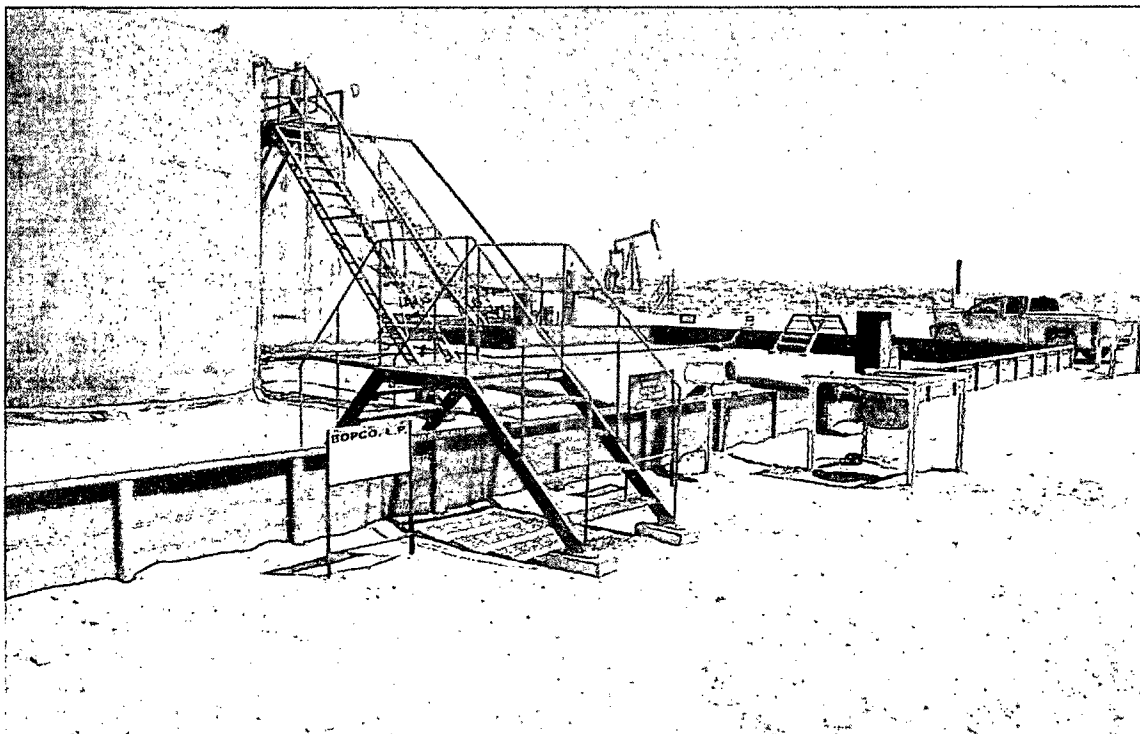
Poker Lake Unit Delaware "C" Tank Battery - Release Site
(following removal of heavily saturated material)



Poker Lake Unit Delaware "C" Tank Battery - Release Site
(following removal of heavily saturated material)



Poker Lake Unit Delaware "C" Tank Battery (following Titan[®] liner installation)



Poker Lake Unit Delaware "C" Tank Battery (following Titan[®] liner installation)

Appendix C

Soil Boring Logs

Soil Boring SB-1

Depth below ground surface	Soil Columns	CI- Field Test	PID Reading	Petroleum Odor	Petroleum Stain	Soil Description
0		>2,500	1,359	Heavy	Heavy	0-5' - Sand, brown, very fine grained, damp
5		848	417	Heavy	Heavy	
10		1,000	74.2	Slight	Heavy	
15		924	89.9	Slight	Moderate	
20		1,788	90.9	Slight	Moderate	5-80' - Sand, reddish brown, very fine grained, damp
25		368	61.9	None	Slight	
30		368	44.8	None	None	
35		280	44.6	None	None	
40		520	41.7	None	None	
45		1,352	42.9	None	None	
50		1,668	40.2	None	None	
55		1,556	38.9	None	None	
60		2,196	32.2	None	None	
65		2,532	116	None	None	
70		280	79.7	None	None	
75		<100	68.0	None	None	
80		188	58.2	None	None	

Boring SB-1

Date Drilled May 24, 2010
 Thickness of Bentonite Seal 80 Ft
 Depth of Exploratory Boring 80 Ft bgs
 Depth to Groundwater _____
 Ground Water Elevation _____

- ▽ Indicates the PSH level measured on _____
 ▼ Indicates the groundwater level measured on _____
 ○ Indicates samples selected for Laboratory Analysis.
 PID Head-space reading in ppm obtained with a photo-ionization detector.

