

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

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

Form C-144
Revised June 6, 2013

For temporary pits, below-grade tanks, and multi-well fluid management pits, submit to the appropriate NMOCD District Office.
For permanent pits submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

Pit, Below-Grade Tank, or
Proposed Alternative Method Permit or Closure Plan Application

- 12135
- Type of action: Below grade tank registration
 Permit of a pit or proposed alternative method
 Closure of a pit, below-grade tank, or proposed alternative method
 Modification to an existing permit/or registration
 Closure plan only submitted for an existing permitted or non-permitted pit, below-grade tank, or proposed alternative method

Instructions: Please submit one application (Form C-144) per individual pit, below-grade tank or alternative request

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.
Operator: McElvain Energy, Inc. OGRID #: 22044
Address: 1050 17th St, Suite 2500, Denver, CO 80265
Facility or well name: Federal Com #2R
API Number: 30-045-23512 OCD Permit Number: 1009
U/L or Qtr/Qtr M Section 12 Township 28N Range 13W County: San Juan
Center of Proposed Design: Latitude 36.67254 N Longitude -108.17825 W NAD: 1927 1983
Surface Owner: Federal State Private Tribal Trust or Indian Allotment

2.
 Pit: Subsection F, G or J of 19.15.17.11 NMAC
Temporary: Drilling Workover
 Permanent Emergency Cavitation P&A Multi-Well Fluid Management Low Chloride Drilling Fluid yes no
 Lined Unlined Liner type: Thickness _____ mil LLDPE HDPE PVC Other _____
 String-Reinforced
Liner Seams: Welded Factory Other _____ Volume: _____ bbl Dimensions: L _____ x W _____ x D _____

3.
 Below-grade tank: Subsection I of 19.15.17.11 NMAC
Volume: 95 bbl Type of fluid: _____
Tank Construction material: _____
 Secondary containment with leak detection Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
 Visible sidewalls and liner Visible sidewalls only Other _____
Liner type: Thickness _____ mil HDPE PVC Other _____

OIL CONS. DIV DIST. 3

AUG 12 2014

4.
 Alternative Method:
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

5.
Fencing: Subsection D of 19.15.17.11 NMAC (Applies to permanent pits, temporary pits, and below-grade tanks).
 Chain link, six feet in height, two strands of barbed wire at top (Required if located within 1000 feet of a permanent residence, school, hospital, institution or church)
 Four foot height, four strands of barbed wire evenly spaced between one and four feet
 Alternate. Please specify _____

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5. **Netting:** Subsection E of 19.15.17.11 NMAC (*Applies to permanent pits and permanent open top tanks*)

Screen Netting Other _____

Monthly inspections (If netting or screening is not physically feasible)

7. **Signs:** Subsection C of 19.15.17.11 NMAC

12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers

Signed in compliance with 19.15.16.8 NMAC

8. **Variations and Exceptions:**

Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.

Please check a box if one or more of the following is requested, if not leave blank:

Variance(s): Requests must be submitted to the appropriate division district for consideration of approval.

Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

9. **Siting Criteria (regarding permitting):** 19.15.17.10 NMAC

Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of acceptable source material are provided below. Siting criteria does not apply to drying pads or above-grade tanks.

General siting

Ground water is less than 25 feet below the bottom of a low chloride temporary pit or below-grade tank.

- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

Yes No
 NA

Ground water is less than 50 feet below the bottom of a Temporary pit, permanent pit, or Multi-Well Fluid Management pit.

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

Yes No
 NA

Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. **(Does not apply to below grade tanks)**

- Written confirmation or verification from the municipality; Written approval obtained from the municipality

Yes No

Within the area overlying a subsurface mine: **(Does not apply to below grade tanks)**

- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division

Yes No

Within an unstable area. **(Does not apply to below grade tanks)**

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map

Yes No

Within a 100-year floodplain. **(Does not apply to below grade tanks)**

- FEMA map

Yes No

Below Grade Tanks

Within 100 feet of a continuously flowing watercourse, significant watercourse, lake bed, sinkhole, wetland or playa lake (measured from the ordinary high-water mark).

