

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

State of New Mexico
Energy Minerals and Natural Resources

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

Form C-141
Revised October 10, 2003

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

Release Notification and Corrective Action

OPERATOR

☐ Initial Report ☒ Final Report

Name of Company: XTO Energy, Inc.	Contact: James McDaniel	
Address: 382 Road 3100, Aztec, New Mexico 87410	Telephone No.: (505) 333-3701	
Facility Name: Berger #4 (30-045-05792)	Facility Type: Gas Well (Dakota)	
Surface Owner: Federal	Mineral Owner:	Lease No.:

LOCATION OF RELEASE

Unit Letter C	Section 22	Township 26N	Range 11W	Feet from the 790	North/South Line FNL	Feet from the 1800	East/West Line FWL	County San Juan RCVD JUN 21 '10
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Latitude: 36.478555 Longitude: -107.994143

OIL CONS. DIV.
DIST. 3

NATURE OF RELEASE

Type of Release: Produced Waters w/ Incidental Oil	Volume of Release: 2-3 bbls	Volume Recovered: None
Source of Release: Leaking Tank	Date and Hour of Occurrence: Unknown	Date and Hour of Discovery: 6/7/2010
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Brandon Powell	
By Whom? James McDaniel	Date and Hour: June 9, 2010 @ 8:19 AM	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.*

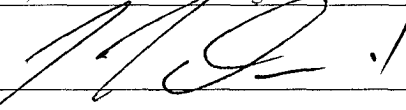
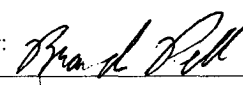
Describe Cause of Problem and Remedial Action Taken.*

A small leak was reported to EH&S for the pit tank at the Berger #4 well site. The leak was contained inside the pit cellar. The tank was immediately drained and removed for repairs. The site was then ranked pursuant to the OCD Guidelines for the Remediation of Leaks, Spills and Releases. The site was ranked a 20 due to a depth to groundwater of less than 100 feet, and a wash at less than 1,000 feet from the location. This set the closure standard to 100 ppm TPH, 10 ppm benzene and 50 ppm total BTEX.

Describe Area Affected and Cleanup Action Taken.*

The area beneath the tank was excavated approximately two (2) feet below the bottom of the tank, where a dense, hard shale was encountered. A composite sample was collected of the shale and analyzed for TPH via USEPA Method 8015 and for benzene and BTEX via USEPA Method 8021. The sample returned results below the 10 ppm benzene standard and the 50 ppm BTEX standard, but above the 100 ppm TPH standard at 450 ppm DRO. Due to the dense shale encountered at this depth, maximum reasonable extents of excavation was reached. No further excavation is required. Approximately 36 cubic yards of material was transported to Envirotech's landfill for disposal. The pit tank was repaired and placed in the same location. All backfill was brought in the Four Corner's Material.

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: James McDaniel	Approved by District Supervisor:  For: CP	
Title: EH&S Specialist	Approval Date: 9/22/10	Expiration Date:
E-mail Address: James_McDaniel@xtoenergy.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: 6/18/2010	Phone: 505-333-3701	

hBP1026534170

4



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Est. 1970

James McDaniel
XTO Energy - San Juan Division
382 Road 3100
Aztec, NM 87410

Report Summary

Monday June 14, 2010

Report Number: L463059

Samples Received: 06/08/10

Client Project:

Description: Berger 4

The analytical results in this report are based upon information supplied by you, the client, and are for your exclusive use. If you have any questions regarding this data package, please do not hesitate to call.

Entire Report Reviewed By:

Daphne Richards , ESC Representative

Laboratory Certification Numbers

A2LA - 1461-01, AIHA - 100789, AL - 40660, CA - I-2327, CT - PH-0197, FL - E87487
GA - 923, IN - C-TN-01, KY - 90010, KYUST - 0016, NC - ENV375/DW21704, ND - R-140
NJ - TN002, NJ NELAP - TN002, SC - 84004, TN - 2006, VA - 00109, WV - 233
AZ - 0612, MN - 047-999-395, NY - 11742, WI - 998093910, NV - TN000032008A

Accreditation is only applicable to the test methods specified on each scope of accreditation held by ESC Lab Sciences.

Note: The use of the preparatory EPA Method 3511 is not approved or endorsed by the CA ELAP.

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YOUR LAB OF CHOICE

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Est. 1970

REPORT OF ANALYSIS

James McDaniel
XTO Energy - San Juan Division
382 Road 3100
Aztec, NM 87410

June 14, 2010

Date Received : June 08, 2010
Description : Berger 4

ESC Sample # : L463059-01

Sample ID : BGT COMPOSITE SHALE

Site ID : BERGER 4

Collected By : James McDaniel
Collection Date : 06/07/10 13:15

Project # :

Parameter	Dry Result	Det. Limit	Units	Method	Date	Dil.
Total Solids	85.9		%	2540G	06/11/10	1
Benzene	BDL	0.0029	mg/kg	8021/8015	06/13/10	5
Toluene	BDL	0.029	mg/kg	8021/8015	06/13/10	5
Ethylbenzene	BDL	0.0029	mg/kg	8021/8015	06/13/10	5
Total Xylene	BDL	0.0087	mg/kg	8021/8015	06/13/10	5
TPH (GC/FID) Low Fraction	BDL	0.58	mg/kg	GRO	06/13/10	5
Surrogate Recovery-%						
a,a,a-Trifluorotoluene(FID)	106.		% Rec.	8021/8015	06/13/10	5
a,a,a-Trifluorotoluene(PID)	101.		% Rec.	8021/8015	06/13/10	5
TPH (GC/FID) High Fraction	450	4.6	mg/kg	3546/DRO	06/09/10	1
Surrogate recovery(%)						
o-Terphenyl	71.1		% Rec.	3546/DRO	06/09/10	1

Results listed are dry weight basis.

BDL - Below Detection Limit

Det. Limit - Practical Quantitation Limit (PQL)

Note:

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The reported analytical results relate only to the sample submitted

Reported: 06/14/10 13:40 Printed: 06/14/10 13:41

Summary of Remarks For Samples Printed
06/14/10 at 13:41:03

TSR Signing Reports: 288
R5 - Desired TAT

Only charge 1 energy fee per day for all samples received

Sample: L463059-01 Account: XTORNM Received: 06/08/10 09:00 Due Date: 06/15/10 00:00 RPT Date: 06/14/10 13:40