Completion Notes

- 1.) The soil boring was advanced on date using air rotary drilling techniques.
- 2.) The lines between material types shown on the profile log represent approximate boundaries. Actual transitions may be gradual.

Soil Boring SB-1

BOPCO, LP
Poker Lake Unit Delaware "C" Tank Battery
Eddy County, New Mexico



Basin Environmental Service Technologies, LLC
 3100 Plains Hwy.
 Lovington, NM 88260

Prep By: BJA	Checked By: BRB
December 6, 2011	

Appendix D

Laboratory Analytical Reports



CARDINAL LABORATORIES

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

October 7, 2009

Tony Savoie
B.O.P.C.O. LP
522 West Mermod, Suite 704
Carlsbad, NM 88220

Re: CLP-09-05

Enclosed are the results of analyses for sample number H18374, received by the laboratory on 09/30/09 at 4:23 pm.

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


ANALYTICAL RESULTS FOR
B.O.P.C.O. LP
ATTN: TONY SAVOIE
522 WEST MERMOD, SUITE 704
CARLSBAD, NM 88220


Receiving Date: 09/30/09
Reporting Date: 10/05/09
Project Number: CPL-09-05
Project Name: NOT GIVEN
Project Location: POKER LAKE DELAWARE C BATTERY

Sampling Date: 09/30/09
Sample Type: SOIL
Sample Condition: COOL & INTACT @ 6°C
Sample Received By: ML
Analyzed By: AB

LAB NUMBER	SAMPLE ID	GRO (C ₆ -C ₁₀) (mg/kg)	DRO (>C ₁₀ -C ₂₈) (mg/kg)
		10/01/09	10/03/09
H18374-1	#13 SUR	4,150	8,990
H18374-2	#8 1 FOOT BGS	1,000	6,670
Quality Control		508	595
True Value QC		500	500
% Recovery		102	119
Relative Percent Difference		<0.1	0.1

METHOD: SW-846 8015 M. Reported on wet weight.
Not accredited for GRO/DRO.


Chemist


Date

H18374 T BOPCO

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

ANALYTICAL RESULTS FOR
B.O.P.C.O. LP
ATTN: TONY SAVOIE
522 WEST MERMOD, SUITE 704
CARLSBAD, NM 88220

Receiving Date: 09/30/09
Reporting Date: 10/02/09
Project Owner: BOPCO L.P.
Project Name: CPL-09-05
Project Location: POKER LAKE DELAWARE C BATTERY

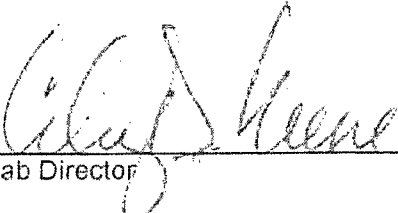
Sampling Date: 09/30/09
Sample Type: SOIL
Sample Condition: COOL & INTACT @ 6°C
Sample Received By: ML
Analyzed By: ZL

LAB NO.	SAMPLE ID	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
---------	-----------	--------------------	--------------------	--------------------------	--------------------------

ANALYSIS DATE:	10/01/09	10/01/09	10/01/09	10/01/09
H18374-3 #7 2FOOT BGS	0.101	1.10	2.01	7.23
Quality Control	0.052	0.050	0.047	0.158
True Value QC	0.050	0.050	0.050	0.150
% Recovery	104	100	94.0	105
Relative Percent Difference	2.1	2.2	4.2	5.1

METHODS: BTEX - SW-846 8021B

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


Lab Director


Date

H18374 BTEX BOPCO

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101 East Marland, Hobbs, NM 88240

(575) 393-2326 Fax (575) 393-2476

Page_____ of _____

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Sampler/Relinquished: 		Date: 9-30-09 Time: 4:23P		Received By: 		Phone Result: <input type="checkbox"/> No Fax Result: <input type="checkbox"/> No Add'l Phone #: _____ Add'l Fax #: _____	
Relinquished By: _____		Date: _____ Time: _____		Received By: _____		REMARKS: _____	
Delivered By: (Circle One) Sampler - UPS - Bus - Other: _____		Temp.: 100°		Sample Condition: Cool Intact <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No		CHECKED BY: (Initials) 	

† Cardinal cannot accept verbal changes. Please fax written changes to 575-393-2476.