- Topographic map; Visual inspection (certification) of the proposed site

Yes No

Within 200 horizontal feet of a spring or a fresh water well used for public or livestock consumption;.

- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

Yes No

Temporary Pit using Low Chloride Drilling Fluid (maximum chloride content 15,000 mg/liter)

Within 100 feet of a continuously flowing watercourse, or any other significant watercourse or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). (Applies to low chloride temporary pits.)

- Topographic map; Visual inspection (certification) of the proposed site

Yes No

Within 300 feet from a occupied permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

Yes No

Within 200 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 300feet of any other fresh water well or spring, in existence at the time of the initial application.

NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

Yes No

<p>Within 100 feet of a wetland.</p> <ul style="list-style-type: none"> - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><u>Temporary Pit Non-low chloride drilling fluid</u></p>	
<p>Within 300 feet of a continuously flowing watercourse, or any other significant watercourse, or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).</p> <ul style="list-style-type: none"> - Topographic map; Visual inspection (certification) of the proposed site 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.</p> <ul style="list-style-type: none"> - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Within 500 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 1000 feet of any other fresh water well or spring, in the existence at the time of the initial application;</p> <ul style="list-style-type: none"> - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Within 300 feet of a wetland.</p> <ul style="list-style-type: none"> - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><u>Permanent Pit or Multi-Well Fluid Management Pit</u></p>	
<p>Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).</p> <ul style="list-style-type: none"> - Topographic map; Visual inspection (certification) of the proposed site 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.</p> <ul style="list-style-type: none"> - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application.</p> <ul style="list-style-type: none"> - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Within 500 feet of a wetland.</p> <ul style="list-style-type: none"> - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site 	<input type="checkbox"/> Yes <input type="checkbox"/> No

10.

Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC
- Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
- Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

Previously Approved Design (attach copy of design) API Number: _____ or Permit Number: _____

11.

Multi-Well Fluid Management Pit Checklist: Subsection B of 19.15.17.9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- A List of wells with approved application for permit to drill associated with the pit.
- Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC
- Hydrogeologic Data - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC

Previously Approved Design (attach copy of design) API Number: _____ or Permit Number: _____

12.

Permanent Pits Permit Application Checklist: Subsection B of 19.15.17.9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.9 NMAC
- Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
- Climatological Factors Assessment
- Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC
- Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC
- Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC
- Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC
- Quality Control/Quality Assurance Construction and Installation Plan
- Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- Nuisance or Hazardous Odors, including H₂S, Prevention Plan
- Emergency Response Plan
- Oil Field Waste Stream Characterization
- Monitoring and Inspection Plan
- Erosion Control Plan
- Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

13.

Proposed Closure: 19.15.17.13 NMAC

Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.

- Type: Drilling Workover Emergency Cavitation P&A Permanent Pit Below-grade Tank Multi-well Fluid Management Pit
 Alternative
- Proposed Closure Method: Waste Excavation and Removal
 Waste Removal (Closed-loop systems only)
 On-site Closure Method (Only for temporary pits and closed-loop systems)
 In-place Burial On-site Trench Burial
 Alternative Closure Method

14.

Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

- Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
- Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.13 NMAC
- Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)
- Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
- Re-vegetation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
- Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

15.

Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC

Instructions: Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria require justifications and/or demonstrations of equivalency. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 25 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Ground water is between 25-50 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Ground water is more than 100 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Within 100 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 300 horizontal feet of a private, domestic fresh water well or spring used for domestic or stock watering purposes, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input type="checkbox"/> No
Written confirmation or verification from the municipality; Written approval obtained from the municipality	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 300 feet of a wetland. US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance	<input type="checkbox"/> Yes <input type="checkbox"/> No

adopted pursuant to NMSA 1978, Section 3-27-3, as amended.

- Written confirmation or verification from the municipality; Written approval obtained from the municipality

Yes No

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division

Yes No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map

Yes No

Within a 100-year floodplain.

- FEMA map

Yes No

16.

On-Site Closure Plan Checklist: (19.15.17.13 NMAC) *Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.*

- Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
- Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection E of 19.15.17.13 NMAC
- Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Subsection K of 19.15.17.11 NMAC
- Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19.15.17.11 NMAC
- Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
- Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of 19.15.17.13 NMAC
- Waste Material Sampling Plan - based upon the appropriate requirements of 19.15.17.13 NMAC
- Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)
- Soil Cover Design - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
- Re-vegetation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
- Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

17.

