District I 1625 N, French Dr., Hobbs, NM 88240

[30] W. Grand Avenue, Artesia, NM 88210

1000 RIO BIRZOS Roud, Aztec, NM \$1410

District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505

District II

District III

FAX NO. 15057484585

Form C-141 Revised October 10, 2003

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

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

30-005-63684 Release Notification and Corrective Action

7 MLB 09146 37432	OPER	ATOR	🔀 🛛 Initial Repo	rt 🔲 Final Report
Name of Company	OGRID Number	Contact		
Yates Petroleum Corporation	25575	Robert Asher		
Address		Telephone No.		
104 S. 4 TH Street		505-748-1471		
Facility Name	API Number	Facility Type		
Boffin State Unit #1	<u> 30-005</u> -63684	Battery		
Surface Owner	Mineral Owner	· · · · · · · · · · · · · · · · · · ·	Lease No.	
State	State		VA-2055	

State of New Mexico

Energy Minerals and Natural Resources

LOCATION OF RELEASE

Unit Letter	Section	Township	Runge	Feet from the	North/South Line	Feet from the	East/West Line	County				
J	16	- 98	27E	1500	South	1500	East	Chaves				
						·						

Latitude 33.52916 Longitude 104.19436

NATURE OF RELEASE Volume of Release Volume Recovered Type of Release 186 B/O Oil 140 B/Ó Date and Hour of Occurrence Date and Hour of Discovery Source of Release 4-/24/2008 - AM Circulating Pump 4/23/2009 - PM Was Immediate Notice Given? If YES, To Whom? 🛛 Yes 📋 No 🔲 Not Required Mike Bratcher/NMOCD (voicemail and e-mail, 4/24/2009) By Whom? Date and Hour Robert Asher/YPC Environmental 4/24/2009 - AM Was a Watercourse Reached? If YES, Volume Impacting the Watercourse, Yes 🛛 No N/A If a Watercourse was Impacted, Describe Fully,* N/A Describe Cause of Problem and Remedial Action Taken.* Oil released from circulating pump that was stolen off of location, a valve from production tank was opened after pump was removed. Vacuum truck called. Describe Area Affected and Cleanup Action Taken.* An approximate area of 70° X(30° (all inside bermed battery). Vacuum truck picked up remaining oil. Vertical and horizontal delineation samples have been taken and analyses run for TPH & BTEX. Based on results, Yates will remove 12" of impacted soil and take to an OCD approved facility. Vertical and horizontal delineation samples will be taken and analyses run for TPH & BTEX to verify that excavation area is below RRAL's for the site ranking. Depth to Ground Water: >50.99' (approximately 70' per trend map), Wellhead Protection Area: No, Distance to Surface Water Body; >1000', SITE RANKING IS 10. thereby 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 hability 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** 20 Signature; Approved by DiSigned Bruis Printed Name: Robert Asher MAY 26 2009 N/A Title: Environmental Regulatory Agent Approval Date: Expiration Date: Conditions of Approval: REMEAIA NOT DEP E-mail Address: hoba@yatespetroleum.com Attached [NMOCH RULES & GUIDELINES Phone: 505-748-4217

Date: Friday, May 01, 2009 F * Attach Additional Sheets If Necessary

2RP-3/2

Bratcher, Mike, EMNRD

From: Sent: To: Subject: Bratcher, Mike, EMNRD Tuesday, May 26, 2009 10:20 AM Bob Asher Boffin State Unit 001

Bob,

Per our conversation this morning, and based on analytical data presented, the excavated area at the Boffin State Unit 001 (30-005-63684) (J-16-9s-27e) is approved to backfill. It is OCD's understanding that the oil release at this site was the result of vandalism. It is also OCD's understanding that Yates Petroleum intends on installing a liner in the release area prior to reinstalling equipment.

This incident has been assigned 2RP-312.

Please be advised that NMOCD approval does not relieve Yates Petroleum Corporation of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD approval does not relieve Yates Petroleum Corporation of responsibility for compliance with any other federal, state, local laws and/or regulations.