#24



ARDINAL LABORATORIES

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

• June 2, 2010

Camille Bryant
Basin Environmental Consulting, LLC.
P.O. Box 381
Lovington, NM 88260

Re: Delaware C (BOPCO)

Enclosed are the results of analyses for sample number H19995, received by the laboratory on 05/28/10 at 8:20 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.

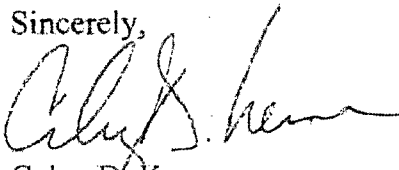
Cardinal Laboratories is accredited though the State of Colorado Department of Public Health and Environment for:

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



ARDINAL LABORATORIES

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

ANALYTICAL RESULTS FOR
BASIN ENVIRONMENTAL CONSULTING, LLC
ATTN: CAMILLE BRYANT
P.O. BOX 381
LOVINGTON, NM 88260
FAX TO: (575) 396-1429

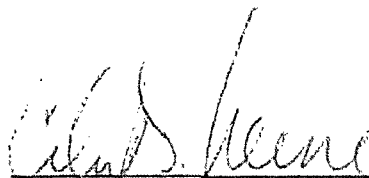
Receiving Date: 05/28/10
Reporting Date: 06/02/10
Project Owner: BOPCO
Project Name: DELAWARE C
Project Location: EDDY CO., NM

Analysis Date: 06/01/10
Sampling Date: 05/24/10
Sample Type: SOIL
Sample Condition: COOL & INTACT @ -4°C
Sample Received By: JH
Analyzed By: HM

LAB NO.	SAMPLE ID	Cl ⁻ (mg/kg)
H19995-1	BACKGROUND	< 16
H19995-3	SB-1 @ 10'	1,090
H19995-4	SB-1 @ 20'	1,460
H19995-5	SB-1 @ 30'	976
H19995-6	SB-1 @ 40'	1,040
H19995-7	SB-1 @ 50'	1,860
H19995-8	SB-1 @ 60'	2,200
H19995-9	SB-1 @ 70'	368
H19995-10	SB-1 @ 75'	80
H19995-11	SB-1 @ 80'	256
Quality Control		500
True Value QC		500
% Recovery		100
Relative Percent Difference		< 0.1

METHOD: Standard Methods 4500-Cl⁻B

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


Chemist


Date

H19995 Basin Environmental

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 for 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 thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above-stated reasons or otherwise. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal Laboratories.



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

ANALYTICAL RESULTS FOR
BASIN ENVIRONMENTAL CONSULTING, LLC
ATTN: CAMILLE BRYANT
P.O. BOX 381
LOVINGTON, NM 88260
FAX TO: (575) 396-1429

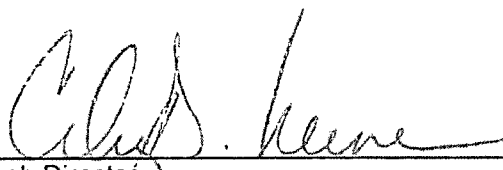
Receiving Date: 05/28/10
Reporting Date: 06/02/10
Project Owner: BOPCO
Project Name: DELAWARE C
Project Location: EDDY CO., NM


Sampling Date: 05/24/10
Sample Type: SOIL
Sample Condition: COOL & INTACT @ -4 °C
Sample Received By: JH
Analyzed By: AB/ZL

