

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: Elm Ridge Exploration | Contact: Amy Mackey |
| Address: PO Box 156, Bloomfield, NM 87413 | Telephone No.: (505) 632-3476 Ext 201 |
| Facility Name: West Bisti Coal 24-1 | Facility Type: Gas Well |

| | | |
|------------------------|----------------|---------------------|
| Surface Owner: Federal | Mineral Owner: | Lease No.: NM 58138 |
|------------------------|----------------|---------------------|

LOCATION OF RELEASE

| Unit Letter | Section | Township | Range | Feet from the | North/South Line | Feet from the | East/West Line | County |
|-------------|---------|----------|-------|---------------|------------------|---------------|----------------|----------|
| A | 24 | 25N | 13W | 790 | FNL | 790 | FEL | San Juan |

Latitude 36.391763 Longitude -108.164306

NATURE OF RELEASE

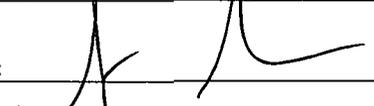
| | | |
|--|--|--------------------------------|
| Type of Release: Produced Water | Volume of Release: Unknown | Volume Recovered: Unknown |
| Source of Release: Earth Pit | Date and Hour of Occurrence: Historical | Date and Hour of Discovery: NA |
| Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required | If YES, To Whom? | |
| By Whom? | Date and Hour | |
| Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | If YES, Volume Impacting the Watercourse. | |

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*
Produced water from a gas well at the above mentioned location formerly discharged into an earthen pit on location. The well has been altered to no longer drain into an earthen pit, but instead into an above ground storage tank (AST).

Describe Area Affected and Cleanup Action Taken.*
Blow sand was removed from the earthen pit, and approximately eighty-eight (88) yards of 'production sludge' was removed from the earthen pit. A five (5)-point composite sample was collected from beneath the pit once it was removed. The sample was analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and in Envirotech's laboratory for benzene and BTEX via USEPA Method 8021 and for total chlorides via USEPA Method 4500B. The sample returned results below the 'Pit Rule' standards of 100 mg/kg TPH, 0.2 mg/kg benzene, 50 mg/kg BTEX and 250 mg/kg total chlorides, confirming that a release had not occurred. Analytical results are attached for your reference.

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: Ms. Amy Mackey | Approved by District Supervisor: | |
| Title: Administrative Manager | Approval Date: | Expiration Date: |
| E-mail Address: amackey1@elmridge.net | Conditions of Approval: | Attached <input type="checkbox"/> |
| Date: <u>11/19/09</u> Phone: 505-632-3476 Ext 201 | | |

* Attach Additional Sheets If Necessary

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State of New Mexico
Energy Minerals and Natural Resources
Department
Oil Conservation Division
1220 South St. Francis Dr.
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Form C-144
July 21, 2008

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office.
For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

**Pit, Closed-Loop System, Below-Grade Tank, or
Proposed Alternative Method Permit or Closure Plan Application**

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

Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, 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.

Operator: Elm Ridge Exploration OGRID #: 149052
Address: P.O. Box 156; Bloomfield, NM 87413
Facility or well name: West Bisti Coal 24-1
API Number: 3004528515 OCD Permit Number:
U/L or Qtr/Qtr A Section 24 Township 25N Range 13W County: San Juan
Center of Proposed Design: Latitude 36.391763 Longitude -108.164306 NAD: 1927 1983
Surface Owner: Federal State Private Tribal Trust or Indian Allotment

2.
 Pit: Subsection F or G of 19.15.17.11 NMAC
Temporary: Drilling Workover
 Permanent Emergency Cavitation P&A
 Lined Unlined Liner type: Thickness _____ mil LLDPE HDPE PVC Other _____
 String-Reinforced
Liner Seams: Welded Factory Other _____ Volume: _____ bbl Dimensions: L 20' x W 13' x D 3'

3.
 Closed-loop System: Subsection H of 19.15.17.11 NMAC
Type of Operation: P&A Drilling a new well Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)
 Drying Pad Above Ground Steel Tanks Haul-off Bins Other _____
 Lined Unlined Liner type: Thickness _____ mil LLDPE HDPE PVC Other _____
Liner Seams: Welded Factory Other _____

4.
 Below-grade tank: Subsection I of 19.15.17.11 NMAC
Volume: _____ 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 _____

5.
 Alternative Method:
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

6.

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 _____

7.

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)

8.

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 19.15.3.103 NMAC

9.

Administrative Approvals 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:

- Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval.
- Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

10.

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. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.

| | |
|--|---|
| Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 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). - 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. - (<i>Applies to temporary, emergency, or cavitation pits and below-grade tanks</i>) (| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (<i>Applies to permanent pits</i>) - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database search; 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 adopted pursuant to NMSA 1978, Section 3-27-3, as amended. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 500 feet of a wetland. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within the area overlying a subsurface mine. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within a 100-year floodplain. - FEMA map | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | <input type="checkbox"/> Yes <input type="checkbox"/> No |

11.
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: _____

12.
Closed-loop Systems 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.

Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9
 Siting Criteria Compliance Demonstrations (only for on-site closure) - 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: _____
 Previously Approved Operating and Maintenance Plan API Number: _____ (*Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure*)

13.
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

14.
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 Closed-loop System
 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 (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

15.
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 F 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 I of 19.15.17.13 NMAC
 Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

16.
Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19.15.17.13.D NMAC)
Instructions: Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: _____ Disposal Facility Permit Number: _____
 Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?
 Yes (If yes, please provide the information below) No

Required for impacted areas which will not be used for future service and operations:

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 I of 19.15.17.13 NMAC
 Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

17.
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 may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

| | |
|---|---|
| Ground water is less than 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 between 50 and 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 |
| 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 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). - 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 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, 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 |
| 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. - Written confirmation or verification from the municipality; Written approval obtained from the municipality | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 500 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 the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within a 100-year floodplain. - FEMA map | <input type="checkbox"/> Yes <input type="checkbox"/> No |

18.
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 F of 19.15.17.13 NMAC
 Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements 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 Subsection F of 19.15.17.13 NMAC
 Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F 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 I of 19.15.17.13 NMAC
 Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

19. **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: _____

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

OCD Representative Signature: _____ **Approval Date:** _____

Title: _____ **OCD Permit Number:** _____

21. **Closure Report (required within 60 days of closure completion):** Subsection K of 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: 9/22/09

22. **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.