Sincerely,

Mike Bratcher NMOCD District 2 1301 W. Grand Ave. Artesia, NM 88210 575-748-1283 Ext.108 mike.bratcher@state.nm.us MARTIN YATES, 111 1912-1985

FRANK W. YATES

S.P. YATES



105 SOUTH FOURTH STREET ARTESIA, NEW MEXICO 88210-2118 TELEPHONE (575) 748-1471 JOHN A. YATES CHAIRMAN OF THE BOARD PRESIDENT

JOHN A. YATES JR. ASSISTANT TO THE PRESIDENT

JAMES S. BROWN CHIEF OPERATING OFFICER

JOHN D. PERINI CHIEF FINANCIAL OFFICER

MAY 26 2009

May 26, 2009

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

Re: Boffin State Unit #1 30-005-63684 Section 16, T9S-R27E Chaves County, New Mexico

Dear Mr. Bratcher,

Enclosed please find a Form C-141, Final Report for the above captioned site regarding the release on April 24, 2009, (186 B/O with 140 B/O recovered). Samples were taken on April 27, 2009 and sent to an OCD approved laboratory, analytical reports (enclosed). Impacted soils have been excavated and taken to an OCD approved facility. Samples were again taken on May 18, 2009 and sent to an OCD approved laboratory, analytical reports (analytical reports and sample diagram enclosed. Site ranking is ten (10), with the depth to ground water is 50-99' (approximately 70'). RRAL's based on the site ranking of 10, BTEX (ppm) @ 50 and TPH (ppm) @ 1000, sample results are within these limits. Based on impacted soils removed and sample results, Yates Petroleum Corporation requests closure. When final approval is granted Yates will have a contractor backfill excavation area with clean, like materials.

If you have any questions, please call me at 505-748-4217.

Thank you.

YATES PETROLEUM CORPORATION

 $\mathbf{L}(\mathbf{r})$

Robert Asher Environmental Regulatory Agent

/rca Enclosure(s)

> KATHY H. PORTER SECRETARY

DENNIS G. KINSEY TREASURER

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

30-005-	30-005-63684 Release Notification and Corrective Action													
NMLB0919	46.3743	2		OI	PERA	TOR		🗌 Initi	al Report	\boxtimes	Final Report			
Name of Co	mpany			OGRID Nun		Contact								
Yates Petro	leum Corp	oration		25575		Robert Ashe								
Address						Telephone 1								
104 S. 4 TH S						505-748-1471								
Facility Nar				API Number		Facility Typ	e							
Boffin State	Unit #1			30-005-63684		Battery								
Surface Ow	ner			Mineral C)wner			Lease	No.					
State				State				VA-20)55					
				LOCA		N OF REI	FASE							
Unit Letter	Section	Township	Range	Feet from the		South Line	Feet from the	East/West Line	County					
J	16	9S	27E	1500	i vorui	South	1500	East	Chaves					
Latitude 33.52916 Longitude 104.19436														
				NAT	URE	OF REL			.					
Type of Rele Oil	ase					Volume of 186 B/O	Release	140 B/C						
Source of Re Circulating F						Date and F 4/23/2009	lour of Occurrend - PM		Date and Hour of Discovery 4-/24/2008 - AM					
Was Immedi		Given?				If YES, To		t						
		\boxtimes	Yes 🗌	No 🗌 Not R	equired	Mike Brate	her/NMOCD (vo	vicemail and e-ma	il, 4/24/2009	9)				
By Whom?	-					Date and H	lour							
Robert Asher	r/YPC Envi	ronmental				4/24/2009								
Was a Water	course Read	ched?		_			lume Impacting	the Watercourse.						
			Yes 🗵			N/A								
	urse was Im	pacted, Descr	ibe Fully.	ĸ										
N/A Describe Cou	ice of Probl	em and Reme	dial Action	n Takan *										
				en off of location	a valv	e from produc	tion tank was one	ned after numn w	as removed	Vacui	um truck			
called.	nom en cui	ing panp in		•••••••••••••••••	,	•								
Describe Are	ea Affected	and Cleanup A	Action Tal	ken.*										
				med battery). Va										
				Based on results,										
	and horizontal delineation samples will be taken and analyses run for TPH & BTEX to verify that excavation area is below RRAL's for the site ranking.													
	Depth to Ground Water: >50-99' (approximately 70' per trend map), Wellhead Protection Area: No, Distance to Surface Water Body: >1000', SITE RANKING IS 10. Based on impacted soils excavated/removed, enclosed analytical results below RRAL's, Yates Petroleum Corporation													
requests close		. Dascu vil il	upacted s	ons excavateu/re	moveu	, enclosed alla	nytical results D	CIUW INIAL 5, 1		uni Cu	poration			

