

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

State of New Mexico
Energy Minerals and Natural Resources

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

Form C-141
Revised October 10, 2003
Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

Release Notification and Corrective Action

30-045-25354

OPERATOR

☐ Initial Report ☒ Final Report

Name of Company	Dugan Production Corp.	Contact	Kurt Fagrelus
Address	P.O. Box 420	Telephone No.	505-325-1821
Facility Name	Sly Slav #1 (Separator)	Facility Type	Permanent Pit

Surface Owner	Private	Mineral Owner	Private	Lease No.	FEE
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LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
O	13	30N	15W	790	South	1600	East	San Juan

Latitude 36.8092 N Longitude 108.366433 W

NATURE OF RELEASE

Type of Release	Spill Cleanup and pit closure	Volume of Release	Unknown	Volume Recovered	Unknown
Source of Release	Below grade permanent pit release	Date and Hour of Occurrence	?	Date and Hour of Discovery	Unknown
Was Immediate Notice Given?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom?	N/A		
By Whom?		Date and Hour			
Was a Watercourse Reached?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.			

If a Watercourse was Impacted, Describe Fully.*

N/A

RECD DEC 6 '10
OIL CONS. DIV.
DIST. 3

Describe Cause of Problem and Remedial Action Taken.*

During permanent pit closure a chloride impact was discovered. A five-point composite sample tested 736-mg/kg chlorides which exceeds the threshold limits as per subsection B of 19.15.17.13 (B) (1) (b). See attached sample results.

Describe Area Affected and Cleanup Action Taken *Contamination was addressed under the "spill rule", 19.15.30. C-144 ranking=20, there is a small arroyo 75-feet to the southwest and the surface rocks are comprised of the Kirtland Shale. The chloride release does not pose a threat to contamination of groundwater. See attachment to "Final C-141".

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>Kurt Fagrelus</i>	Approved by District Supervisor: <i>Jonathan D. Kelly</i>	
Printed Name: Kurt Fagrelus		
Title: VP Exploration	Approval Date: 1/11/2012	Expiration Date
E-mail Address. kfagrelus@duganproduction.com	Conditions of Approval	Attached <input type="checkbox"/>
Date: November 24, 2010 Phone. 505-325-1821		

* Attach Additional Sheets If Necessary

NJK 1201148280



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

August 10, 2010

MIKE SANDOVAL

DUGAN PRODUCTION

P. O. BOX 420

FARMINGTON, NM 87499

RE: PIT CLOSURES

Enclosed are the results of analyses for samples received by the laboratory on 08/06/10 10:00.

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:

DUGAN PRODUCTION
MIKE SANDOVAL
P. O. BOX 420
FARMINGTON NM, 87499
Fax To: (505) 327-4043

Received: 08/06/2010
Reported: 08/10/2010
Project Name: PIT CLOSURES
Project Number: SLY SLAV #1 SEP PIT
Project Location: NOT GIVEN

Sampling Date: 08/04/2010
Sampling Type: Soil
Sampling Condition: Cool & Intact
Sample Received By: Jodi Henson

Sample ID: SLY SLAV #1 SEP PIT (H020571-01)

BTEX 8021B		mg/kg		Analyzed By: ZL					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	08/09/2010	ND	1.11	111	1.00	0.713	
Toluene*	<0.050	0.050	08/09/2010	ND	1.12	112	1.00	1.65	
Ethylbenzene*	<0.050	0.050	08/09/2010	ND	1.13	113	1.00	1.59	
Total Xylenes [†]	<0.150	0.150	08/09/2010	ND	3.35	112	3.00	1.34	

Surrogate 4-Bromofluorobenzene (PH) 118 % 80-120

Chloride, SM4500Cl-B		mg/kg		Analyzed By: HM					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	736	16.0	08/09/2010	ND	416	104	400	3.77	

TPH 418.1		mg/kg		Analyzed By: AB					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
TPH 418.1	<100	100	08/06/2010	ND	970	95.1	1020	2.38	

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	08/08/2010	ND	161	80.7	200	0.682	
DRO >C10-C28	<10.0	10.0	08/08/2010	ND	179	89.3	200	2.55	

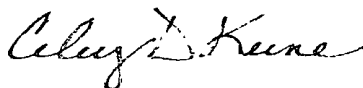
Surrogate 1-Chlorooctane 77.7 % 70-130

Surrogate 1-Chlorooctadecane 67.2 % 70-130

Cardinal Laboratories

*=Accredited Analyte

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 the 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.