23. **Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**
Instructions: Please identify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name: Envirotech Landfarm #2 Disposal Facility Permit Number: NM-01-0011

Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Were the closed-loop system operations and associated activities performed on or in areas that will not be used for future service and operations?
 Yes (If yes, please demonstrate compliance to the items below) No

Required for impacted areas which will not be used for future service and operations:

Site Reclamation (Photo Documentation)
 Soil Backfilling and Cover Installation
 Re-vegetation Application Rates and Seeding Technique

24. **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) **See Attached**
 Proof of Deed Notice (required for on-site closure)
 Plot Plan (for on-site closures and temporary pits)
 Confirmation Sampling Analytical Results (if applicable) **See Attached**
 Waste Material Sampling Analytical Results (required for on-site closure)
 Disposal Facility Name and Permit Number **Envirotech Landfarm #2 NM-01-0011**
 Soil Backfilling and Cover Installation **See Attached**
 Re-vegetation Application Rates and Seeding Technique **Per BLM MOU**
 Site Reclamation (Photo Documentation) **See Attached**

On-site Closure Location: Latitude _____ Longitude _____ NAD: 1927 1983

25. **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): Ms. Amy Mackey Title: Administrative Manager

Signature: _____ Date: 11/19/09

E-mail address: amackey1@elmridge.net Telephone: (505) 632-3476 ext. 201

Earthen Pit Closure Checklist

- 1) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close all former earthen pits prior to the closure date agreed upon by the New Mexico Oil Conservation Division (NMOCD) of December 31, 2009.
Closure date for the earth pit located at the West Bisti Coal 24-1 well site is September 22, 2009.
- 2) In accordance with Subsection A of 19.15.17.13 NMAC, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close any earthen pits at a date the division requires because of imminent danger to fresh water, public health or the environment.
None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.
- 3) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close earthen pits first which seem to pose a greater risk to fresh water, public health, or the environment. This will be determined by the locations proximity to surface water sources and distance to groundwater.
None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.
- 4) No less than 60 days prior to any earthen pit closure activities, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the Santa Fe NMOCD office as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (3) NMAC.
Notification was provided to Mr. Brad Jones of the NMOCD Santa Fe Office on August 4, 2009, along with a schedule of on-site activities; see attached *Notification Letter*.
- 5) No less than 24 hours and no greater than one (1) week prior to earthen pit removal, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the appropriate surface owner as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the surface owner by certified mail, return receipt requested, that the operator plans to close an earthen pit. The return receipt will be used to ensure that the surface owner has received written notification no less than 24 hours and no greater than one (1) week prior to the beginning of the earthen pit closure activities. Evidence of mailing of the notice to the address of the surface owner shown in the county tax records is sufficient to demonstrate compliance with this requirement. Closure activities that will take place on tribal land will have notifications sent by certified mail, return receipt requested, to the appropriate tribal office. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the Bureau of Land Management (BLM) of closure activities for wells located on federal land per a Sundry Notice, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. All notices will be sent in such a way that the surface owner will receive notice at least 24 hours prior to the beginning of closure activities.
Notification was provided to the Bureau of Land Management on September 16, 2009; see attached *Sundry Notice and Return Receipt*.

- 6) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all liquids and/or sludge, to visual extents, prior to closure sampling. Material will be disposed of at Envirotech's Landfarm #2, Permit # NM-01-0011, TNT Environmental Inc. Landfarm, Permit # NM-01-0008, Industrial Ecosystems Inc. (IEI) Landfarm, Permit # NM-01-0010B, or Basin Disposal, Permit # NM-01-0005, depending on the consistence of the material removed, as in accordance with 19.15.17.13 Subsection C Paragraph (1) NMAC .

On September 22, 2009, approximately eighty-eight (88) cubic yards of production sludge was removed from the earthen pit and disposed of at Envirotech's NMOCD permitted soil remediation facility, Landfarm #2, Permit # NM-01-0011; see attached *Bill of Lading*.

- 7) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all on-site equipment associated with this earthen pit unless it is required for some other purpose, as in accordance with 19.15.17.13 Subsection C Paragraph (2) NMAC. The equipment that meets the requirements of 19.15.9.712 Subsection A NMAC and 19.15.9.712 Subsection D Paragraph (1) will be disposed of at San Juan County Regional Landfill. Waste that is classified by 19.15.9.712 Subsection D Paragraph (2) will be sampled accordingly to determine acceptance of this material at the San Juan County Regional Landfill. Waste that is unable to be accepted at the San Juan County Regional Landfill will be submitted to the OCD on a case-by-case basis in accordance with Paragraph (3) of Subsection D of 19.15.9.712.

All on-site equipment will be used for the continued operation of the West Bisti Coal 24-1 well site; see attached *Field Sheet* and *Site Photographs*.

- 8) Once the earthen pit is removed to visual extents of contamination, a five (5)-point composite sample will be collected from directly below the liner(s) or at native soil. Additional discrete samples will be collected from any area that is wet, discolored or show other evidence of a release. All samples being collected will be analyzed for benzene and total BTEX via USEPA Method 8021B, TPH via USEPA Method 418.1, and chlorides via USEPA 300.1, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

A five (5)-point composite sample was collected of native soil beneath the earthen pit and analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and analyzed in the laboratory for benzene and BTEX via USEPA Method 8021B, and for total chlorides via USEPA Method 4500B. The sample returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.

| NAME | Benzene | BTEX | Chlorides | TPH |
|-------------------|----------------|----------------|-----------|-----------|
| Pit Rule Standard | 0.2 mg/kg | 50 mg/kg | 250 mg/kg | 100 mg/kg |
| 5pt Composite | < 0.0009 mg/kg | < 0.0050 mg/kg | 145 mg/kg | 60 mg/kg |

- 9) Depending on soil sample results the area will be either backfilled or the area will be excavated.

- 1) If soil samples do not exceed the regulatory standards of 0.2 mg/kg benzene, 50 mg/kg BTEX, 100 mg/kg TPH, and 250 mg/kg or background concentration of chlorides, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

- i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

Completed Form C-141 is attached for your review.