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:	
Printed Name: Robert Asher	Approved by District Supervised, 14 Benauer
Title: Environmental Regulatory Agent	Approval Date: 2 6 2009 Expiration Date: A /
E-mail Address: boba@yatespetroleum.com	Conditions of Approval: As agreed, a Attached
Date: Tuesday, May 26, 2009 Phone: 505-748-4217	Conditions of Approval: As agreed, a Iner Will be installed in release area prior to remstallation & equipment
⁴ Attach Additional Sheets If Necessary	

10 **N**T 4. ... ۸ ...

2RP-312





Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL					
CS/Comp-001	4/27/2009	Grab/Auger	Surface	386.1	2190	59100	61290					
GS/Comp=002	4/27/2009	Grab/Auger	1'	285.1	1530	47300	48830					
Impacted soils above limits were excavated and taken to an OCD approved facility.												
Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL					
CS/Comp-008	4/27/2009	Grab/Auger	2'	2.475	76.9	868	944.9					
CS/Comp-001	5/18/2009	Grab/Auger	3'	<0.08	<2.00	<50.0	<52.0					
@S/Comp=002	5/18/2009	Grab/Auger	4'	<0.08	<2.00	<50.0	<52.0					

Site Ranking is Ten (10). Depth to Ground Water 50-99' (approx. 70'). All results are ppm.



Boffin State Unit #1

Section 16, T9S-R27E

Chaves County, NM

SAMPLE DIAGRAM (Not to Scale)

Trace Report(s) #: 9042805 & 9051903 Sample Date(s): 4/27/2009 & 5/18/2009 Report Date(s): April 30, 2009 & May 22, 2009 Prepared by Robert Asher Environmental Regulatory Agent



 6701 Aberdeen Avenue, Suite 9
 Lubbock, Texas 79424

 200 East Sunset Road, Suite E
 El Paso, Texas 79922

 5002 Basin Street, Suite A1
 Midland, Ioxas 79703

 6015 Harris Parkway, Suite 110
 Ft. Worth, Texas 76132

Lubbock, Texas 79424 800 • 378 • 1296 El Paso, Texas 79922 888 • 588 • 5440 Midland, Texas 79703 t. Worth, Texas 76132 E-Mail Tax@traceanalysis.com

800-378-1296 86.8-794-1296 888-588-3443 915-545-3443 432-689-6301 817-204-5260 FAX 806 • 794 • 1298 FAX 915 • 585 • 4944 FAX 432 • 689 • 6313

WBENC: 237019

HUB:1752439743100-86536NCTRCAWFWB38444Y0909

Certifications

DBE: VN 20657

NELAP Certifications

Lubbock: T104704219-08-TX LELAP-02003 Kansas E-10317 El Paso: T104704221-08-TX LELAP-02002

Midland: T104704392-08-TX

Analytical and Quality Control Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM, 88210

Report Date: May 22, 2009

Work Order: 9051903

Project Location:Chaves CountyProject Name:Boffin State Unit #1Project Number:30-005-36223

Enclosed are the Analytical Report and Quality Control Report for the following sample(s) submitted to TraceAnalysis, Inc.