Operator Application Certification:

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.

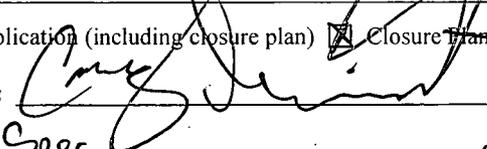
Name (Print): _____ Title: _____

Signature: _____ Date: _____

e-mail address: _____ Telephone: _____

18.

OCD Approval: Permit Application (including closure plan) Closure Plan (only) OCD Conditions (see attachment)

OCD Representative Signature:  Approval Date: 11/3/14

Title: Environmental Spec. OCD Permit Number: _____

19.

Closure Report (required within 60 days of closure completion): 19.15.17.13 NMAC

Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

Closure Completion Date: 7/29/2014

20.

Closure Method:

- Waste Excavation and Removal On-Site Closure Method Alternative Closure Method Waste Removal (Closed-loop systems only)
- If different from approved plan, please explain.

21.

Closure Report Attachment Checklist: *Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.*

- Proof of Closure Notice (surface owner and division)
- Proof of Deed Notice (required for on-site closure for private land only)
- Plot Plan (for on-site closures and temporary pits)
- Confirmation Sampling Analytical Results (if applicable)
- Waste Material Sampling Analytical Results (required for on-site closure)
- Disposal Facility Name and Permit Number
- Soil Backfilling and Cover Installation
- Re-vegetation Application Rates and Seeding Technique
- Site Reclamation (Photo Documentation)

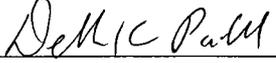
On-site Closure Location: Latitude 36 40.366 N Longitude -108 10.707 W NAD: 1927

1983

Operator Closure Certification:

I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.

Name (Print): Deborah Powell Title: Eng Tech Manager

Signature:  Date: 8/11/2014

e-mail address: DebbyP@McElvain.com Telephone: 303-893-0933 ex 308

McElvain Energy, Inc.
San Juan Basin
Closure Plan

In accordance with Rule 19.15.17.1 NMAC the following procedure describes the closure plan for the McElvain Energy, Inc (MEI) below grade tank on the Federal Com #2R well located in the SWSW of Sec 12, T28N, 13W.

Closure Requirements:

1. MEI shall close the below grade tank within the time periods provided in 19.15.17.13 NMAC or by an earlier date that the division requires because of imminent danger to fresh water, public health, or the environment.
2. MEI shall close an existing below grade tank that does not meet the requirements of Paragraph (1) through (4) of Subsection I of 19.15.17.11 NMAC or is not included in Paragraph (5) of Subsection I of 19.15.17.11 NMAC within five years after June 16, 2008 if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC.
3. MEI shall close a permitted below grade tank within 60 days of cessation of the below ground tank's operation or as required by the transitional provisions of Subsection B of 19.15.17.17 NMAC in accordance with a closure plan that the appropriate division district office approves. The closure report will be filed on C-144.
4. All liquids will be removed from the temporary permit prior to closure and the liquids disposed of in a division approved facility. **No liquids in tank.**
5. MEI shall remove the below grade tank and dispose of it in a division approved facility or recycle, reuse, or reclaim it in a manner that the appropriate division district office approves. **Tank Removed**
6. MEI will remove any on-site equipment associated with the below grade tank unless the equipment is required for some other purpose. **Associated Equipment removed.**
7. MEI shall test the soils beneath the below grade tank to determine whether a release has occurred. MEI shall collect a five point composite sample and individual grab samples from any area that is wet, discolored, or showing other evidence of a release. The samples will be analyzed for BTEX, TPH, and chlorides to demonstrate that the individual constituent levels are below the levels set forth in the published closure criteria found in 19.15.17.13 (H)(5) Table 1 NMAC. MEI shall notify the division of its results on form C-141 if any corrective action need be taken. **Analytical Report included.**