LAB NO.	SAMPLE ID	GRO (C ₆ -C ₁₀) (mg/kg)	DRO (C ₁₀ -C ₂₈) (mg/kg)	DRO ext. (C ₂₈ -C ₃₅) (mg/kg)	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
ANALYSIS DATE:		05/28/10	05/28/10	05/28/10	06/01/10	06/01/10	06/01/10	06/01/10
H19995-2	SB-1 @ 5'	95.9	1,940	12.9	<0.050	<0.050	0.246	0.850
H19995-5	SB-1 @ 30'	<10.0	<10.0	<10.0	<0.050	<0.050	<0.050	<0.300
H19995-9	SB-1 @ 70'	<10.0	<10.0	<10.0	<0.050	<0.050	<0.050	<0.300
H19995-10	SB-1 @ 75'	<10.0	<10.0	<10.0	<0.050	<0.050	<0.050	<0.300
H19995-11	SB-1 @ 80'	<10.0	11.6	<10.0	<0.050	<0.050	<0.050	<0.300
Quality Control		469	435	-	0.019	0.020	0.019	0.060
True Value QC		500	500	-	0.020	0.020	0.020	0.060
% Recovery		93.8	87.0	-	95.0	100	95.0	100
Relative Percent Difference		0.5	7.2	-	<1.0	<1.0	<1.0	<1.0

METHODS: TPH GRO & DRO - EPA SW-846 8015 M; BTEX - SW-846 8021B.

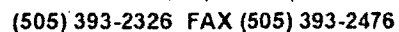
TEXAS NELAP ACCREDITATION T104704398-08-TX FOR BENZENE, TOLUENE, ETHYL BENZENE,
AND TOTAL XYLENES. Reported on wet weight. Not accredited for GRO/DRO/DRO ext.


Lab Director


Date

H19995 TPHextBTEX BASIN

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 for 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 thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above-stated reasons or otherwise. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal Laboratories.



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#26



February 23, 2011

BEN J. ARGUIJO

Basin Environmental Service

P.O. Box 301

Lovington, NM 88260

RE: POKER LAKE DELAWARE C BATTERY

Enclosed are the results of analyses for samples received by the laboratory on 02/22/11 17:20.

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 524.4	Regulated VOCs (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

Lab Director/Quality Manager

Analytical Results For:

 Basin Environmental Service
 BEN J. ARGUIJO
 P.O. Box 301
 Lovington NM, 88260
 Fax To: (575) 396-1429

 Received: 02/22/2011
 Reported: 02/23/2011
 Project Name: POKER LAKE DELAWARE C BATTERY
 Project Number: AFE # 24737
 Project Location: EDDY, NEW MEXICO

 Sampling Date: 02/22/2011
 Sampling Type: Soil
 Sampling Condition: Cool & Intact
 Sample Received By: Jodi Henson

Sample ID: SP 2 (H100358-01)

TPH 8015M	mg/kg	Analyzed By: AB					S-04		
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	1490	50.0	02/23/2011	ND	207	103	200	2.48	
DRO >C10-C28	14100	50.0	02/23/2011	ND	199	99.6	200	7.32	
EXT DRO >C28-C35	1520	50.0	02/23/2011						

Surrogate: 1-Chlorooctane 137 % 70-130

Surrogate: 1-Chlorooctadecane 107 % 70-130

Sample ID: SP 5 (H100358-02)

TPH 8015M	mg/kg	Analyzed By: AB					S-04		
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	1050	50.0	02/23/2011	ND	207	103	200	2.48	
DRO >C10-C28	5750	50.0	02/23/2011	ND	199	99.6	200	7.32	
EXT DRO >C28-C35	698	50.0	02/23/2011						

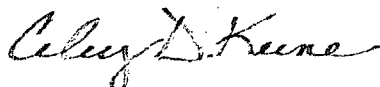
Surrogate: 1-Chlorooctane 135 % 70-130

Surrogate: 1-Chlorooctadecane 102 % 70-130

Cardinal Laboratories

*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

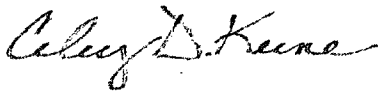
Notes and Definitions

- S-04 The surrogate recovery for this sample is outside of established control limits due to a sample matrix effect.
- 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

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Celey D. Keene, Lab Director/Quality Manager







CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

101 East Marland, Hobbs, NM 88240

(575) 393-2326 FAX (575) 393-2476

[illegible]

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 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 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries or affiliates or customers 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 elements or otherwise.