- ii. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will backfill the excavation or impacted area with non-waste containing earthen material, in accordance with 19.15.17.13 Subsection E Paragraph (6) NMAC. A soil cover shall be installed for all backfilled excavations consisting of the background thickness of topsoil or one (1) foot of suitable material to establish vegetation at the site, whichever is greater in accordance with Subsections H of 19.15.17.13 NMAC. The operator shall construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material.

Elm Ridge Exploration has backfilled the excavated area with non-waste containing earthen material, and installed a soil cover of at least one (1) foot thick of suitable material to establish vegetation at this site. The soil cover has been graded in such a way that it conforms to the grade of the natural surroundings, and will prevent ponding of water and erosion of the cover material; see attached *Site Photographs*.

- iii. All areas of the well site that are no longer utilized on a day to day basis for the production of oil and/or gas, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will substantially restore, recontour and re-vegetate the areas, in accordance with 19.15.17.13 Subsections G and I NMAC. The operator shall notify the division when it has been re-seeded and when it has achieved successful re-vegetation.

Elm Ridge Exploration has restored, recontoured and re-seeded the excavated area in accordance with BLM standards as outlined in the Memorandum of Understanding (MOU).

- 2) If soil samples exceed the regulatory standards stated above:

- i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

The samples of native soil beneath the earthen pit returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.

Elm Ridge Exploration
West Bisti Coal 24-1
Earth Pit Closure
Project No. 03056-0220
Closure Date: 9/22/09

- 10) Elm Ridge Exploration will submit a closure report within 60 days following the earthen pit closure. The closure report will consist of a form C-144 with all supporting data and a form C-141 with all supporting data. The supporting data will include proof of closure notice to the surface owner and the OCD, confirmation sampling analytical results, a site diagram, soil backfilling and cover installation, re-vegetation rates, re-seeding techniques, and site reclamation photo documentation if applicable, along with all other information related to the onsite activities.

See attached C-144 Closure Form and attached Form C-141 Release Notification Form. Closure report has been submitted prior to November 22, 2009.

FedEx Express **US Airbill**

FedEx Tracking Number **8693 8147 6355**

Form 0215 **Sender's Copy**

1 From Please add and print best.
 Date **8/04/09** Sender's FedEx Account Number **1519-6147-9**
 Sender's Name **James McDaniel** Phone **(505) 632-0615**
 Company **ENVIROTECH**
 Address **3795 HIGHWAY 64**
 City **FARMINGTON** State **NM** ZIP **87401**

2 Your Internal Billing Reference
First 24 characters will appear on invoice. **03056-0291**

3 To
 Recipient's Name **Brad Jones** Phone **(505) 476-3487**
 Company **N. M. Oil Conservation Division**
 Recipient's Address
We cannot deliver to P.O. boxes or P.O. ZIP codes.
 Address **1220 S. St Francis Drive**
To request a package be held at a specific FedEx location, print FedEx address here.
 City **Santa Fe** State **NM** ZIP **87505**

0401655191

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4a Express Package Service Packages up to 150 lbs.
 FedEx Priority Overnight Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx Standard Overnight Next business afternoon.* Saturday Delivery NOT available.
 FedEx 2Day Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx Express Saver Third business day.* Saturday Delivery NOT available.
* FedEx Envelope rate not available. Minimum charges One-pound rate. ** To meet location.

4b Express Freight Service Packages over 150 lbs.
 FedEx 1Day Freight* Next business day.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx 2Day Freight Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx 3Day Freight Third business day.* Saturday Delivery NOT available.
* Call for Confirmation. ** To meet location.

5 Packaging
 FedEx Envelope* FedEx Pak* FedEx Box FedEx Tube Other
* Declared value limit \$500. Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.

6 Special Handling Include FedEx address in Section 3.
 SATURDAY Delivery NOT Available for FedEx Standard Overnight, FedEx First Overnight, FedEx Express Saver, or FedEx 2Day Freight.
 HOLD Weekday at FedEx Location NOT Available for FedEx First Overnight.
 HOLD Saturday at FedEx Location Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.
 Does this shipment contain dangerous goods?
 No Yes Yes Dry Ice Cargo Aircraft Only
One box must be checked. As per attached Shipper's Declaration. Shipper's Declaration not required. Dry Ice, 6, UN 1845. Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.

7 Payment Bill to: Senior Recipient Third Party Credit Card Cash/Check
Senior Acct. No. in Section 1 will be billed.
 FedEx Acct. No. Other FedEx Acct. No. or Credit Card No. below. Credit Card No. Cash/Check

| Total Packages | Total Weight | Total Declared Value* |
|----------------|--------------|-----------------------|
| 1 | 1.0 | \$.00 |

*Our liability is limited to \$500 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

8 Residential Delivery Signature Options If you require a signature, check direct or indirect.
 No Signature Required Direct Signature Indirect Signature
Package may be left without obtaining a signature for delivery. Signature at recipient's address may sign for delivery. Fee applies. If no one is available at recipient's address, someone at a neighboring address may sign for delivery. Fee applies.

519

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.



August 4, 2009

Project No. 03056-0241

Mr. Brad Jones
New Mexico Oil Conservation Division
1220 South St. Francis Street
Santa Fe, New Mexico 87505

Phone (505) 476-3487

RE: EARTH PIT CLOSURE NOTIFICATIONS AND PROPOSED CLOSURE SCHEDULE

Dear Mr. Jones,

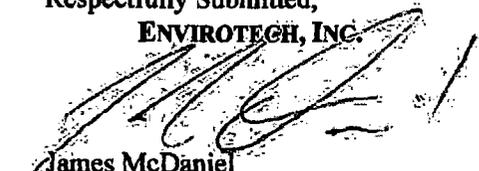
Envirotech, Inc., on the behalf of Elm Ridge Exploration, would like to submit this notification to begin closure activities at the below mentioned locations. Attached to this document is a proposed closure schedule for the months of August and September of 2009. Should this schedule be approved by your office, closure activities will begin as scheduled, with surface owner notifications being made at a minimum of 24 hours prior to the beginning of closure activities and a maximum of one (1) week prior to closure activities. Additional closure notifications and schedules will be made prior to beginning any closure activities. This letter will act as the closure notification for the following sites:

- | | | | |
|----------------------------|-----------------------|--------------------------|------------------------|
| Bisti Coal 20-2 | Bisti Coal 6-1 | Bisti Coal 6-2 | Bisti Coal 7-1 |
| Bisti Coal 7 COM 2 | Bisti Coal 8 COM 1 | Bisti Coal 8L COM 2 | Bisti Coal 9-1 |
| Bisti Coal 9 COM 2 | Bisti Coal 21-1 | Bisti Coal 21 COM 2 | Bisti Coal 22-2 |
| Bisti Coal 28-1 | Bisti Coal 29-1 | Bisti Coal 29-2 | Bisti Coal 30 COM 1 |
| Bisti Coal 31-1 | Bisti Coal 4-1 | Bisti Coal 4 COM 2 | Bisti Coal 5 COM 1 |
| Bisti Coal 5K COM 2 | Carson 10-332 | Buena Suerte 3 G COM 1 | Buena Suerte 3 L COM 1 |
| Buena Suerte 32 G COM 1 | East Bisti Coal 6-1 | Buena Suerte 4 L COM 1 | Carson Unit 15 COM 323 |
| Carson Unit 206 | Carson Unit 313 | Pete Morrow 1 | Pete Morrow 2 |
| North Bisti Coal 32M COM 2 | North Bisti Coal 31-1 | Sam Jackson State COM 1 | Jeter COM 2 |
| West Bisti Coal 11 F COM 1 | West Bisti Coal 12-1 | West Bisti Coal 13-1 | West Bisti Coal 11-2 |
| West Bisti Coal 10-2 | West Bisti Coal 15-1 | West Bisti Coal 14 COM 1 | West Bisti Coal 15-2 |
| West Bisti Coal 22-2 | West Bisti Coal 23-1 | West Bisti Coal 22 COM 1 | West Bisti Coal 24-1 |
| West Bisti Coal 24 COM 2 | West Bisti Coal 25-1 | West Bisti Coal 25 2Y | Jicarilla Apache I-11 |
| Sheila Hixon 1 | Bisti Coal 16-2 | | |

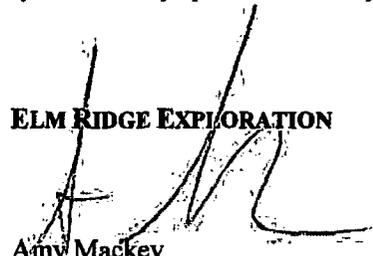
Elm Ridge Exploration is proposing to close the earthen pits at the above listed well locations based on the attached closure schedule.

We appreciate the opportunity to be of service. Should you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,
ENVIROTECH, INC.


James McDaniel
Project Scientist
jmcdaniel@envirotech-inc.com

ELM RIDGE EXPLORATION


Amy Mackey
Administrative Manager
amackey1@elmridge.net

Attachments: Closure Schedule

August 2009

| Sunday | Monday | Tuesday | Wed | Thurs | Friday | Sat |
|--------|--|--|--|--|--|-----|
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1 | 11 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1 | 12 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1 | 13 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1 | 14 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1 | 15 |
| 16 | 17 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2 | 18 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2 | 19 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2 | 20 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2 | 21 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2 | 22 |
| 23 | 24 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2 | 25 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2 | 26 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2 | 27 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2 | 28 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2 | 29 |
| 30 | 31 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Bisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206 | | | | | |

September 2009

| Sun | Monday | Tuesday | Wed | Thurs | Friday | Sat |
|-----|--|--|--|--|--|-----------|
| | | <p>1</p> <p>Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Bisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206</p> | <p>2</p> <p>Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Bisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206</p> | <p>3</p> <p>Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Bisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206</p> | <p>4</p> <p>Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Bisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206</p> | <p>5</p> |
| 6 | <p>7</p> <p>Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Bisti Coal 32M COM 2 Sam Jackson State COM 1 North Bisti Coal 31-1 West Bisti Coal 11 F COM 1 Jeter COM 2</p> | <p>8</p> <p>Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Bisti Coal 32M COM 2 Sam Jackson State COM 1 North Bisti Coal 31-1 West Bisti Coal 11 F COM 1 Jeter COM 2</p> | <p>9</p> <p>Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Bisti Coal 32M COM 2 Sam Jackson State COM 1 North Bisti Coal 31-1 West Bisti Coal 11 F COM 1 Jeter COM 2</p> | <p>10</p> <p>Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Bisti Coal 32M COM 2 Sam Jackson State COM 1 North Bisti Coal 31-1 West Bisti Coal 11 F COM 1 Jeter COM 2</p> | <p>11</p> <p>Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Bisti Coal 32M COM 2 Sam Jackson State COM 1 North Bisti Coal 31-1 West Bisti Coal 11 F COM 1 Jeter COM 2</p> | <p>12</p> |
| 13 | <p>14</p> <p>West Bisti Coal 12-1 West Bisti Coal 13-1 West Bisti Coal 11-2 West Bisti Coal 10-2 West Bisti Coal 14 COM 1 West Bisti Coal 15-1 West Bisti Coal 15-2 West Bisti Coal 22-2</p> | <p>15</p> <p>West Bisti Coal 12-1 West Bisti Coal 13-1 West Bisti Coal 11-2 West Bisti Coal 10-2 West Bisti Coal 14 COM 1 West Bisti Coal 15-1 West Bisti Coal 15-2 West Bisti Coal 22-2</p> | <p>16</p> <p>West Bisti Coal 12-1 West Bisti Coal 13-1 West Bisti Coal 11-2 West Bisti Coal 10-2 West Bisti Coal 14 COM 1 West Bisti Coal 15-1 West Bisti Coal 15-2 West Bisti Coal 22-2</p> | <p>17</p> <p>West Bisti Coal 12-1 West Bisti Coal 13-1 West Bisti Coal 11-2 West Bisti Coal 10-2 West Bisti Coal 14 COM 1 West Bisti Coal 15-1 West Bisti Coal 15-2 West Bisti Coal 22-2</p> | <p>18</p> <p>West Bisti Coal 12-1 West Bisti Coal 13-1 West Bisti Coal 11-2 West Bisti Coal 10-2 West Bisti Coal 14 COM 1 West Bisti Coal 15-1 West Bisti Coal 15-2 West Bisti Coal 22-2</p> | <p>19</p> |
| 20 | <p>21</p> <p>West Bisti Coal 22 COM 1 West Bisti Coal 23-1 West Bisti Coal 24-1 West Bisti Coal 24 COM 2 West Bisti Coal 25-1 West Bisti Coal 25 2Y Jicarilla Apache I-11 Shella Hixon 1</p> | <p>22</p> <p>West Bisti Coal 22 COM 1 West Bisti Coal 23-1 West Bisti Coal 24-1 West Bisti Coal 24 COM 2 West Bisti Coal 25-1 West Bisti Coal 25 2Y Jicarilla Apache I-11 Shella Hixon 1</p> | <p>23</p> <p>West Bisti Coal 22 COM 1 West Bisti Coal 23-1 West Bisti Coal 24-1 West Bisti Coal 24 COM 2 West Bisti Coal 25-1 West Bisti Coal 25 2Y Jicarilla Apache I-11 Shella Hixon 1</p> | <p>24</p> <p>West Bisti Coal 22 COM 1 West Bisti Coal 23-1 West Bisti Coal 24-1 West Bisti Coal 24 COM 2 West Bisti Coal 25-1 West Bisti Coal 25 2Y Jicarilla Apache I-11 Shella Hixon 1</p> | <p>25</p> <p>West Bisti Coal 22 COM 1 West Bisti Coal 23-1 West Bisti Coal 24-1 West Bisti Coal 24 COM 2 West Bisti Coal 25-1 West Bisti Coal 25 2Y Jicarilla Apache I-11 Shella Hixon 1</p> | <p>26</p> |
| 27 | <p>28</p> | <p>29</p> | <p>30</p> | | | |