8. If MEI or the division determines that a release has occurred, then MEI shall comply with 19.15.3.116 NMAC and 19.15.1.19 NMAC as appropriate. **NO Release occurred.**
9. If contamination is confirmed by field sampling. MEI will follow the Guidelines For Remediation Of Leaks, Spills, and Releases NMOCD August 1993 when remediating identified contaminants. **None present.**
10. If the sampling program demonstrates that a release has not occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15.17.13 NMAC, then MEI shall backfill the excavation with compacted, non-waste containing, earthen material; construct a division-prescribed soil cover; re-contour, and re-vegetate the site. **Backfilled with good soil and re-contoured.**
11. The surface owner shall be notified of MEI's closing of the below grade tank as per the approved closure plan using certified mail with return receipt requested. **Notification Attached**
12. Notice of closure will be given to the Aztec Division office between 72 hours and one week of closure via email or verbally. The notification of closure will include the following:
 - Operator's name
 - Location by Unit Letter, Section Township, and Range.
 - Well name and API number **Notification Attached**
13. All closure activities will include proper documentation and be available for review upon request and will be submitted to OCD within 60 days of closure of the below grade tank. The closure report will be filed on C-144 and incorporate the following:
 - Details on capping and covering where applicable
 - Inspection reports
 - Sampling results **Attached**
14. The site will be re-contoured to match the surrounding area. Natural drainages will be unimpeded and erosion control will be utilized where necessary. **Re-contoured to original state.**
15. MEI shall seed the disturbed areas the first growing season with a division approved seed mixture after pit closure. Seeding will be accomplished by drilling on the contour whenever possible or by other division approved methods. Repeat seeding or planting will be continued until successful vegetative growth occurs. **Vegetation will be seeded according to approved NMOCD rules.**

16. A minimum of four feet of cover shall be achieved and the cover shall include one foot of suitable material to establish vegetation at the site, or the thickness of the topsoil native to the area , whichever is greater. **Four plus feet of topsoil.**

Debby Powell

From: Randy Elledge
Sent: Monday, July 21, 2014 1:34 PM
To: Jonathan.Kelly@state.nm.us; Cory.Smith@State.nm.us; Brandon.Powell@state.nm.us
Cc: Debby Powell; Glenn Hise; John Steuble; Art Merrick
Subject: Federal Com #2R

McElvain Energy, Inc. will be sampling and removing the below grade pit tank at the Federal Com #2R on July 28th at 9:00am. If the soil samples return below the required limits, then backfilling will take place. If the test results are above the required limits, remediation will take place. Envirotech will be taking the field samples and conducting the laboratory analysis. A key is required to access the Bolack Ranch in order to reach the well site. If you need to gain access, let me know as soon as possible at 505-320-4969.

Randy J. Elledge
Wapiti Energy Services, LLC

McELVAIN ENERGY, LLC
 1050 17th Street
 Suite 2500
 Denver, Colorado 80265

June 19, 2014

Tommy Bolack
 Bolack Ranch
 3901 Bloomfield Hwy
 Farmington, NM 87401

RE: Federal Com # 2R
 SWSW Sec 12 T28N, R28W
 API # 30-045-23512
 San Juan County, NM

7012 3460 0001 7878 4286

U.S. Postal Service™		OFFICIAL USE
CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)*		
For delivery information visit our website at www.usps.com®		
Postage	\$	Postmark Here <i>sent out 6/19/14</i>
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
Sent To <u>TOMMY BOLACK - Bolack Ranch</u>		
Street, Apt. No., or PO Box No. <u>3901 Bloomfield Hwy</u>		
City, State, ZIP+4 <u>Farmington NM 87401</u>		
PS Form 3800, August 2005		See Reverse for Instructions

