

MARTIN YATES, III

1912-1985

FRANK W. YATES

1936-1986

S.P. YATES

1914-2008



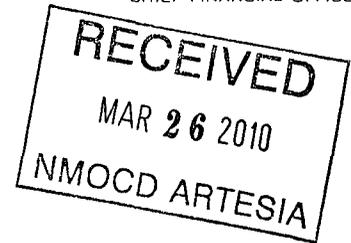
105 SOUTH FOURTH STREET
ARTESIA, NEW MEXICO 88210-2118
TELEPHONE (575) 748-1471

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CHIEF FINANCIAL OFFICER



March 25, 2010

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

RE: Wright JA #4
30-015-22870
Section 34, T18S-R26E
Eddy County, New Mexico

Dear Mr. Bratcher,

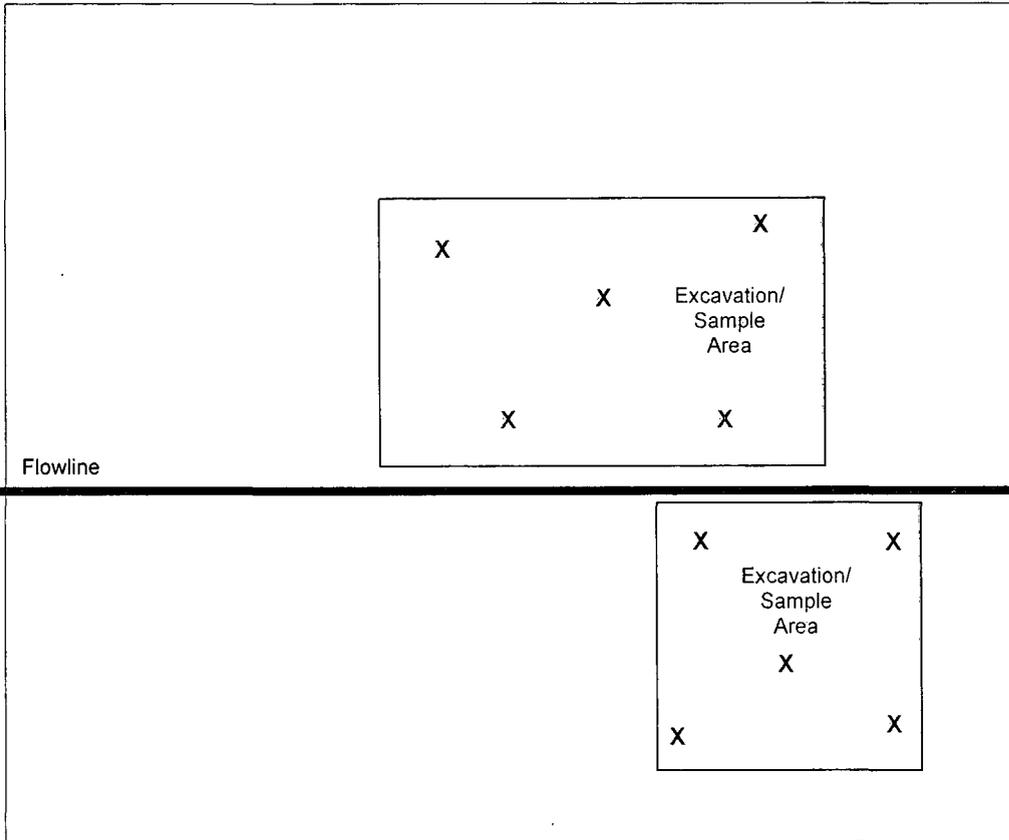
Enclosed please find sample diagram and analytical report for sampling conducted on March 5, 2010. Results indicate decreasing TPH Totals, per your e-mail request dated 2/15/2010. The additional one (1) foot of impacted soils have been excavated and taken to an NMOCD approved facility.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

Enclosure(s)
/rca



Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
GS/Comp-001	8/11/2009	Grab/Auger	1' (2' BGL)	59.010	400	2380	3230	1060
GS/Comp-002	8/11/2009	Grab/Auger	2' (3' BGL)	25.490	310	2210	2520	463
GS/Comp-003	8/11/2009	Grab/Auger	3' (4' BGL)	10.353	78.8	550	629	687
Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
GS/Comp-003	11/12/2009	Grab/Auger	3' (4' BGL)	0.0046	113	1750	1993	1060
GS/Comp-004	11/12/2009	Grab/Auger	4' (5' BGL)	0.0159	64.9	653	718	794
Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
GS/Comp-004	3/5/2010	Grab/Auger	1' (5' BGL)	0.0333	156	625	781	
GS/Comp-005	3/5/2010	Grab/Auger	2' (6' BGL)	ND	ND	ND	ND	
GS/Comp-006	3/5/2010	Grab/Auger	3' (7' BGL)	ND	ND	ND	ND	

Site Ranking is Ten (10). Depth to Ground Water 50-99" (approx. 90', per New Mexico State Engineer Office).

