



JUL 10 2009

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

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

Proposed Reclamation Procedure

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

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

Thanks,

Jerry W. Sherrell
Mack Energy Corporation

District I
1625 N French Dr., Hobbs, NM 88240
District II
1301 W Grand Avenue, Artesia, NMI 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S St Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

MAY 15 2009

Form C- 141
Revised October 10, 2003

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

Submit 2 copies to appropriate
District office in accordance
with Rule 116 on back
side of form

Release Notification and Corrective Action

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company Mack Energy Corporation	Contact Jerry W. Sherrell	
Address PO Box 960 Atesia, NM 88211-0960	Telephone No. (575) 748-1288	
Facility Name Berry Brine Well	Facility Type P&A'd well and facility	
Surface Owner BLM	Mineral Owner BLM	Lease No. NMNM-100443-01

LOCATION OF RELEASE

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

Latitude _____ Longitude _____

NATURE OF RELEASE

Type of Release Brine Water	Volume of Release 566ls	Volume Recovered 0
Source of Release valve connections	Date and Hour of Occurrence	Date and Hour of Discovery
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse	

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken *

Fluid in valves used to connect trucks and flowline.

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

Describe Area Affected and Cleanup Action Taken *

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

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

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

* Attach Additional Sheets If Necessary

MAY 15 2009

Form 3160-5
(August 2007)UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENTFORM APPROVED
OMB No 1004-0137
Expires: July 31, 2010**SUNDRY NOTICES AND REPORTS ON WELLS**
*Do not use this form proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.*5. Lease Serial No
NMNM-100443-01

6 If Indian, Allottee or Tribe Name

SUBMIT IN TRIPLICATE - Other instructions on page 2.

1 Type of Well

☐ Oil Well☐ Gas Well☒ Other

2 Name of Operator

Mack Energy Corporation

3a Address

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

3b Phone No (include area code)

(575) 748-1288

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

8. Well Name and No
Berry Brine Well #1

9 API Well No

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

1775 FNL & 930 FWL, Sec. 21 T17S R30E

10 Field and Pool or Exploratory Area

BSW;Salado

11 Country or Parish, State

Eddy, NM

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

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

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

Mack Energy proposes to reclaim this site as follows:

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

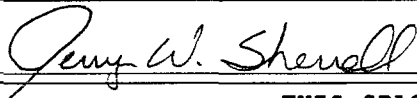
Accepted for record
NMOC

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

Jerry W. Sherrell

Title Production Clerk

Signature



Date 5/14/09

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

Title

Date

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

Office

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

(Instructions on page 2)

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DEPARTMENT OF THE INTERIOR
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JUN - 8 2009FORM APPROVED
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Eddy, NM

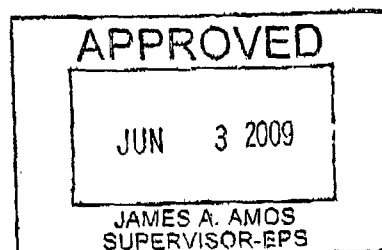
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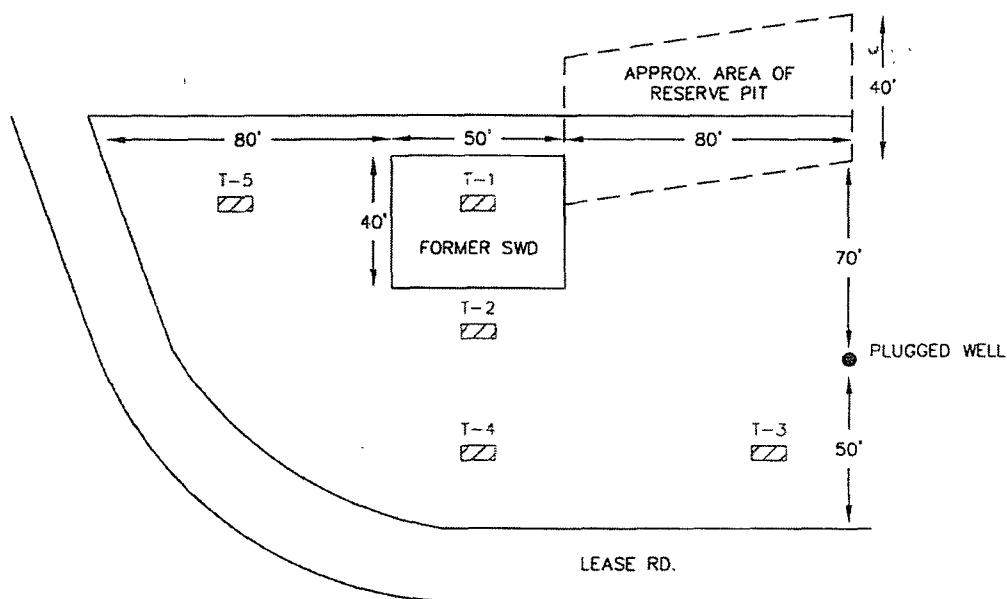


FIGURE NO. 1

EDDY COUNTY, NEW MEXICO

MACK ENERGY CORP.

BERRY A FED. SWD

TETRA TECH, INC.
MIDLAND, TEXAS

▨ SAMPLE TRENCH

NOT TO SCALE

DATE:
7/9/09
OWN. BY:
JJ
FILE:
K:\MACK\1114-8400191
BERRY A FED. SWD

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

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

T-1 Backhoe test trenches

Summary Report

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

Report Date: July 8, 2009

Work Order: 9070241



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

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

Sample: 201065 - T-1 0-1

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

Sample: 201066 - T-1 2.0'*continued ...*

sample 201066 continued ...

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

Sample: 201067 - T-1 4.0'

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

Sample: 201068 - T-2 0-1

Param	Flag	Result	Units	RL
Chloride		245	mg/Kg	4.00

Sample: 201069 - T-2 2.0'

Param	Flag	Result	Units	RL
Chloride		2810	mg/Kg	4.00

Sample: 201070 - T-2 4.0'

Param	Flag	Result	Units	RL
Chloride		868	mg/Kg	4.00

Sample: 201071 - T-2 5.0'

Param	Flag	Result	Units	RL
Chloride		584	mg/Kg	4.00

Sample: 201072 - T-3 0-1

Param	Flag	Result	Units	RL
Chloride		4070	mg/Kg	4.00

Sample: 201073 - T-3 2.0'

Report Date: July 8, 2009

Work Order: 9070241

Page Number: 3 of 3

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

Sample: 201074 - T-3 4.0'

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

Sample: 201075 - T-4 0-1

Param	Flag	Result	Units	RL
Chloride		213	mg/Kg	4.00

Sample: 201076 - T-4 2.0'

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

Sample: 201077 - T-4 4.0'

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

Sample: 201078 - T-5 0-1'

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

Sample: 201079 - T-5 2.0'

Param	Flag	Result	Units	RL
Chloride		299	mg/Kg	4.00

Sample: 201080 - T-5 4.0'

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