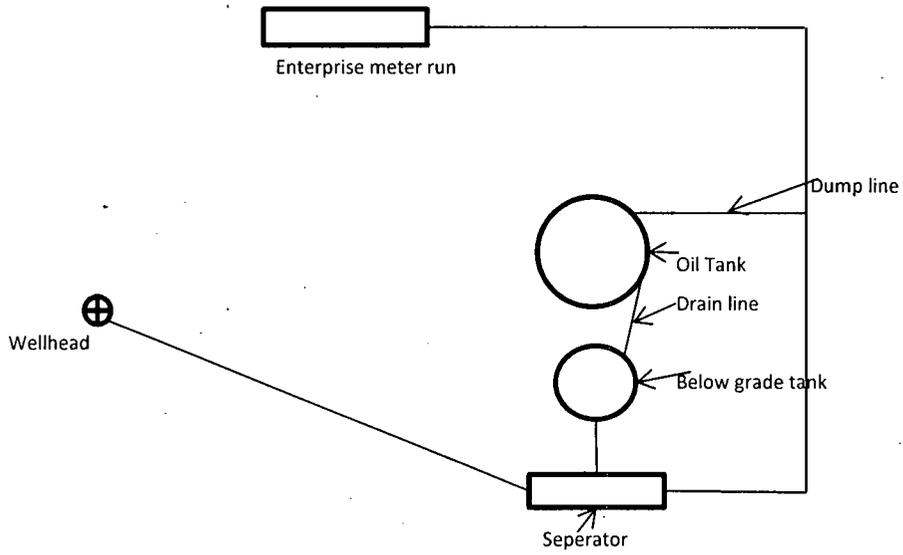
The above stated well is currently being P&Aed. McElvain Energy, LLC is in the process of removing the equipment. Which includes the below grade 95 Bbl pit tank. The well pad will then be returned to condition required by NMOCD rules.

Deborah Powell
 Deborah Powell
 Engineering Tech Manager
 303-893-0933 Ex 308

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature <i>[Signature]</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) <i>Ketha Alordrist</i> C. Date of Delivery <i>6-23-14</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:	
1. Article Addressed to: <p style="text-align: center;"><i>Tommy Bolack 3901 Bloomfield Hwy Farmington NM 87401</i></p>			
2. Article Number (Transfer from service label) <p style="text-align: center;">7012 3460 0001 7878 4286</p>			
3. Service Type <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 2013		Domestic Return Receipt	

McElvain Energy, Inc.

Federal Com #2R



Lease # SF-078807A
API# 30-045-023512
S12 T28N R13W
Footage: 1085" FSL & 285' FWL
County: San Juan
State: New Mexico



Analytical Report

Report Summary

Client: McElvain Energy, Inc.
Chain Of Custody Number: 17040
Samples Received: 7/29/2014 11:35:00AM
Job Number: 06039-0033
Work Order: P407109
Project Name/Location: Federal Com #2R

Entire Report Reviewed By:

A handwritten signature in black ink, appearing to read "Tim Cain", is written over a horizontal line.

Date: 7/31/14

Tim Cain, Laboratory Manager

The results in this report apply to the samples submitted to Envirotech's Analytical Laboratory and were analyzed in accordance with the chain of custody document supplied by you, the client, and as such are for your exclusive use only. The results in this report are based on the sample as received unless otherwise noted. Partial or incomplete reproduction of this report is prohibited, unless approved by Envirotech, Inc. If you have any questions regarding this analytical report, please don't hesitate to contact Envirotech's Laboratory Staff.



McElvain Energy, Inc. PO Box 5610 Farmington NM, 87499-5610	Project Name: Federal Com #2R Project Number: 06039-0033 Project Manager: Tiffany McIntosh	Reported: 31-Jul-14 11:34
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Analytical Report for Samples

Client Sample ID	Lab Sample ID	Matrix	Sampled	Received	Container
BGT Composite	P407109-01A	Soil	07/29/14	07/29/14	Glass Jar, 4 oz.

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McElvain Energy, Inc. PO Box 5610 Farmington NM, 87499-5610	Project Name: Federal Com #2R Project Number: 06039-0033 Project Manager: Tiffany McIntosh	Reported: 31-Jul-14 11:34
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**BGT Composite
P407109-01 (Solid)**