			Date	Time	Date
Sample	Description	Matrix	Taken	Taken	Received
196317	GS/Comp001	soil	2009-05-18	22:15	2009-05-19
196318	GS/Comp002	soil	2009-05-18	22:29	2009-05-19

These results represent only the samples received in the laboratory. The Quality Control Report is generated on a batch basis. All information contained in this report is for the analytical batch(es) in which your sample(s) were analyzed.

This report consists of a total of 11 pages and shall not be reproduced except in its entirety, without written approval of TraceAnalysis, Inc.

Michael abel

Dr. Blair Leftwich, Director

 $\begin{array}{l} \mbox{Standard Flags} \\ \mbox{B} \ - \ \mbox{The sample contains less than ten times the concentration found in the method blank.} \end{array}$

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Page 2 of 11

Summary Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM 88210

Report Date: May 22, 2009

Work Order: 9051903

Project Location:Chaves CountyProject Name:Boffin State Unit #1Project Number:30-005-36223

			Date	Time	Date
Sample	Description	Matrix	Taken	Taken	Received
196317	GS/Comp001	soil	2009-05-18	22:15	2009-05-19
196318	GS/Comp002	soil	2009-05-18	22:29	2009-05-19

]	BTEX	MTBE	TPH DRO	TPH GRO	
	Benzene	Toluene	Ethylbenzene	MTBE	DRO	GRO	
Sample - Field Code	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)
196317 - GS/Comp001	< 0.0200	< 0.0200	< 0.0200	< 0.0200		<50.0	<2.00
196318 - GS/Comp002	< 0.0200	< 0.0200	< 0.0200	0.0233		<50.0	<2.00

TraceAnalysis, Inc. • 6701 Aberdeen Ave., Suite 9 • Lubbock, TX 79424-1515 • (806) 794-1296 This is only a summary. Please, refer to the complete report package for quality control data.

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Company Name					Phon		76 -	740	40.4												AN	٨L	YSIS	S RI	EQI	UES	ST						
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LAB #	FIELD CODE	# CÓNTÁINERS	.Volume/Amount	WATER	SOIL	AIR SUUDE		HCL	HNO	NaHSO,	H ₂ SO ₃	ICE NONE	DATE		TIME	MIBE 8021B/602	BTEX 90210/602	TPI, 418 117 1005 / TX 1005 Extended (C35)	PPH 8916 GRO / DRO / TVHC PAH 8270C	Total Metals	TCLP·Mětals Ag As TCLP Videntas	1CUP Semi Volatiles	TCLP Pesitodes	RCI	GC/MS Vol 8250Br624	CC/MS Semi Vol	PCS's BOB2/608	Pesilones 8081//609	BOD, TSS, pH Moistine Content	Chlorides		Turn Around Time if different from standard	r told
196317	GS/Comp-001	1	40ž.		X		Τ.					X	5/18	3/09	10:15 PM		Х		x														<u> </u>
318	GS/Comp-002	1	4oz		X							X .	5/18	3/09	10 [.] 29 PM		X	~	X														
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Submittal of sam	ples constitutes agreement to Terms and Cor	ditions list	ed on re	verse	side	of CO	с			OR	lG	INAL	. COP			Car	rie, #	F	- २. (<u>/</u>	-70	21	2	a	717	3;	Эc	16	1-l				

9051903



F-Mail: lan@iraccanalvsis.com

Ft Worth Texas 76102

Certifications

81 •261•5260

WBENC: 237019

6015 Harris Parkway, Suite 110

HUB:1752439743100-86536NCTRCAWFWB38444Y0909

DBE: VN 20657

NELAP Certifications

Lubbock: T104704219-08-TX LELAP-02003 Kansas E-10317 El Paso: T104704221-08-TX LELAP-02002

Midland: T104704392-08-TX

Analytical and Quality Control Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM, 88210

Report Date: April 30, 2009

Work Order: 9042805

Project Location:Chaves CountyProject Name:Boffin State Unit #1Project Number:30-005-36223

Enclosed are the Analytical Report and Quality Control Report for the following sample(s) submitted to TraceAnalysis, Inc.