Celey D. Keene, Lab Director/Quality Manager

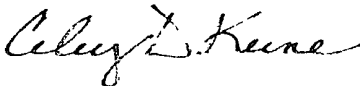
Notes and Definitions

- 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 RECORD

Page ____ of ____

Client: Dugan Prod
Contact: Mike Sandoval
Address: 10 Box 420
Farmington, N.M.
Phone Number: 330-0929
FAX Number: 327-4045

NOTES

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

PO# Sly slay #1

Project Name _____

Table 1. - Matrix Type

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

FOR GAL USE ONLY

GAL JOB # _____

Samplers Signature: [Signature]

Lab Name: Green Analytical Laboratories		(970) 247-4220 FAX (970) 247-4227		Analyses Required										Comments
Address: 75 Suttle Street, Durango, CO 81303														
Sample ID	Collection		Miscellaneous			Preservative(s)								
	Date	Time	Collected by: (Init.)	Matrix Type From Table 1	No. of Containers	Sample Filtered ? Y/N	Unpreserved (Ice Only)	HNO3	HCL	H2SO4	NAOH	Other (Specify)		
H20571-1	8-4-10	12:49												
1	8-4-10	12:49												
2														
3														
4														
5														
6														
7														
8														
9														
10														
Relinquished by: <u>[Signature]</u>			Date: <u>8-4-10</u>	Time: <u>4:51</u>	Received by: <u>Christy Clav</u>			Date: <u>8/4/10</u>	Time: <u>10:55</u>					
Relinquished by: <u>[Signature]</u>			Date: _____	Time: _____	Received by: <u>[Signature]</u>			Date: <u>8/6/10</u>	Time: <u>10:00</u>					

* Sample Reject | | Return | | Dispose | | Store (30 Days)

5°C C9I #1

Page 4 of 4

Dugan Production

Sly Slav #1
Seperator Pit



Reference Point: Well Head



37'

8'W X10'L X5'D

From Reference Point Go S. 10 degrees SW. For
a distance of 37' to Center of Pit.

Permanent pit: Sly Slav #1 (Separator)
API number: 30-045-25354

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

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

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

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

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

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

Lease Name: Sly Slav #1 (Separator)						
API No.: 30-045-25354						
Site Specific Infromation						
Depth to	590-ft	Distance to Surface	75-ft	Wellhead Protection Area	>1,000-ft	
Groundwater		Water Body		Distance from Water Source		
Total Ranking Score						
Depth to	Ranking	Distance to Surface	Ranking	Wellhead Protection Area	Ranking Score	Total Ranking
Groundwater	Score	Water Body	Score	Distance from Water Source	Yes =20, No=0	Score
<50-feet	20	<200-feet	20	<1000-feet from water source	0	
50 - 99	10	200 - 1000	10	<200-feet domestic water	0	
>100-feet	0	>1000-feet	0			20
Total Ranking Score					Sample	
		>19	10 - 19	0 - 9	Analysis	
Benzene (mg/kg)		10	10	10	<0.050	
BTEX (mg/kg)		50	50	50	<0.150	
TPH (mg/kg)		100	1000	5000	<100	
Chorides (mg/kg)		N.A.	N.A.	N.A.	736	
Note: Analytical methods used for Benzene SW-846, BTEX SW-846, TPH 418.1 and Chlorides 4500-C1-B.						
C-144 ranking = 20. Chloride release does not pose a threat to groundwater contamination. Although there is an arroyo 75-feet away from this pit, it carries water only during periods of strong rains. The surface rocks are comprised of the Kirtland Shale which is not a source of groundwater in the area.						

Sly Slav #1 Hydrogeologic Report

The Sly Slav #1 is located on Private land on the flats below "Pinon Mesa" on the northwest margin of the San Juan Basin, in San Juan County, New Mexico. The area is characterized as a flat grassy area on the Kirtland Shale that is bordered by "Pinon Mesa" (2-miles east) and "Badlands" topography to the east.

A records search of the NM Office of the State Engineer –iWATERS database was conducted on a three square mile area centered on the Sly Slav #1 location (Exhibit 2). No water wells were located in the database search. One water well was located 3,900-feet northwest on the map (Exhibit 2) but a field inspection was unable to locate the well and there was no information on the well in the data search. The results of the search are shown on Exhibit 1.