Relinquished By: 		Date: 8/22/11	Received By: 	Phone Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Phone #:
Time: 3:20				Fax Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Fax #:
Relinquished By:		Date:	Received By:	REMARKS: 	
Time:					
Delivered By: (Circle One)			Sample Condition	CHECKED BY:	
Sampler: - UPS - Bus - Other:			Cool Intact	(Initials)	
40c			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No	575-441-3307 Joe	

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

March 02, 2011

BEN J. ARGUIJO

Basin Environmental Service

P.O. Box 301

Lovington, NM 88260

RE: POKER LAKE DELAWARE C BATTERY

Enclosed are the results of analyses for samples received by the laboratory on 02/25/11 16:14.

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.

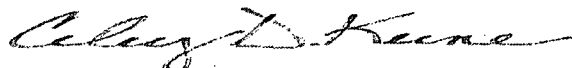
Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (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

Lab Director/Quality Manager

Analytical Results For:

 Basin Environmental Service
 BEN J. ARGUIJO
 P.O. Box 301
 Lovington NM, 88260
 Fax To: (575) 396-1429

 Received: 02/25/2011
 Reported: 03/02/2011
 Project Name: POKER LAKE DELAWARE C BATTERY
 Project Number: AFE # 24737
 Project Location: EDDY, NEW MEXICO

 Sampling Date: 02/24/2011
 Sampling Type: Soil
 Sampling Condition: Cool & Intact
 Sample Received By: Jodi Henson

Sample ID: SP #1 7' BGS (H100389-01)

TPH 8015M		mg/kg		Analyzed By: AB				S-06	
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	3880	50.0	03/01/2011	ND	198	98.8	200	3.49	
DRO >C10-C28	12900	50.0	03/01/2011	ND	202	101	200	3.04	
EXT DRO >C28-C35	894	50.0	03/01/2011	ND					
<i>Surrogate: 1-Chlorooctane</i>									
	151 %	70-130							
<i>Surrogate: 1-Chlorooctadecane</i>									
	112 %	70-130							

Sample ID: SP #3 3' BGS (H100389-02)

TPH 8015M		mg/kg		Analyzed By: AB				S-06	
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	593	50.0	03/01/2011	ND	198	98.8	200	3.49	
DRO >C10-C28	4180	50.0	03/01/2011	ND	202	101	200	3.04	
EXT DRO >C28-C35	327	50.0	03/01/2011	ND					
<i>Surrogate: 1-Chlorooctane</i>									
	129 %	70-130							
<i>Surrogate: 1-Chlorooctadecane</i>									
	116 %	70-130							

Cardinal Laboratories

* = Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

Analytical Results For:

 Basin Environmental Service
 BEN J. ARGUIJO
 P.O. Box 301
 Lovington NM, 88260
 Fax To: (575) 396-1429

 Received: 02/25/2011
 Reported: 03/02/2011
 Project Name: POKER LAKE DELAWARE C BATTERY
 Project Number: AFE # 24737
 Project Location: EDDY, NEW MEXICO

 Sampling Date: 02/24/2011
 Sampling Type: Soil
 Sampling Condition: Cool & Intact
 Sample Received By: Jodi Henson

Sample ID: SP #4 8' BGS (H100389-03)

BTEX 8021B

mg/kg

Analyzed By: CMS

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	02/28/2011	ND	1.87	93.7	2.00	0.847	
Toluene*	0.176	0.050	02/28/2011	ND	1.91	95.6	2.00	1.92	
Ethylbenzene*	0.649	0.050	02/28/2011	ND	1.97	98.4	2.00	2.11	
Total Xylenes*	2.99	0.150	02/28/2011	ND	5.77	96.1	6.00	2.87	

Surrogate: 4-Bromofluorobenzene (PIL) 115 % 70-130

TPH 8015M

mg/kg

Analyzed By: AB

S-06

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	380	50.0	03/01/2011	ND	198	98.8	200	3.49	
DRO >C10-C28	4380	50.0	03/01/2011	ND	202	101	200	3.04	
EXT DRO >C28-C35	381	50.0	03/01/2011	ND					

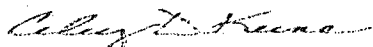
Surrogate: 1-Chlorooctane 140 % 70-130

Surrogate: 1-Chlorooctadecane 121 % 70-130

Cardinal Laboratories

*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

Analytical Results For:

Basin Environmental Service
BEN J. ARGUJO
P.O. Box 301
Lovington NM, 88260
Fax To: (575) 396-1429