Analyte	Result	Reporting		Dilution	Batch	Prepared	Analyzed	Method	Notes	
		Limit	Units							
Volatiles Organics by EPA 8021										
Benzene	ND	0.05	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8021B		
Toluene	ND	0.05	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8021B		
Ethylbenzene	ND	0.05	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8021B		
p,m-Xylene	ND	0.05	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8021B		
o-Xylene	ND	0.05	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8021B		
Total Xylenes	ND	0.05	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8021B		
Total BTEX	ND	0.05	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8021B		
<i>Surrogate: Bromochlorobenzene</i>		100 %		80-120	1431011	07/29/14	07/30/14	EPA 8021B		
<i>Surrogate: 1,3-Dichlorobenzene</i>		99.9 %		80-120	1431011	07/29/14	07/30/14	EPA 8021B		
Nonhalogenated Organics by 8015										
Gasoline Range Organics (C6-C10)	ND	4.99	mg/kg	1	1431011	07/29/14	07/30/14	EPA 8015D		
Diesel Range Organics (C10-C28)	ND	25.0	mg/kg	1	1431010	07/29/14	07/30/14	EPA 8015D		
<i>Surrogate: Benzo[a]pyrene</i>		96.5 %		50-200	1431010	07/29/14	07/30/14	EPA 8015D		
Total Petroleum Hydrocarbons by 418.1										
Total Petroleum Hydrocarbons	ND	35.0	mg/kg	1	1431013	07/30/14	07/30/14	EPA 418.1		
Cation/Anion Analysis										
Chloride	1280	9.94	mg/kg	1	1431006	07/29/14	07/29/14	EPA 300.0		

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Volatile Organics by EPA 8021 - Quality Control
Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
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Batch 1431011 - Purge and Trap EPA 5030A

Blank (1431011-BLK1)

Prepared: 29-Jul-14 Analyzed: 30-Jul-14

Benzene	ND	0.001	mg/kg							
Toluene	ND	0.001	"							
Ethylbenzene	ND	0.001	"							
p,m-Xylene	ND	0.001	"							
o-Xylene	ND	0.001	"							
Total Xylenes	ND	0.001	"							
Total BTEX	ND	0.001	"							
Surrogate: 1,3-Dichlorobenzene	49.0		ug/L	50.0		98.0	80-120			
Surrogate: Bromochlorobenzene	48.9		"	50.0		97.9	80-120			

Duplicate (1431011-DUP1)

Source: P407109-01

Prepared: 29-Jul-14 Analyzed: 30-Jul-14

Benzene	ND	0.001	mg/kg		ND				30	
Toluene	ND	0.001	"		ND				30	
Ethylbenzene	ND	0.001	"		ND				30	
p,m-Xylene	ND	0.001	"		ND				30	
o-Xylene	ND	0.001	"		ND				30	
Surrogate: 1,3-Dichlorobenzene	49.4		ug/L	50.0		98.8	80-120			
Surrogate: Bromochlorobenzene	49.7		"	50.0		99.4	80-120			

Matrix Spike (1431011-MS1)

Source: P407109-01

Prepared: 29-Jul-14 Analyzed: 30-Jul-14

Benzene	48.3		ug/L	50.0	ND	96.6	39-150			
Toluene	47.9		"	50.0	ND	95.8	46-148			
Ethylbenzene	48.2		"	50.0	ND	96.5	32-160			
p,m-Xylene	95.4		"	100	ND	95.4	46-148			
o-Xylene	46.7		"	50.0	ND	93.5	46-148			
Surrogate: 1,3-Dichlorobenzene	44.8		"	50.0		89.5	80-120			
Surrogate: Bromochlorobenzene	55.3		"	50.0		111	80-120			

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McElvain Energy, Inc. PO Box 5610 Farmington NM, 87499-5610	Project Name: Federal Com #2R Project Number: 06039-0033 Project Manager: Tiffany McIntosh	Reported: 31-Jul-14 11:34
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Nonhalogenated Organics by 8015 - Quality Control
Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 1431010 - DRO Extraction-EPA 3550M										
Blank (1431010-BLK1) Prepared: 29-Jul-14 Analyzed: 30-Jul-14										
Diesel Range Organics (C10-C28)	ND	24.9	mg/kg							
Surrogate: Benzo[a]pyrene	18.2		mg/L	20.0		90.9	50-200			
LCS (1431010-BS1) Prepared: 29-Jul-14 Analyzed: 30-Jul-14										
Diesel Range Organics (C10-C28)	517	25.0	mg/kg	499		104	38-132			
Surrogate: Benzo[a]pyrene	19.1		mg/L	20.0		95.7	50-200			
Matrix Spike (1431010-MS1) Source: P407109-01 Prepared: 29-Jul-14 Analyzed: 30-Jul-14										
Diesel Range Organics (C10-C28)	536	25.0	mg/kg	499	ND	107	38-132			
Surrogate: Benzo[a]pyrene	18.3		mg/L	20.0		91.3	50-200			
Matrix Spike Dup (1431010-MSD1) Source: P407109-01 Prepared: 29-Jul-14 Analyzed: 30-Jul-14										
Diesel Range Organics (C10-C28)	540	25.0	mg/kg	500	ND	108	38-132	0.889	20	
Surrogate: Benzo[a]pyrene	18.2		mg/L	20.0		91.1	50-200			