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| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 6.49 | |

Sent To: Mr. Mark Kelly
Bureau of Land Management
1235 La Plata Hwy., Ste. A
Farmington, NM 87401

PS Form 3800, August 2006. See Reverse for Instructions

West Bisti Coal 23-1
03056 - 0216
West Bisti Coal
24 COM 2
03056 - 0217
West Bisti Coal
25-1
03056 - 0218
West Bisti Coal
25 - 2 Y
03056 - 0219
West Bisti Coal
24-1
03056 - 0220

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature: <i>[Signature]</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name): <i>[Signature]</i> C. Date of Delivery: <i>[Signature]</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>RECEIVED SEP 17 2009</p> |
| <p>1. Article Addressed to:</p> <p>Mr. Mark Kelly Bureau of Land Management 1235 La Plata Hwy., Ste. A Farmington, NM 87401</p> | <p>3. Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> |
| <p>2. Article Number (Transfer from service label)</p> <p>7007 1490 0000 5398 9442</p> | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |



September 14, 2009

Project No. 03056-0220

Mr. Mark Kelly
Bureau of Land Management
1235 La Plata Highway, Suite A
Farmington, New Mexico 87401

Phone: (505) 599-8900

RE: WEST BISTI COAL 24-1 EARTH PIT CLOSURE NOTIFICATION

Dear Mr. Kelly,

Please accept this letter and attached Sundry Notice as the necessary surface owner notification for earth pit closure activities at the West Bisti Coal 24-1 well site, owned and operated by Elm Ridge Exploration. The West Bisti Coal 24-1 well site is located in Unit A, Section 24, Township 25N, Range 13W, San Juan County, New Mexico. Closure activities are scheduled to begin on September 21, 2009 and continue through September 25, 2009.

We appreciate the opportunity to be of service. If you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,
ENVIROTECH, INC.



James McDaniel
Project Scientist
jmedaniel@envirotech-inc.com

Enclosure: Sundry Notice

Cc: Client File No. 03056

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB No. 1004-0137
Expires: July 31, 2010

SUNDRY NOTICES AND REPORTS ON WELLS
Do not use this form for proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.

5. Lease Serial No.

6. If Indian, Allottee or Tribe Name

SUBMIT IN TRIPLICATE – Other instructions on page 2.

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

1. Type of Well
 Oil Well Gas Well Other

8. Well Name and No.
West Bisti Coal 24-1

2. Name of Operator
Elm Ridge Exploration

9. API Well No.
30-045-28515

3a. Address
PO Box 156
Bloomfield, NM 87413

3b. Phone No. (include area code)
(505) 632-3476

10. Field and Pool or Exploratory Area

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)
790 FNL 790 FEL, A-24-25N-13W, Lat. 38.381763 long. -108.164305

11. Country or Parish, State
San Juan County, NM

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

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

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

Elm Ridge Exploration plans to begin closure activities for an earthen pit located at the above mentioned site. All formal notifications have been made. Closure activities are scheduled to begin on Monday, September 21, 2009 and last through September 25, 2009.

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

Title Administrative Manager

Signature

Date 09/14/2009

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

Title

Date

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

Office

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

(Instructions on page 2)

GENERAL INSTRUCTIONS

This form is designed for submitting proposals to perform certain well operations and reports of such operations when completed as indicated on Federal and Indian lands pursuant to applicable Federal law and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local area or regional procedures and practices, are either shown below, will be issued by or may be obtained from the local Federal office.

SPECIFIC INSTRUCTIONS

Item 4 - Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult the local Federal office for specific instructions.

Item 13 - Proposals to abandon a well and subsequent reports of abandonment should include such special information as is required by the local Federal office. In addition, such proposals and reports should include reasons for the abandonment; data on any former or present productive zones or other zones with present significant fluid contents not sealed off by cement or otherwise; depths (top and bottom) and method of placement of cement plugs; mud or other material placed below, between and above plugs; amount, size, method of parting of any casing, liner or tubing pulled and the depth to the top of any tubing left in the hole; method of closing top of well and date well site conditioned for final inspection looking for approval of the abandonment.

NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 181 et seq., 351 et seq., 25 U.S.C. 396; 43 CFR 3160.

PRINCIPAL PURPOSE: The information is used to: (1) Evaluate, when appropriate, approve applications, and report completion of subsequent well operations, on a Federal or Indian lease; and (2) document for administrative use, information for the management, disposal and use of National Resource lands and resources, such as: (a) evaluating the equipment and procedures to be used during a proposed subsequent well operation and reviewing the completed well operations for compliance with the approved plan; (b) requesting and granting approval to perform those actions covered by 43 CFR 3162.3-2, 3162.3-3, and 3162.3-4; (c) reporting the beginning or resumption of production, as required by 43 CFR 3162.4-1(c) and (d) analyzing future applications to drill or modify operations in light of data obtained and methods used.

