

Tempo Energy, Inc.  
PO Box 1034  
Midland, Texas 79702

(432) 689-2951  
(432) 689-4811 fax

#63 30-015-24724

#68 30-015-25318

New Mexico OCD

Attn: Gerry Guye

Fonscon: Jim Pannier  
Authorized to sign

---

SEP-05-2007 10:05 From:

To: 4326844811

P. 23



# ARDINAL LABORATORIES

PHONE (325) 673-7001 • 2111 BEECHWOOD • ABILENE, TX 79603  
PHONE (505) 303-2328 • 101 E. MARLAND • HOBBS, NM 88240

**ANALYTICAL RESULTS FOR  
BRYAN'S OILFIELD  
ATTN: C.W. MOTES  
P.O. BOX 759  
EUNICE, NM 88231  
FAX TO: (505) 394-0809**

Receiving Date: 09/10/07  
Reporting Date: 09/11/07  
Project Owner: TEMPO  
Project Name: NOT GIVEN  
Project Location: POKER LAKE 63 & 68

Analysis Date: 09/11/07  
Sampling Date: 09/07/07  
Sample Type: SOIL  
Sample Condition: COOL & INTACT  
Sample Received By: BC  
Analyzed By: KS

[illegible]

**METHOD:** Standard Methods 4500-CrB

Note: Analyses performed on 1:4 w/v aqueous extracts.

## Chemist

Date: \_\_\_\_\_

**H13275 BRYAN'S**

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P.343

SEP-05-2007 10:05 From:



# ORDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240 2111 Bearwood, Abilene, TX 79603

505 893-4326 FAX (808) 385-2476 (205) 673-7001 FAX (205) 673-7020

### CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

[illegible]

**Guye, Gerry, EMNRD**

**To:** tempoenergy@suddenlink.net

**Subject:** Analytical results for Poker Lake 63 & 68

I have reviewed the sampling you sent me on Sep 4, 07 and have the following questions.

1. How deep were these last samples from the pit taken?
2. How deep were these last samples from the outside area taken?

We seem to be almost to the levels we would expect for this area.

Let me know when you take your next set of samples.

***Gerry Guye***

Compliance Officer

NMDCD - Artesia

Office (505)748-1283x105

Mobile (505)626-0843

E-Mail: gerry.guye@state.nm.us

9/6/2007

Tempo Energy, Inc.  
PO Box 1034  
Midland, Texas 79702

(432) 689-2951  
(432) 689-4811 fax

~~August 7, 2007~~

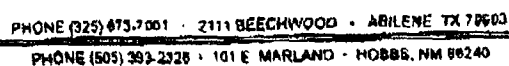
September 4, 2007

To: Gerry Guye  
Deputy Field Inspector NMOCD

Re: Soil analysis results from Poker Lake 63 & Poker Lake 68

~~Enclosed including cover~~

P. 1/2



Analysis Date: 08/30/07  
Sampling Date: 08/29/07  
Sample Type: SOIL  
Sample Condition: INTACT  
Sample Received By: CK  
Analyzed By: HM

METHOD: Standard Methods	4500-CrB
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Note: Analyses performed on 1:4 w/v aqueous extracts.

Date \_\_\_\_\_

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**Guye, Gerry, EMNRD**

**From:** Guye, Gerry, EMNRD  
**Sent:** Wednesday, August 29, 2007 3:17 PM  
**To:** 'tempoenergy@suddenlink.net'  
**Subject:** Analytical Results for Poker Lake #63 and #68

Jim

The TPH readings are within limits on the analytical results you sent. However, the chlorides are still too high. This will require additional remediation to bring them down.  
Let me know what the next set of sampling results indicates.