Received:	02/25/2011	Sampling Date:	02/24/2011
Reported:	03/02/2011	Sampling Type:	Soil
Project Name:	POKER LAKE DELAWARE C BATTERY	Sampling Condition:	Cool & Intact
Project Number:	AFE # 24737	Sample Received By:	Jodi Henson
Project Location:	EDDY, NEW MEXICO		

Sample ID: SP #5 6' BGS (H100389-04)

TPH 8015M		mg/kg		Analyzed By: AB					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	<10.0	10.0	03/01/2011	ND	198	98.8	200	3.49	
DRO >C10-C28	13.8	10.0	03/01/2011	ND	202	101	200	3.04	
EXT DRO >C28-C35	<10.0	10.0	03/01/2011	ND					
<i>Surrogate: 1-Chlorooctane</i>									
	101 %	70-130							
<i>Surrogate: 1-Chlorooctadecane</i>									
	105 %	70-130							

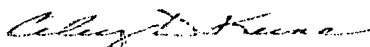
Sample ID: SP #7 6 1/2' BGS (H100389-05)

TPH 8015M		mg/kg		Analyzed By: AB						S-06
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
GRO C6-C10	2060	50.0	03/01/2011	ND	198	98.8	200	3.49		
DRO >C10-C28	7840	50.0	03/01/2011	ND	202	101	200	3.04		
EXT DRO >C28-C35	522	50.0	03/01/2011	ND						
<i>Surrogate: 1-Chlorooctane</i>										
	137 %	70-130								
<i>Surrogate: 1-Chlorooctadecane</i>										
	108 %	70-130								

Cardinal Laboratories

*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

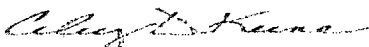
Notes and Definitions

- S-06 The recovery of this surrogate is outside control limits due to sample dilution required from high analyte concentration and/or matrix interference's.
- 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

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Celey D. Keene, Lab Director/Quality Manager

Company Name: Basin Environmental Service Technologies, Inc.
Project Manager: Ben J. Argurjo
Address: P.O. Box 301
City: Lovington State: NM Zip: 88260
Phone #: (575) 396-2378 Fax #: (575) 396-1429
Project #: AFE # 24737 Project Owner: Baco, LP
Project Name: Poker Lake Delaware C Battery
Project Location: EDDT New Mexico
Sampler Name: Jody Walters

BILL TO	
P.O. #:	
Company: BOPCO, LP.	
Attn: Tony Savoie	
Address: 522 W. Mermod	
City: Carlsbad	
State: NM Zip: 88720	
Phone #: (432) 556-8730	
Fax #:	

ANALYSIS REQUEST

FOR LAB USE ONLY		Lab I.D.	Sample I.D.	G (GRAB OR C)COMP.	# CONTAINERS	MATRIX					PRESERV.		SAMPLING		8015m	BEG B-
						GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER:	ACID/BASE	ICE / COOL	OTHER:		
HIDE389-1	S.P. #1	7' BGS	G	1			X				X	2-24-11	10:00AM	X		
2	S.P. #3	3' BGS	G	1			X				X	2-24-11	10:30AM	X		
3	S.P. #4	8' BGS	G	1			X				X	2-24-11	11:00AM	X	X	
4	S.P. #5	6' BGS	G	1			X				X	2-24-11	11:30AM	X		
5	S.P. #7	6 1/2' BGS	G	1			X				X	2-24-11	12:00	X		

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Relinquished By: <i>[Signature]</i>		Date: <i>5/25/11</i>	Received By: <i>[Signature]</i>	Phone Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Phone #:
		Time: <i>7:14</i>		Fax Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Fax #:
Relinquished By:		Date:	Received By:	REMARKS:	
		Time:		<i>email to Ben & Tony</i>	
Delivered By: (Circle One)		Sample Condition		CHECKED BY:	
Sampler - UPS - Bus - Other:		Cool <input checked="" type="checkbox"/> Intact <input checked="" type="checkbox"/>		(Initials)	
		5.5°C <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No		<i>[Signature]</i>	

March 08, 2011

BEN J. ARGUIJO

Basin Environmental Service

P.O. Box 301

Lovington, NM 88260

RE: POKER LAKE DELAWARE C BATTERY

Enclosed are the results of analyses for samples received by the laboratory on 03/02/11 15:35.