The main source of stock water in the region is encountered in valley-fill deposits in existing arroyos at shallow depths of approximately 15 – 50 feet below the surface and stock ponds constructed on surface shale at the confluence and upper reaches of arroyos. The below grade tank is not located in an arroyo; there is an arroyo 75-feet to the southeast and a stock tank 3,800-feet to the southwest and a second 4,500 feet to the northwest (Exhibit 2) (See Visual Inspection Certification).

The Kirtland Shale extends from the surface down to a depth of approximately 460-feet. The interval is comprised of an upper shale member, middle sandstone member (Farmington Ss.) and a lower shale member. The middle sandstone member is either absent or very poorly developed. The entire Kirtland section is comprised of siltstone and shale and is not expected to contain groundwater.

The underlying Fruitland Formation extends from 460 down to 770-feet. The Fruitland interval contains shale down to 590-feet then has very thin (2-4 feet thick), inter-bedded silt and sand with shale down to 730-feet. These thin stringers of sand and silt might contain very minimal amounts of ground water. The Fruitland Coal and Pictured Cliffs Sandstone from 745-820 feet contain groundwater and natural gas. The water quality is very poor (>10,000 ppm TDS), water recovered with natural gas production is disposed of in nearby salt water disposal wells (analysis of this water is available upon request from Dugan Production).

Based on electric open hole logs, the iWATERS database and literature reviewed, depth to ground water ranges from 15 – 20 feet below the surface in major arroyos in the area. Moving away from the washes, depth to ground water drops rapidly to greater than 200 feet below the surface. At the location of the below grade tank, marginal amounts of poor quality ground water might be found below 590-feet from thin stringers of sand and silt inter-bedded with shale. A deeper source of poor quality groundwater would be the Fruitland Coal / Pictured Cliffs Sandstone interval from 745-820 feet below the surface.

This Hydrogeologic Report was prepared by Mr. Kurt Fagrelus, Geologist for Dugan Production. Mr. Fagrelus has been employed as a geologist for Dugan for the past 31-years, received a MS in Geology from NMIMT in Socorro, NM and a BS in Geology from FLC in Durango, CO.

- Stone, W.J., Lyford, F.P., Frenzel, P.F., Mizell, N.H., and Padgett, E.T., 1983, Hydrogeology and water resources of San Juan Basin, New Mexico: New Mexico Bureau of Mines and Mineral Resources Hydrologic Report 6, 70 p.
- Brown, D.R., and Stone, W.J., 1979, Hydrogeology of Aztec quadrangle, San Juan County, New Mexico: New Mexico Bureau of Mines and Mineral Resources Hydrogeologic Sheet 1.
- Levings, G.W., Craig, S.D., Dam, W.L., Kernodle, J.M., and Thorn, C.R., 1990, Hydrogeology of the San Jose, Nacimiento, and Animas Formations in the San Juan Structural Basin, New Mexico, Colorado, Arizona and Utah: U.S. Geological Survey, Atlas HA-720-A, Sheet 1 and 2.
- Thorn, C.R., Levings, G.W., Craig, S.D., Dam, W.L., and Kernodle, J.M., 1990, Hydrogeology of the Ojo Alamo Sandstone in the San Juan Structural Basin, New Mexico, Colorado, Arizona and Utah: U.S.G.S, Atlas HA-720-B, Sheet 1 and 2.

PRODUCTION CORP.

SLAV #1

#30-045-25354

SE/4 UNIT 0

T30N R15W

"LONG 108° 21' 51"

COUNTY NM

For Emergency Call (505) 325-1823

Sly Slav #1
Seperator Pit
Close 12-2-10



Kurt Fagrelius

From: Kurt Fagrelius
Sent: Wednesday, November 24, 2010 9:07 AM
To: Powell, Brandon, EMNRD; Evan Rowland (erowland@slo.state.nm.us); dave_mankiewicz@nm.blm.gov; Mark_Kelly@nm.blm.gov; lucas_vargo@blm.gov; Kurt Fagrelius
Cc: Mike Sandoval; Johnny Lane
Subject: 72-Hour Notice to Close Permanent Pits
Attachments: 72-Hour Notice to Close 11-30 to 12-2-2010.xls

Mr. Brandon Powell, Mr. Evan Rowland, Mr. Dave Mankiewicz, Mr. Mark Kelly and Mr. Lucas Vargo,