***Gerry Guye***

Deputy Field Inspector

NMDCD - Artesia

Office (505)748-1283x105

Mobile (505)626-0843

E-Mail: gerry.guye@state.nm.us

8/30/2007



Tempo Energy, Inc.  
PO Box 1034  
Midland, Texas 79702

August ~~27~~, 2007  
29

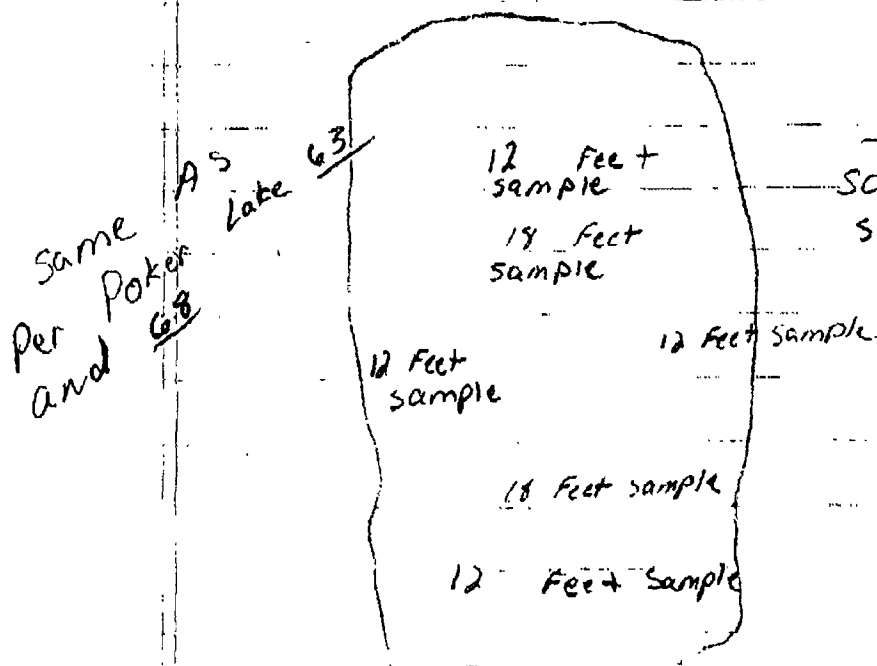
(432) 689-2951  
(432) 689-4811 fax

To: Gerry Guye  
Deputy Field Inspector NMOCD

Re: Soil analysis results from Poker Lake 63 & Poker Lake 68

~~Environmental Monitoring covers~~

1. We Took Soil Samples After Digging All Wet and Moist Soil Out of Reserve Pits,
2. The Samples were Taking at Approx. 12, and 18 Feet and There is A Copy here
3. Did not do Background Sampling Because of product in Pit Area. We we're more Concentrating on Cleaning pit Area's.



I will send other Soil Samples To First sampling with This

AUG-21-2007 10:40 From:

To: 915 689 4811

P.2/4


**ARDINAL**  
**LABORATORIES**

PHONE (325) 873-7001 • 2111 BEECHWOOD • ABILENE, TX 79602

PHONE (505) 303-2326 • 101 E MARLAND • MOORE, NM 88240

ANALYTICAL RESULTS FOR  
 BRYAN'S OILFIELD  
 ATTN: C.W. MOTES  
 P.O. BOX 759  
 EUNICE, NM 88231  
 FAX TO: (505) 394-0609

Receiving Date: 08/16/07  
 Reporting Date: 08/20/07  
 Project Number: POKER LAKE 83  
 Project Name: POKER LAKE  
 Project Location: NOT GIVEN

Sampling Date: 08/14/07  
 Sample Type: SOIL  
 Sample Condition: INTACT  
 Sample Received By: HM  
 Analyzed By: BC/HM

LAB NUMBER	SAMPLE ID	GRO	DRO	CI*
		(C <sub>8</sub> -C <sub>10</sub> ) (mg/Kg)	(>C <sub>10</sub> -C <sub>28</sub> ) (mg/Kg)	(mg/Kg)
ANALYSIS DATE		08/16/07	08/16/07	08/16/07
H13111-1	12'	<10.0	206	3280
H13111-2	18'	<10.0	223	2620
Quality Control		786	784	500
True Value QC		800	800	500
% Recovery		98.3	98.0	100
Relative Percent Difference		5.0	0.3	2.0

METHODS TPH GRO &amp; DRO: EPA SW-846 8015 M; CI: Std. Methods 4500-CIB

\*Analyses performed on 1:4 w/v aqueous extracts.