ROUTINE USES: Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions in connection with congressional inquiries or to consumer reporting agencies to facilitate collection of debts owed the Government.

EFFECT OF NOT PROVIDING THE INFORMATION: Filing of this notice and report and disclosure of the information is mandatory for those subsequent well operations specified in 43 CFR 3162.3-2, 3162.3-3, 3162.3-4.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The BLM collects this information to evaluate proposed and/or completed subsequent well operations on Federal or Indian oil and gas leases.

Response to this request is mandatory.

The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

BURDEN HOURS STATEMENT: Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Collection Clearance Officer (WO-630), 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240

**ELM RIDGE EXPLORATION
WEST BISTI COAL 24-1
SEC. 24, TWN. 25N, RNG. 13W
PROJECT NO. 03056-0220**

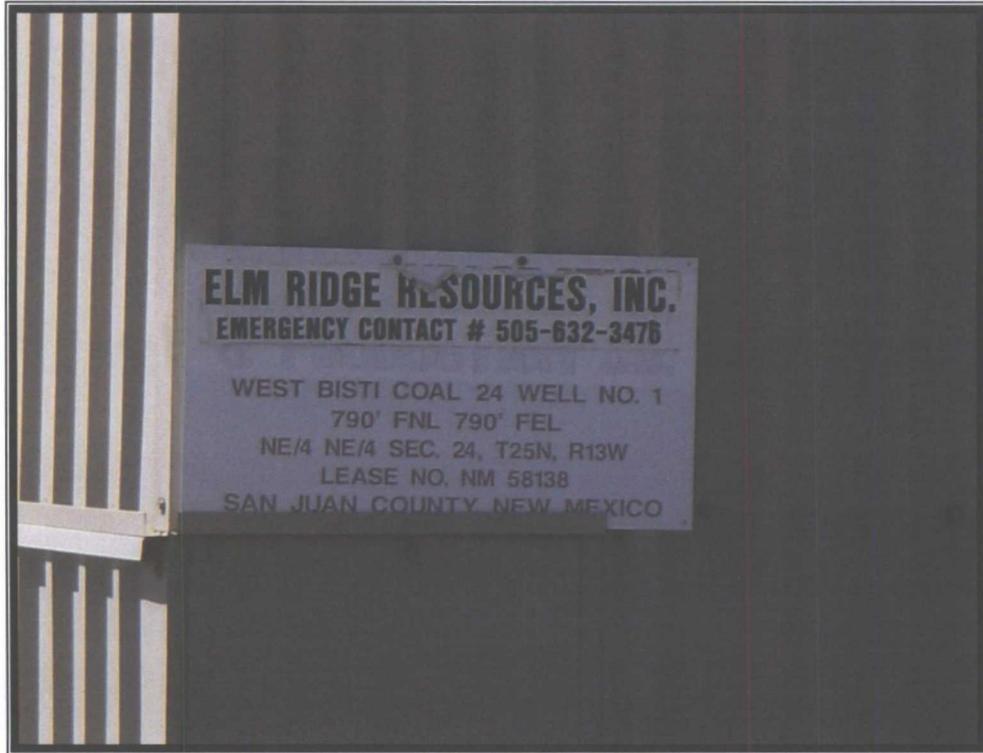


Photo 1: West Bisti Coal 24-1 Well Site



Photo 2: Excavated Area after Backfilling and Recontouring



**EPA METHOD 418.1
TOTAL PETROLEUM
HYDROCARBONS**

Client: Elm Ridge Exploration Project #: 03056-0220
Sample No.: 1 Date Reported: 10/13/2009
Sample ID: 5pt Composite Date Sampled: 9/22/2009
Sample Matrix: Soil Date Analyzed: 9/22/2009
Preservative: Cool Analysis Needed: TPH-418.1
Condition: Cool and Intact

| Parameter | Concentration (mg/kg) | Det. Limit (mg/kg) |
|-----------|--------------------------|--------------------------|
|-----------|--------------------------|--------------------------|

Total Petroleum Hydrocarbons 60 5.0

ND = Parameter not detected at the stated detection limit.

References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: **West Bisti Coal 24-1**

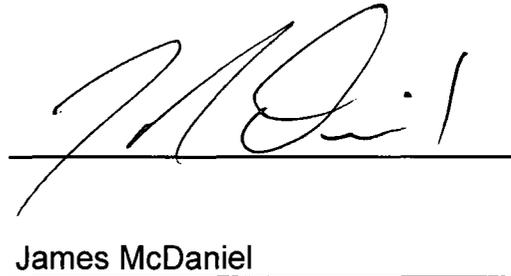
Instrument calibrated to 200 ppm standard. Zeroed before each sample



Analyst

Robyn Jones

Printed



James McDaniel

Printed



CONTINUOUS CALIBRATION
EPA METHOD 418.1
TOTAL PETROLEUM
HYDROCARBONS

Cal. Date: 22-Sep-09

| Parameter | Standard Concentration mg/L | Concentration Reading mg/L |
|-----------|-----------------------------|----------------------------|
| TPH | 100 | 200 |
| | 200 | |
| | 500 | |
| | 1000 | |

The accepted percent relative deviation (%RSD) of the calibration factor is less than 20% over the working range.