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.

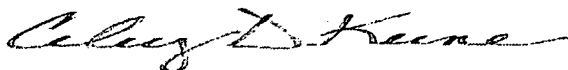
Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (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

Lab Director/Quality Manager

Analytical Results For:

 Basin Environmental Service
 BEN J. ARGUJO
 P.O. Box 301
 Lovington NM, 88260
 Fax To: (575) 396-1429

 Received: 03/02/2011
 Reported: 03/08/2011
 Project Name: POKER LAKE DELAWARE C BATTERY
 Project Number: AFE # 24737
 Project Location: EDDY, NEW MEXICO

 Sampling Date: 03/02/2011
 Sampling Type: Soil
 Sampling Condition: Cool & Intact
 Sample Received By: Jodi Henson

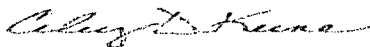
Sample ID: STOCKPILE (H100421-01)

TPH 8015M	mg/kg	Analyzed By: CK						S-04	
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	3010	100	03/04/2011	ND	192	96.0	200	1.89	
DRO >C10-C28	28400	100	03/04/2011	ND	189	94.5	200	4.31	
EXT DRO >C28-C35	2550	100	03/04/2011	ND					
<hr/>									
Surrogate: 1-Chlorooctane	206 %	70-130							
Surrogate: 1-Chlorooctadecane	101 %	70-130							

Cardinal Laboratories

*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

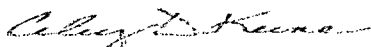
Notes and Definitions

- S-04 The surrogate recovery for this sample is outside of established control limits due to a sample matrix effect.
- 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

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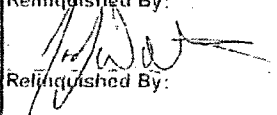
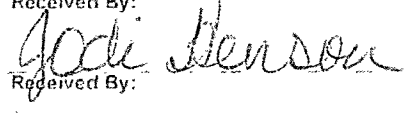
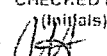
Celey D. Keene, Lab Director/Quality Manager

CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

101 East Marland, Hobbs, NM 88240
(575) 393-2326 FAX (575) 393-2476

Company Name: Basin Environmental Service Technologies, LLC Project Manager: Ben J. Arguigo Address: P.O. Box 301 City: Lovington State: NM Zip: 88260 Phone #: 575-396-2528 Fax #: 575-396-4429 Project #: AFEW 24737 Project Owner: BOPCO, LP Project Name: Poker Lake Delaware C Battery Project Location: EDDY, N.M. Sampler Name:				BILL TO P.O. #: Company: BOPCO, LP Attn: Tony Savoie Address: 522 W. Hermed City: Carlsbad State: NM Zip: 88220 Phone #: 432-556-8730 Fax #:		ANALYSIS REQUEST												
FOR LAB USE ONLY Lab I.D. H100421-1		Sample I.D. Stock Pile		IGIRAB OR C/OWIP 6	# CONTAINERS 1	MATRIX GROUNDWATER WASTEWATER SOIL OIL SLUDGE OTHER X	PRESERV. ACID/BASE ICE/COOL OTHER X	SAMPLING DATE : TIME 3-2-11 2:30 PM	8015m X									

PLEASE NOTE: Liability and Damages: Cardinal's liability and client's exclusive remedy for any claim arising out of this contract or bill, 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 services. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruption, loss of use, or loss of profits (accrued by client, its subsidiaries, affiliates or successors) arising out of or related to the performance of services hereunder by Cardinal. Remedies of whatever kind are hereby waived by the client in favor of Cardinal.

Relinquished By:  Relinquished By:	Date: 3/2/11 Time: 3:35 Date: Time:	Received By:  Received By:	Phone Result: <input type="checkbox"/> Yes <input type="checkbox"/> No Add'l Phone #: Fax Result: <input type="checkbox"/> Yes <input type="checkbox"/> No Add'l Fax #: REMARKS: Please email Results to pm@basinenv.com TAsavoi@BassPet.com
Delivered By: (Circle One) Sampler - UPS - Bus - Other:		Sample Condition Cool - Intact <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	CHECKED BY: (Initials) 

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