Dugan Production Corp. is hereby giving notice that Dugan will be closing the permanent pits on the following well pads:

- 1) Anderson A #1
- 2) Hill #1
- 3) April Surprise #8 (Prod Tank)
- 4) Sly Slav #1 (Prod Tank)
- 5) Sly Slav #1 (Sep Tank)
- 6) Frank W Pyle # 2

Site specific and soil analysis information for each permanent pit is included in the enclosed attachment

Those highlighted in blue (#'s 1, 2 and 4 - 6) are located on Private Surface; and that highlighted in red (# 3) is located on Federal surface

Permanent pits will be closed starting Tuesday November 30, 2010 thru Thursday December 2, 2010.

If you have any questions or require additional information, please contact me.

Kurt Fagrelius
Dugan Production Corp
709 East Murray Drive
Farmington, New Mexico 87401
505-325-1821 (O), 505-320-8248 (C)
kfagrelius@duganproduction.com

11/24/2010

Dugan Production Corp. Permanent Pits to be Closed on November 8, 2010

Lease Name	Anderson A #1	Hill #1	April Surprise #8	Sly Slav #1 Prod Tnk
API Number	30-039-05324	30-039-22962	30-045-29419	30-045-25354
Surface Owner - Notice Sent	Private	Private	Federal	Private
Location - UL, Sec., Twp, Rge	B-25-24N-2W	A-16-25N-2W	P-30-24N-9W	O-13-30N-15W
Latitude	36.25489 N	36.40289 N	36.27977	36.8092 N
Longitude	107.89304 W	107.04875 W	107.8221 W	108.36433 W
C-144 Ranking Score	N.A. - Close under pit rule standards	N.A. - Close under pit rule standards	N.A. - Close under pit rule standards	N.A. - Close under pit rule standards
Benzene (mg/kg)	<0.050	<0.050	<0.050	<0.050
Betex (mg/kg)	<0.150	0.424	<0.150	<0.150
TPH (mg/kg) - Analy Mthd	<100 - 418.1	<100 - 418.1	<100 - 418.1	<100 - 418.1
Chlorides (mg/kg)	32	96	16	64
Total Yards Contaminated	N.A.	N.A.	24-yds	N.A.
Soil Hauled to Landfarm				

Dugan Production Corp. Permanent Pits to be Closed on November 8, 2010

Sly Slav #1 Sep Tnk	Frank W. Pyle #2
30-045-25354	30-045-08965
Private	Private
0-13-30N-15W	N-34-30N-15W
36.8092 N	36.76551 N
108.36433 W	108.40605 W
20	10
<0.050	<0.050
<0.150	0.188
<100 - 418.1	<100 - 418.1
736	912
N.A.	N.A.

Kurt Fagrelius

From: postmaster@duganproduction.com
Sent: Wednesday, November 24, 2010 9:07 AM
To: Kurt Fagrelius
Subject: Delivery Status Notification (Relay)

Attachments: ATT22691.txt; 72-Hour Notice to Close Permanent Pits



ATT22691.txt (407 B) 72-Hour Notice to
Close Perman...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

Brandon.Powell@state.nm.us

Kurt Fagrelus

From: postmaster@duganproduction.com
Sent: Wednesday, November 24, 2010 9:07 AM
To: Kurt Fagrelus
Subject: Delivery Status Notification (Relay)

Attachments: ATT22700.txt; 72-Hour Notice to Close Permanent Pits



ATT22700.txt (422 B) 72-Hour Notice to
Close Perman...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

erowland@slo.state.nm.us

Kurt Fagrelus

From: Mark_Kelly@blm.gov
Sent: Tuesday, November 30, 2010 6:49 AM
To: Kurt Fagrelus
Subject: 72-Hour Notice to Close Permanent Pits

Return Receipt

Your 72-Hour Notice to Close Permanent Pits
document:

was Mark Kelly/FFO/NM/BLM/DOI
received
by:

at: 11/30/2010 06:49:05 AM

Kurt Fagrelus

From: Lucas_Vargo@blm.gov
Sent: Wednesday, November 24, 2010 10:01 AM
To: Kurt Fagrelus
Subject: 72-Hour Notice to Close Permanent Pits

Return Receipt

Your 72-Hour Notice to Close Permanent Pits
document:

was Lucas Vargo/FFO/NM/BLM/DOI
received
by:

at: 11/24/2010 10:01:00 AM