Analyst

10/13/09

Date

Robyn Jones

Print Name



Review

10/13/09

Date

James McDaniel

Print Name



| | | | |
|--------------------|-------------------|---------------------|------------|
| Client: | ElmRidge | Project #: | 03056-0220 |
| Sample ID: | 3' Below Pit Comp | Date Reported: | 09-25-09 |
| Laboratory Number: | 51790 | Date Sampled: | 09-22-09 |
| Chain of Custody: | 8036 | Date Received: | 09-23-09 |
| Sample Matrix: | Soil | Date Analyzed: | 09-24-09 |
| Preservative: | Cool | Date Extracted: | 09-23-09 |
| Condition: | Intact | Analysis Requested: | BTEX |

| Parameter | Concentration (ug/Kg) | Det. Limit (ug/Kg) |
|-------------------|--------------------------|--------------------------|
| Benzene | ND | 0.9 |
| Toluene | ND | 1.0 |
| Ethylbenzene | ND | 1.0 |
| p,m-Xylene | ND | 1.2 |
| o-Xylene | ND | 0.9 |
| Total BTEX | ND | |

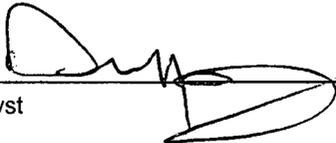
ND - Parameter not detected at the stated detection limit.

| Surrogate Recoveries: | Parameter | Percent Recovery |
|-----------------------|---------------------|------------------|
| | Fluorobenzene | 98.0 % |
| | 1,4-difluorobenzene | 98.0 % |
| | Bromochlorobenzene | 98.0 % |

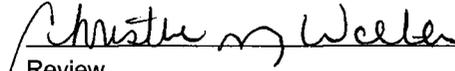
References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: West Bisti Coal 24-1



Analyst



Review



| | | | |
|--------------------|----------------|----------------|----------|
| Client: | N/A | Project #: | N/A |
| Sample ID: | 09-24-BT QA/QC | Date Reported: | 09-25-09 |
| Laboratory Number: | 51758 | Date Sampled: | N/A |
| Sample Matrix: | Soil | Date Received: | N/A |
| Preservative: | N/A | Date Analyzed: | 09-24-09 |
| Condition: | N/A | Analysis: | BTEX |

| Calibration and Detection Limits (ug/L) | I-Cal RF | C-Cal RF | %Diff. | Blank Conc | Detect. Limit |
|---|-------------|-----------------------|--------|------------|---------------|
| | | Accept. Range 0 - 15% | | | |
| Benzene | 1.5212E+006 | 1.5242E+006 | 0.2% | ND | 0.1 |
| Toluene | 1.3886E+006 | 1.3914E+006 | 0.2% | ND | 0.1 |
| Ethylbenzene | 1.2234E+006 | 1.2258E+006 | 0.2% | ND | 0.1 |
| p,m-Xylene | 3.1397E+006 | 3.1460E+006 | 0.2% | ND | 0.1 |
| o-Xylene | 1.1669E+006 | 1.1693E+006 | 0.2% | ND | 0.1 |

| Duplicate Conc. (ug/Kg) | Sample | Duplicate | %Diff. | Accept Range | Detect. Limit |
|-------------------------|--------|-----------|--------|--------------|---------------|
| Benzene | ND | ND | 0.0% | 0 - 30% | 0.9 |
| Toluene | ND | ND | 0.0% | 0 - 30% | 1.0 |
| Ethylbenzene | ND | ND | 0.0% | 0 - 30% | 1.0 |
| p,m-Xylene | ND | ND | 0.0% | 0 - 30% | 1.2 |
| o-Xylene | ND | ND | 0.0% | 0 - 30% | 0.9 |

| Spike Conc. (ug/Kg) | Sample | Amount Spiked | Spiked Sample | % Recovery | Accept Range |
|---------------------|--------|---------------|---------------|------------|--------------|
| Benzene | ND | 50.0 | 48.6 | 97.2% | 39 - 150 |
| Toluene | ND | 50.0 | 47.8 | 95.6% | 46 - 148 |
| Ethylbenzene | ND | 50.0 | 47.1 | 94.2% | 32 - 160 |
| p,m-Xylene | ND | 100 | 95.7 | 95.7% | 46 - 148 |
| o-Xylene | ND | 50.0 | 48.7 | 97.4% | 46 - 148 |

ND - Parameter not detected at the stated detection limit.

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.
Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

Comments: QA/QC for Samples 51758 - 51763, 51789 - 51791, and 51795.

Analyst 

Review 



| | | | |
|----------------|-------------------|-------------------|------------|
| Client: | ElmRidge | Project #: | 03056-0220 |
| Sample ID: | 3' Below Pit Comp | Date Reported: | 09-25-09 |
| Lab ID#: | 51790 | Date Sampled: | 09-22-09 |
| Sample Matrix: | Soil | Date Received: | 09-23-09 |
| Preservative: | Cool | Date Analyzed: | 09-24-09 |
| Condition: | Intact | Chain of Custody: | 8036 |

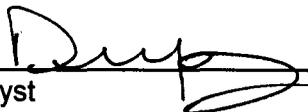
| Parameter | Concentration (mg/Kg) |
|-----------|-----------------------|
|-----------|-----------------------|

Total Chloride

145

Reference: U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.
Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992.

Comments: **West Bisti Coal 24-1.**



Analyst



Review

CHAIN OF CUSTODY RECORD

8036

| | | | | | | | | | | | | | | | | | | | |
|-------------------------|--|--|--|-----------------------|--------------------|-------------------|---------------|----------------|-----|---------------|-----|-------------|----------|--|--|--|--|-------------|---------------|
| Client: Elmridge | | Project Name / Location: West Bisti Coal 24-1 | | ANALYSIS / PARAMETERS | | | | | | | | | | | | | | | |
| Client Address: | | Sampler Name: R. Jones | | TPH (Method 8015) | BTEX (Method 8021) | VOC (Method 8260) | RCRA 8 Metals | Cation / Anion | RCI | TCLP with H/P | PAH | TPH (418.1) | CHLORIDE | | | | | Sample Cool | Sample Intact |
| Client Phone No.: | | Client No.: 0.3056-0220 | | | | | | | | | | | | | | | | | |

| Sample No./ Identification | Sample Date | Sample Time | Lab No. | Sample Matrix | No./Volume of Containers | Preservative | | | TPH (Method 8015) | BTEX (Method 8021) | VOC (Method 8260) | RCRA 8 Metals | Cation / Anion | RCI | TCLP with H/P | PAH | TPH (418.1) | CHLORIDE | | | | | Sample Cool | Sample Intact | | |
|--------------------------------|-------------|-------------|---------|---------------|--------------------------|-------------------|-----|-----|-------------------|--------------------|-------------------|---------------|----------------|-----|---------------|-----|-------------|----------|--|--|--|--|-------------|---------------|---|--|
| | | | | | | HgCl ₂ | HCl | COB | | | | | | | | | | | | | | | | | | |
| 3 rd Below Pit Comp | 9/22/09 | 15:00 | 51790 | Soil Solid | 1-40E | | | X | X | | | | | | | | | X | | | | | | ✓ | ✓ | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | | | | | | | | |

| | | | | | |
|------------------------------|---------|-------|--------------------------|---------|-------|
| Relinquished by: (Signature) | Date | Time | Received by: (Signature) | Date | Time |
| <i>[Signature]</i> | 9/23/09 | 10:27 | <i>Kendall Angerico</i> | 9/23/09 | 16:27 |
| Relinquished by: (Signature) | | | Received by: (Signature) | | |
| Relinquished by: (Signature) | | | Received by: (Signature) | | |