*Bryant P. Cash*  
 Chemist

*8/20/07*  
 Date

H13111A BRYAN'S OIL

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AUG-21-2007 10:40 From:

To:915 689 4811

P.3/4



PHONE (325) 873-7001 • 2111 BEECHWOOD • ABILENE, TX 79603

PHONE (505) 393-2326 • 101 E MARLAND • HOBBS NM 88240

ANALYTICAL RESULTS FOR  
BRYAN'S OILFIELD SERVICES  
ATTN: BRYAN HENSON  
1808 9th ST.  
EUNICE, NM 88231  
FAX TO: (505) 394-0809

Receiving Date: 08/20/07

Reporting Date: 08/22/07

Project Owner: TEMPO ENERGY

Project Name: NOT GIVEN

Project Location: POKER LAKE 68, POKER LAKE 63

Sampling Date: 08/19/07

Sample Type: SOIL

Sample Condition: INTACT

Sample Received By: KS

Analyzed By: BC/KS

LAB NUMBER	SAMPLE ID	GRO (C <sub>8</sub> -C <sub>10</sub> ) (mg/Kg)	DRO (C <sub>10</sub> -C <sub>28</sub> ) (mg/Kg)	CI <sup>+</sup> (mg/Kg)
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ANALYSIS DATE	08/21/07	08/21/07	08/20/07
H13133-1 POKER LAKE TEMPO 63	<10.0	70.1	5200
H13133-2 POKER LAKE TEMPO 63	<10.0	65.8	5160
H13133-3 POKER LAKE 68 TEMPO	<10.0	542	8640
H13133-4 POKER LAKE 68 TEMPO	<10.0	568	5680
Quality Control	767	792	490
True Value QC	800	800	500
% Recovery	95.9	99.1	98.0
Relative Percent Difference	0.7	0.7	2.0

METHODS: TPH GRO & DRO: EPA SW-846 8015 M, CI<sup>+</sup> Std. Methods 4500-CI<sup>+</sup>B

\*Analyses performed on 1:4 w:v aqueous extracts

*Bryson J. Cooke*  
Chemist

*8/22/07*  
Date

H13133 BOS

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**Guye, Gerry, EMNRD**

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**From:** Tempo Energy [tempoenergy@suddenlink.net]  
**Sent:** Monday, August 27, 2007 12:45 PM  
**To:** Guye, Gerry, EMNRD  
**Subject:** Read: Poker Lake Unit St #63 and #68  
**Attachments:** ATT278800.txt

Your message

To: tempoenergy@suddenlink.net  
Subject: Poker Lake Unit St #63 and #68  
Sent: 8/27/2007 1:37 PM

was read on 8/27/2007 1:45 PM.

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8/27/2007

## Guye, Gerry, EMNRD

**From:** Guye, Gerry, EMNRD  
**Sent:** Monday, August 27, 2007 12:38 PM  
**To:** 'tempoenergy@suddenlink.net'  
**Subject:** Poker Lake Unit St #63 and #68

Jim

I have received the analytical results of your sampling and have the following questions:

1. Where were the samples taken and was this before any excavation? A diagram of the site showing the sampling positions would be helpful.
2. How deep did you obtain the samples?
3. Did you do any background sampling (i.e. proximity to the pit)?

I am satisfied that the TPH levels are within range, but I am concerned about the chlorides.

If you can furnish me this information perhaps I can speed up this process.