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Nonhalogenated Organics by 8015 - Quality Control

Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 1431011 - Purge and Trap EPA 5030A										
Blank (1431011-BLK1)					Prepared: 29-Jul-14 Analyzed: 30-Jul-14					
Gasoline Range Organics (C6-C10)	ND	0.10	mg/kg							
Duplicate (1431011-DUP1)					Source: P407109-01 Prepared: 29-Jul-14 Analyzed: 30-Jul-14					
Gasoline Range Organics (C6-C10)	ND	0.10	mg/kg		ND				30	
Matrix Spike (1431011-MS1)					Source: P407109-01 Prepared: 29-Jul-14 Analyzed: 30-Jul-14					
Gasoline Range Organics (C6-C10)	0.65		mg/L	0.450	0.03	138	75-125			SPK1

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Total Petroleum Hydrocarbons by 418.1 - Quality Control

Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 1431013 - 418 Freon Extraction										
Blank (1431013-BLK1)					Prepared & Analyzed: 30-Jul-14					
Total Petroleum Hydrocarbons	ND	34.9	mg/kg							
Duplicate (1431013-DUP1)					Source: P407109-01 Prepared & Analyzed: 30-Jul-14					
Total Petroleum Hydrocarbons	ND	35.0	mg/kg		ND				30	
Matrix Spike (1431013-MS1)					Source: P407109-01 Prepared & Analyzed: 30-Jul-14					
Total Petroleum Hydrocarbons	1930	34.9	mg/kg	2020	ND	95.4	80-120			

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Cation/Anion Analysis - Quality Control
Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 1431006 - Anion Extraction EPA 300.0										
Blank (1431006-BLK1)				Prepared & Analyzed: 29-Jul-14						
Chloride	ND	9.99	mg/kg							
LCS (1431006-BS1)				Prepared & Analyzed: 29-Jul-14						
Chloride	517	9.96	mg/kg	498		104	90-110			
Matrix Spike (1431006-MS1)				Source: P407090-01		Prepared & Analyzed: 29-Jul-14				
Chloride	819	9.88	mg/kg	494	317	102	80-120			
Matrix Spike Dup (1431006-MSD1)				Source: P407090-01		Prepared & Analyzed: 29-Jul-14				
Chloride	799	9.95	mg/kg	498	317	97.0	80-120	2.47	20	

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McElvain Energy, Inc. PO Box 5610 Farmington NM, 87499-5610	Project Name: Federal Com #2R Project Number: 06039-0033 Project Manager: Tiffany McIntosh	Reported: 31-Jul-14 11:34
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Notes and Definitions

- SPK I The spike recovery for this QC sample is outside of control limits.
- DET Analyte DETECTED
- ND Analyte NOT DETECTED at or above the reporting limit
- NR Not Reported
- dry Sample results reported on a dry weight basis
- RPD Relative Percent Difference

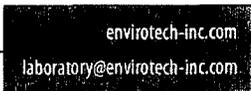
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24-hr. RUSH!