5796 US Highway 64 • Farmington, NM 87401 • 505-632-0615 • lab@envirotech-inc.com



Bill of Lading

34323

PHONE: (505) 632-0615 • 5796 U.S. HIGHWAY 64 • FARMINGTON, NEW MEXICO 87401

MANIFEST #

DATE 9-25-09 JOB# 03056-0220

| LOAD NO. | COMPLETE DESCRIPTION OF SHIPMENT | | | | | | TRANSPORTING COMPANY | | | |
|----------|----------------------------------|-------------|--------------|------|-----|------|----------------------|------|-------|--------------------|
| | POINT OF ORIGIN | DESTINATION | MATERIAL | GRID | YDS | BBLs | COMPANY | TRK# | TIME | DRIVER SIGNATURE |
| 1 | Elm Ridge W Asti 24-1 | LF-II | cont Soil | G-21 | 12 | - | 4-41 | 78 | 9:35 | <i>J. McKinney</i> |
| 2 | " | " | " | G-21 | 12 | - | " | 75 | 9:35 | <i>[Signature]</i> |
| 3 | " | LF-II | " | G-22 | 20 | - | 4-41 | 74 | 11:55 | <i>Rodt Ble</i> |
| 4 | " | " | " | G-22 | 12 | - | 4-41 | 75 | 11:56 | <i>[Signature]</i> |
| 5 | " | " | " | G-22 | 20 | - | 4-41 | 24 | 11:57 | <i>Steph Bar</i> |
| 6 | " | " | " | G-23 | 12 | - | 4-41 | 78 | 12:10 | <i>J. McKinney</i> |
| | | | | | 88 | | | | | |

RESULTS:

| | | |
|------|-------------------|---|
| <298 | CHLORIDE TEST | 6 |
| | PAINT FILTER TEST | 6 |

LANDFARM EMPLOYEE: *[Signature]*

NOTES: ENTERED SEP 29 2009

"I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and that no additional materials have been added."

NAME J. McKinney COMPANY Elm Ridge SIGNATURE *J. McKinney*
 COMPANY CONTACT mact PHONE 327-2911 DATE 9-25-09



Bill of Lading

34322

PHONE: (505) 632-0615 • 5796 U.S. HIGHWAY 64 • FARMINGTON, NEW MEXICO 87401

MANIFEST # _____
DATE 9-25-09 JOB# 03056-0220

| LOAD NO. | COMPLETE DESCRIPTION OF SHIPMENT | | | | | | TRANSPORTING COMPANY | | | |
|----------|----------------------------------|----------------------------|---------------|------|-----|------|----------------------|------|------|--------------------|
| | POINT OF ORIGIN | DESTINATION | MATERIAL | GRID | YDS | BBLs | COMPANY | TRK# | TIME | DRIVER SIGNATURE |
| 1 | Envirotech | Elm Ridge W. Dist. 24-1 | Clean Fill | - | 12 | - | 4-4 | 78 | 7:40 | <i>[Signature]</i> |
| 2 | " | " | " | - | 12 | - | 4-4 | 75 | 7:35 | <i>[Signature]</i> |
| 3 | " | " | " | - | 12 | - | 4-4 | 75 | 9:35 | <i>[Signature]</i> |
| | | | | | 36 | | | | | |

| | | | | | |
|-------------------------------------|-------------------|-----------------------|--------------------|--|---------------------|
| RESULTS: | | LANDFARM EMPLOYEE: | <i>[Signature]</i> | | NOTES: |
| <input checked="" type="checkbox"/> | CHLORIDE TEST | | | | ENTERED SEP 29 2009 |
| <input checked="" type="checkbox"/> | PAINT FILTER TEST | | | | |

"I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and that no additional materials have been added."

NAME J. McKinney COMPANY Elm Ridge SIGNATURE *[Signature]*
 COMPANY CONTACT MARK PHONE 327-2711 DATE 9-25-09



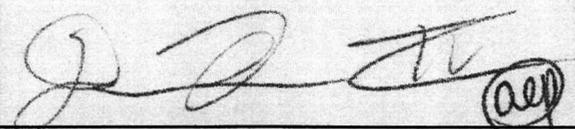
Bill of Lading

34308

PHONE: (505) 632-0615 • 5796 U.S. HIGHWAY 64 • FARMINGTON, NEW MEXICO 87401

MANIFEST # _____
DATE 9-24-09 JOB# 03056-0220

| LOAD NO. | COMPLETE DESCRIPTION OF SHIPMENT | | | | | | TRANSPORTING COMPANY | | | |
|----------|----------------------------------|-----------------------|------------|------|-----|------|----------------------|------|-------|------------------|
| | POINT OF ORIGIN | DESTINATION | MATERIAL | GRID | YDS | BBLs | COMPANY | TRK# | TIME | DRIVER SIGNATURE |
| 1 | Envirotech | Elm Ridge W. Ridge | Clean Fill | - | 12 | - | 4 + 21 | 78 | 8:40 | John Mack |
| 2 | " | " | " | - | 12 | - | 4 + 41 | 78 | 11:30 | John Mack |
| | | | | | 24 | | | | | |
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|-------------------|--|--------------------|--|----------------------------|
| RESULTS: | | LANDFARM EMPLOYEE: |  | NOTES: ENTERED SEP 25 2009 |
| CHLORIDE TEST | | | | |
| PAINT FILTER TEST | | | | |

"I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and that no additional materials have been added."

NAME J. Mack COMPANY Elm Ridge SIGNATURE John Mack
 COMPANY CONTACT Mack PHONE 327-2711 DATE 9-24-09