***Gerry Guye***

**Compliance Officer**

**NMDCO - Artesia**

**Office (505)748-1283x105**

**Mobile (505)626-0843**

**E-Mail: gerry.guye@state.nm.us**

8/27/2007

AUG-19-2007 09:30 From:

To: 915 689 4811

P.1/2



PHONE (925) 873-7001 • 2111 BEECHWOOD • ABILENE, TX 79605

PHONE (805) 382-2326 • 101 E. MARLAND • HOBBS, NM 88240

**ANALYTICAL RESULTS FOR  
BRYAN'S OILFIELD SERVICES**

ATTN: BRYAN HENSON

1608 9th ST.

EUNICE, NM 88231

FAX TO: (505) 394-0609

Receiving Date: 08/20/07

Reporting Date: 08/22/07

Project Owner: TEMPO ENERGY

Project Name: NOT GIVEN

Project Location: POKER LAKE 68, POKER LAKE 63

Sampling Date: 08/19/07

Sample Type: SOIL

Sample Condition: INTACT

Sample Received By: KS

Analyzed By: BC/KS

LAB NUMBER	SAMPLE ID	GRO	DRO	CI*
		(C <sub>8</sub> -C <sub>10</sub> ) (mg/Kg)	(>C <sub>10</sub> -C <sub>28</sub> ) (mg/Kg)	CI* (mg/Kg)
ANALYSIS DATE		08/21/07	08/21/07	08/20/07
H13133-1	POKER LAKE TEMPO 63	<10.0	70.1	5200
H13133-2	POKER LAKE TEMPO 63	<10.0	65.6	5160
H13133-3	POKER LAKE 68 TEMPO	<10.0	542	8640
H13133-4	POKER LAKE 68 TEMPO	<10.0	568	5680
Quality Control		767	792	490
True Value QC		800	800	500
% Recovery		95.9	99.1	98.0
Relative Percent Difference		0.7	0.7	2.0

METHODS: TPH GRO &amp; DRO EPA SW-846 8015 M, CI: Std. Methods 4500-CI'B

\*Analyses performed on 1:4 w/v aqueous extracts.

*Burgess J. Cook*  
Chemist

*8/22/07*  
Date

H13133 BOS

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Site Ranking - 0



# CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

**BILL TO**

ANALYSIS REQUEST

† Cardiacs cannot accept verbal changes. Please fax written changes to 505-393-2478



**Tempo Energy, Inc.**  
**PO Box 1034**  
**Midland, Texas 79702**

**August 27, 2007**

**(432) 689-2951**  
**(432) 689-4811 fax**

**To:** Gerry Guye  
Deputy Field Inspector NMOCD

**Re:** Soil analysis results from Poker Lake 63 & Poker Lake 68  
  
3 pages including cover

Mr. Guye,

We began work digging out those pits approximately 3 weeks ago. At the present time we are waiting to get samples back on both pits to determine whether or not we need to continue digging. We hope to have the work completed within the next 10-14 days. I will forward the lab results to you once I have them.

Jim Pannell  
Tempo Energy, Inc.

432-689-2951

----- Original Message -----

**From:** Guye, Gerry, EMNRD  
**To:** tempoenergy@suddenlink.net  
**Sent:** Friday, August 17, 2007 9:19 AM  
**Subject:** Poker Lake Unit St #63 and #68

Mr.. Frank Pannell

On June 6,2007 we informed you of approval (with stipulations) of your Form C-103 outlining the closure plan for the pits on these two locations.

The project was to be completed and proper paperwork filed on or before August 6, 2007.

As of the date of this correspondence we have received no information as to the status of these pits.

To preclude further enforcement action, please advise immediately.

**Gerry Guye**

Deputy Field Inspector

NMDCD - Artesia

Office (505)748-1283x105

Mobile (505)626-0843

E-Mail: gerry.guye@state.nm.us

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8/27/2007