			Date	Time	Date
Sample	Description	Matrix	Taken	Taken	Received
194157	GS/Comp-001	soil	2009-04-27	22:33	2009-04-28
194158	GS/Comp-002	soil	2009-04-27	22:55	2009-04-28
194159	GS/Comp-003	soil	2009-04-27	23:15	2009-04-28

These results represent only the samples received in the laboratory. The Quality Control Report is generated on a batch basis. All information contained in this report is for the analytical batch(es) in which your sample(s) were analyzed.

This report consists of a total of 13 pages and shall not be reproduced except in its entirety, without written approval of TraceAnalysis, Inc.

Michael april

Dr. Blair Leftwich, Director

Standard Flags

 $\, B\,$ - The sample contains less than ten times the concentration found in the method blank.

Page 2 of 13

Summary Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM 88210

Report Date: April 30, 2009

Work Order: 9042805

Project Location:	Chaves County
Project Name:	Boffin State Unit #1
Project Number:	30-005-36223

			Date	Time	Date
Sample	Description	Matrix	Taken	Taken	Received
194157	GS/Comp-001	soil	2009-04-27	22:33	2009-04-28
194158	GS/Comp-002	soil	2009-04-27	22:55	2009-04-28
194159	GS/Comp-003	soil	2009-04-27	23:15	2009-04-28

]	BTEX	MTBE	TPH DRO	TPH GRO	
	Benzene	Toluene	Ethylbenzene	Xylene	MTBE	DRO	GRO
Sample - Field Code	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)
194157 - GS/Comp-001	12.8	83.3	40.0	250		59100	2190
194158 - GS/Comp-002	18.8	78.5	21.8	166		47300	1530
194159 - GS/Comp-003	0.0520	0.310	0.183	1.93		868	76.9

TraceAnalysis, Inc. • 6701 Aberdeen Ave., Suite 9 • Lubbock, TX 79424-1515 • (806) 794-1296 This is only a summary. Please, refer to the complete report package for quality control data.

904 2005 Page of	Midland,Texas 79703	ANALYSIS REQUEST (Circle or Specify Method No.)	2. CC	002/G01	бн а 09 бн	52 51 51 60 22 51 52 22 51 52 52 52 52 52 52 52 52 52 52 52 52 52	8 5270C/6 534 Cd (7 7 7 7 7	602 502 505 505 5605 607 5605 607 5605 607 5605 607 5505 607 5505 607 5505 607 5505 607 5505 607 5505 607 5505 607 5505 607 5505 5505	TIME MTDE<80218/ MTDE<80218/ MTDE<80218/ PAH<817/TX TPH<418.1/TX TPH<418.1/TX TCLP Vetalise PCLP Metals A TCLP Particles PCS TCLP Metals A TCLP Metals A TCLP Metals A TCLP Particles TCLP Particles TCLP Metals A	10.33 PM X X X	10:55 PM X X X	11:15 PM X X A					LABUSEONLY ABUSEONLY TDH 8015 GROUPRO RTX8021B	1.1.1.1	Headspace TYNNA Thank you.	TR 103 103 Check If Special Reporting Limits Are Needed	
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	TraccAnalysis. email: lah@traceanalysis.com	Company Name. Yates Petroleum Corporation	105 South Fourth Street, Artesia, NM 88210	Contact Person. Robert Asher	Invoice to. PO# 105632	Project #: 30-005-36223	Project Location Chaves County		LAB # FIELD CODE LAB USE ONLY	[이너지] 2010 GS/Comp-001		50 GS/Comp-003				and the second se Second second s	Relinquished by: Company: Date: Time:	a)	r.	Relinquished by: Company: Date: Time:	Submitted of samples constitutes acreement to Terms and Conditions listed on reverse side of COC