CHAIN OF CUSTODY RECORD

17040

Client: McElvain Oil & Gas		Project Name / Location: Federal Com #2R				ANALYSIS / PARAMETERS																
Email results to: T. McIntosh		Sampler Name: T. McIntosh				TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	CO Table 910-1	TPH (418.1)	CHLORIDE			Sample Cool	Sample Intact			
Client Phone No.: 505-320-4969		Client No.: 06039-0033																				
Sample No./ Identification	Sample Date	Sample Time	Lab No.	No./Volume of Containers	Preservative			TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	CO Table 910-1	TPH (418.1)	CHLORIDE			Sample Cool	Sample Intact	
					HNO ₃	HCl	cool															
B&T Composite	7/29/14	9:45	PL07109-01	1-4 oz jar			X	X	X							X	X			✓	✓	
Relinquished by: (Signature) Tiffany McIntosh				Date 7/29/14	Time 11:35	Received by: (Signature) Dene Zoggin				Date 7/29/14	Time 11:35											
Relinquished by: (Signature)						Received by: (Signature)																
Sample Matrix Soil <input checked="" type="checkbox"/> Solid <input type="checkbox"/> Sludge <input type="checkbox"/> Aqueous <input type="checkbox"/> Other <input type="checkbox"/>																						
<input type="checkbox"/> Sample(s) dropped off after hours to secure drop off area.																						
24-hr RUSH!				 envirotech Analytical Laboratory				127														

24-hr. RUSH!

CHAIN OF CUSTODY RECORD

17040

Client: McElvain Oil & Gas		Project Name / Location: Federal Com #2R			ANALYSIS / PARAMETERS														
Email results to: T. McIntosh		Sampler Name: T. McIntosh			TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	CO Table 910-1	TPH (418.1)	CHLORIDE	Sample Cool	Sample Intact			
Client Phone No.: 505-320-4969		Client No.: 06039-0033																	
Sample No. / Identification	Sample Date	Sample Time	Lab No.	No. / Volume of Containers	Preservative			TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	CO Table 910-1	TPH (418.1)	CHLORIDE	Sample Cool	Sample Intact
					HNO ₃	HCl	cool												
BGT Composite	7/29/14	9:45	P407109-01	1-4 oz jar			X	X	X							X	X	✓	✓
Relinquished by: (Signature) <i>Tiffany McIntosh</i>				Date	Time	Received by: (Signature) <i>Dene Zozin</i>										Date	Time		
Relinquished by: (Signature)				7/29/14	11:35	Received by: (Signature)										7/29/14	11:35		
Sample Matrix																			
Soil <input checked="" type="checkbox"/> Solid <input type="checkbox"/> Sludge <input type="checkbox"/> Aqueous <input type="checkbox"/> Other <input type="checkbox"/>																			
<input type="checkbox"/> Sample(s) dropped off after hours to secure drop off area. 24-hr RUSH!						 127													

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

State of New Mexico
Energy Minerals and Natural Resources

Form C-141
Revised August 8, 2011

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

Submit 1 Copy to appropriate District Office in
accordance with 19.15.29 NMAC.

Release Notification and Corrective Action

OPERATOR

Initial Report Final Report

Name of Company	McElvain Energy, Inc.	Contact	Deb Powell
Address	1050 17 th St, Suite 2500, Denver, CO 80265	Telephone No.	303-893-0933
Facility Name	Federal Com #2R	Facility Type	Well - Removal of 95 Bbl BGT
Surface Owner	Private	Mineral Owner	Federal
		API No.	30-045-23512

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
								OIL CONS. DIV DIST. 3

Latitude _____ Longitude _____

OCT 28 2014

NATURE OF RELEASE

Type of Release	NONE	Volume of Release		Volume Recovered	
Source of Release		Date and Hour of Occurrence		Date and Hour of Discovery	
Was Immediate Notice Given?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom?			
By Whom?		Date and Hour			
Was a Watercourse Reached?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If YES, Volume Impacting the Watercourse.			

If a Watercourse was Impacted, Describe Fully.*

NO RELEASE

Describe Cause of Problem and Remedial Action Taken.*

NO RELEASE

Describe Area Affected and Cleanup Action Taken.*

NO RELEASE

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: Deborah Powell	Approved by Environmental Specialist:	
Title: Eng Tech Manager	Approval Date:	Expiration Date:
E-mail Address: Debby@McElvain.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: 10/27/2014	Phone: 303-893-0933 EX 308	

* Attach Additional Sheets If Necessary

COVERD Pit Location

Federal Com 2R