All results are ppm. BGL - Below Ground Level



Wright JA #4

30-015-22870

Section 34, T18S-R26E

Eddy County, NM

SAMPLE DIAGRAM (Not to Scale)

Xenco Report #: 340664; Sample Date: 8/11/2009

Xenco Report #: 352152; Sample Date: 11/12/2009

Xenco Report #: 364891; Sample Date: 3/5/2010

Prepared by Robert Asher
Environmental Regulatory Agent

Analytical Report 364891

for

Yates Petroleum Corporation

Project Manager: Robert Asher

Wright JA # 4

30-015-22870

19-MAR-10



12600 West I-20 East Odessa, Texas 79765

Xenco-Houston (EPA Lab code: TX00122):

Texas (T104704215-TX), Arizona (AZ0738), Arkansas (08-039-0), Connecticut (PH-0102), Florida (E871002)
Illinois (002082), Indiana (C-TX-02), Iowa (392), Kansas (E-10380), Kentucky (45), Louisiana (03054)
New Hampshire (297408), New Jersey (TX007), New York (11763), Oklahoma (9218), Pennsylvania (68-03610)
Rhode Island (LAO00312), USDA (S-44102)

Xenco-Atlanta (EPA Lab Code: GA00046):

Florida (E87429), North Carolina (483), South Carolina (98015), Utah (AALI1), West Virginia (362), Kentucky (85)
Louisiana (04176), USDA (P330-07-00105)

Xenco-Miami (EPA Lab code: FL01152): Florida (E86678), Maryland (330)

Xenco-Tampa Mobile (EPA Lab code: FL01212): Florida (E84900)

Xenco-Odessa (EPA Lab code: TX00158): Texas (T104704400-TX)

Xenco-Dallas (EPA Lab code: TX01468): Texas (T104704295-TX)

Xenco-Corpus Christi (EPA Lab code: TX02613): Texas (T104704370)

Xenco-Boca Raton (EPA Lab Code: FL00449):

Florida(E86240),South Carolina(96031001), Louisiana(04154), Georgia(917)

North Carolina(444), Texas(T104704468-TX), Illinois(002295)



19-MAR-10

Project Manager: **Robert Asher**
Yates Petroleum Corporation
105 South Fourth St.
Artesia, NM 88210

Reference: XENCO Report No: **364891**
Wright JA # 4
Project Address: Eddy County

Robert Asher:

We are reporting to you the results of the analyses performed on the samples received under the project name referenced above and identified with the XENCO Report Number 364891. All results being reported under this Report Number apply to the samples analyzed and properly identified with a Laboratory ID number. Subcontracted analyses are identified in this report with either the NELAC certification number of the subcontract lab in the analyst ID field, or the complete subcontracted report attached to this report.

Unless otherwise noted in a Case Narrative, all data reported in this Analytical Report are in compliance with NELAC standards. Estimation of data uncertainty for this report is found in the quality control section of this report unless otherwise noted. Should insufficient sample be provided to the laboratory to meet the method and NELAC Matrix Duplicate and Matrix Spike requirements, then the data will be analyzed, evaluated and reported using all other available quality control measures.

The validity and integrity of this report will remain intact as long as it is accompanied by this letter and reproduced in full, unless written approval is granted by XENCO Laboratories. This report will be filed for at least 5 years in our archives after which time it will be destroyed without further notice, unless otherwise arranged with you. The samples received, and described as recorded in Report No. 364891 will be filed for 60 days, and after that time they will be properly disposed without further notice, unless otherwise arranged with you. We reserve the right to return to you any unused samples, extracts or solutions related to them if we consider so necessary (e.g., samples identified as hazardous waste, sample sizes exceeding analytical standard practices, controlled substances under regulated protocols, etc).

We thank you for selecting XENCO Laboratories to serve your analytical needs. If you have any questions concerning this report, please feel free to contact us at any time.

Respectfully,

Brent Barron, II

Odessa Laboratory Manager

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Sample Cross Reference 364891



Yates Petroleum Corporation, Artesia, NM

Wright JA # 4

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-004	S	Mar-05-10 10:18	4 - 4 ft	364891-001
GS/Comp-005	S	Mar-05-10 10:38	5 - 5 ft	364891-002
GS/Comp-006	S	Mar-05-10 10:55	6 - 6 ft	364891-003



CASE NARRATIVE

Client Name: Yates Petroleum Corporation

Project Name: Wright JA # 4

Project ID: 30-015-22870

Work Order Number: 364891

Report Date: 19-MAR-10

Date Received: 03/09/2010

Sample receipt non conformances and Comments:

None

Sample receipt Non Conformances and Comments per Sample:

None

Analytical Non Conformances and Comments:

Batch: LBA-797581 BTEX by EPA 8021

SW8021BM

Batch 797581, 4-Bromofluorobenzene recovered above QC limits . Matrix interferences is suspected; data not confirmed by re-analysis

Samples affected are: 364891-001.

SW8021BM

Batch 797581, Ethylbenzene, Toluene, m,p-Xylenes, o-Xylene recovered below QC limits in the Matrix Spike and Matrix Spike Duplicate.

Samples affected are: 364891-001, -002, -003.

The Laboratory Control Sample for Toluene, m,p-Xylenes , Ethylbenzene, o-Xylene is within laboratory Control Limits

Batch: LBA-797738 TPH by SW 8015B

None

Batch: LBA-797747 Percent Moisture

AD2216A

Batch 797747, Percent Moisture RPD is outside the QC limit. This is most likely due to sample non-homogeneity.

Samples affected are: 364891-001, -002, -003.



Certificate of Analysis Summary 364891

Yates Petroleum Corporation, Artesia, NM

Project Name: Wright JA # 4

Project Id: 30-015-22870

Contact: Robert Asher

Project Location: Eddy County

Date Received in Lab: Tue Mar-09-10 09:42 am

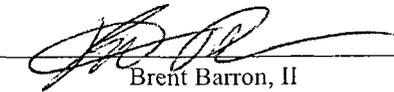
Report Date: 19-MAR-10

Project Manager: Brent Barron, II

<i>Analysis Requested</i>	<i>Lab Id:</i>	364891-001	364891-002	364891-003			
	<i>Field Id:</i>	GS/Comp-004	GS/Comp-005	GS/Comp-006			
	<i>Depth:</i>	4-4 ft	5-5 ft	6-6 ft			
	<i>Matrix:</i>	SOIL	SOIL	SOIL			
	<i>Sampled:</i>	Mar-05-10 10:18	Mar-05-10 10:38	Mar-05-10 10:55			
BTEX by EPA 8021	<i>Extracted:</i>	Mar-10-10 15:00	Mar-10-10 15:00	Mar-10-10 15:00			
	<i>Analyzed:</i>	Mar-11-10 00:13	Mar-11-10 00:35	Mar-11-10 00:57			
	<i>Units/RL:</i>	mg/kg RL	mg/kg RL	mg/kg RL			
Benzene		ND 0.0011	ND 0.0010	ND 0.0011			
Toluene		ND 0.0021	ND 0.0021	ND 0.0021			
Ethylbenzene		0.0041 0.0011	ND 0.0010	ND 0.0011			
m,p-Xylenes		0.0167 0.0021	ND 0.0021	ND 0.0021			
o-Xylene		0.0125 0.0011	ND 0.0010	ND 0.0011			
Xylenes, Total		0.0292 0.0011	ND 0.0010	ND 0.0011			
Total BTEX		0.0333 0.0011	ND 0.0010	ND 0.0011			
Percent Moisture	<i>Extracted:</i>						
	<i>Analyzed:</i>	Mar-10-10 17:00	Mar-10-10 17:00	Mar-10-10 17:00			
	<i>Units/RL:</i>	% RL	% RL	% RL			
Percent Moisture		5.16 1.00	3.76 1.00	6.34 1.00			
TPH by SW 8015B	<i>Extracted:</i>						
	<i>Analyzed:</i>	Mar-10-10 12:00	Mar-10-10 12:00	Mar-10-10 12:00			
	<i>Units/RL:</i>	mg/kg RL	mg/kg RL	mg/kg RL			
C6-C10 Gasoline Range Hydrocarbons		156 15.9	ND 15.6	ND 16.0			
C10-C28 Diesel Range Hydrocarbons		625 15.9	ND 15.6	ND 16.0			
Total TPH		781 15.9	ND 15.6	ND 16.0			

This analytical report, and the entire data package it represents, has been made for your exclusive and confidential use. The interpretations and results expressed throughout this analytical report represent the best judgment of XENCO Laboratories. XENCO Laboratories assumes no responsibility and makes no warranty to the end use of the data hereby presented. Our liability is limited to the amount invoiced for this work order unless otherwise agreed to in writing.

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 Brent Barron, II
 Odessa Laboratory Manager



Flagging Criteria

- X** In our quality control review of the data a QC deficiency was observed and flagged as noted. MS/MSD recoveries were found to be outside of the laboratory control limits due to possible matrix /chemical interference, or a concentration of target analyte high enough to effect the recovery of the spike concentration. This condition could also effect the relative percent difference in the MS/MSD.
 - B** A target analyte or common laboratory contaminant was identified in the method blank. Its presence indicates possible field or laboratory contamination.
 - D** The sample(s) were diluted due to targets detected over the highest point of the calibration curve, or due to matrix interference. Dilution factors are included in the final results. The result is from a diluted sample.
 - E** The data exceeds the upper calibration limit; therefore, the concentration is reported as estimated.
 - F** RPD exceeded lab control limits.
 - J** The target analyte was positively identified below the MQL and above the SQL.
 - U** Analyte was not detected.
 - L** The LCS data for this analytical batch was reported below the laboratory control limits for this analyte. The department supervisor and QA Director reviewed data. The samples were either reanalyzed or flagged as estimated concentrations.
 - H** The LCS data for this analytical batch was reported above the laboratory control limits. Supporting QC Data were reviewed by the Department Supervisor and QA Director. Data were determined to be valid for reporting.
 - K** Sample analyzed outside of recommended hold time.
 - JN** A combination of the "N" and the "J" qualifier. The analysis indicates that the analyte is "tentatively identified" and the associated numerical value may not be consistent with the amount actually present in the environmental sample.
- BRL** Below Reporting Limit.
- RL** Reporting Limit
- * Outside XENCO's scope of NELAC Accreditation.

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9701 Harry Hines Blvd , Dallas, TX 75220	(214) 902 0300	(214) 351-9139
5332 Blackberry Drive, San Antonio TX 78238	(210) 509-3334	(210) 509-3335
2505 North Falkenburg Rd, Tampa, FL 33619	(813) 620-2000	(813) 620-2033
5757 NW 158th St, Miami Lakes, FL 33014	(305) 823-8500	(305) 823-8555
12600 West I-20 East, Odessa, TX 79765	(432) 563-1800	(432) 563-1713
842 Cantwell Lane, Corpus Christi, TX 78408	(361) 884-0371	(361) 884-9116

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client: Yates Petroleum
 Date/ Time: 3.8.10 9:42
 Lab ID #: 364891 / 364892
 Initials: AL

Sample Receipt Checklist

				Client Initials
#1	Temperature of container/ cooler?	<input checked="" type="radio"/> Yes	No	5.1 °C
#2	Shipping container in good condition?	<input checked="" type="radio"/> Yes	No	
#3	Custody Seals intact on shipping container/ cooler?	<input checked="" type="radio"/> Yes	No	Not Present
#4	Custody Seals intact on sample bottles/ container?	<input checked="" type="radio"/> Yes	No	Not Present
#5	Chain of Custody present?	<input checked="" type="radio"/> Yes	No	
#6	Sample instructions complete of Chain of Custody?	<input checked="" type="radio"/> Yes	No	
#7	Chain of Custody signed when relinquished/ received?	<input checked="" type="radio"/> Yes	No	
#8	Chain of Custody agrees with sample label(s)?	<input checked="" type="radio"/> Yes	No	ID written on Cont./ Lid
#9	Container label(s) legible and intact?	<input checked="" type="radio"/> Yes	No	Not Applicable
#10	Sample matrix/ properties agree with Chain of Custody?	<input checked="" type="radio"/> Yes	No	
#11	Containers supplied by ELOT?	<input checked="" type="radio"/> Yes	No	
#12	Samples in proper container/ bottle?	<input checked="" type="radio"/> Yes	No	See Below
#13	Samples properly preserved?	<input checked="" type="radio"/> Yes	No	See Below
#14	Sample bottles intact?	<input checked="" type="radio"/> Yes	No	
#15	Preservations documented on Chain of Custody?	<input checked="" type="radio"/> Yes	No	
#16	Containers documented on Chain of Custody?	<input checked="" type="radio"/> Yes	No	
#17	Sufficient sample amount for indicated test(s)?	<input checked="" type="radio"/> Yes	No	See Below
#18	All samples received within sufficient hold time?	<input checked="" type="radio"/> Yes	No	See Below
#19	Subcontract of sample(s)?	<input checked="" type="radio"/> Yes	No	<input checked="" type="radio"/> Not Applicable
#20	VOC samples have zero headspace?	<input checked="" type="radio"/> Yes	No	Not Applicable

Variance Documentation

Contact: _____ Contacted by: _____ Date/ Time: _____

Regarding: _____

Corrective Action Taken: _____

- Check all that Apply:
- See attached e-mail/ fax
 - Client understands and would like to proceed with analysis
 - Cooling process had begun shortly after sampling event