

RECEIVED

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 Aspen Operating Co.	Contact Michael Wilson
Address 801 Cherry St Ste 810 Ft Worth, TX 76102	Telephone No. 817-455-2311 or 817-882-9063 ext. 19
Facility Name Gainer #1	Facility Type Oil

Surface Owner Tom Gainer	Mineral Owner Rubicon Energy Partner	Lease No. 30-025-34201
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LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
D	22	10S	36E	1,294	FNL	39	FWL	LEA

Latitude 33.43626 Longitude -103.25242

NATURE OF RELEASE

Type of Release Saltwater	Volume of Release 280	Volume Recovered 320
Source of Release SW Tank	Date and Hour of Occurrence	Date and Hour of Discovery 2:00 PM
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Tom Gainer & OCC Found it, 7/30/09	
By Whom? PUMPER Johnny Villa called Tom Gainer	Date and Hour SAME DAY	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse. N/A	

If a Watercourse was Impacted, Describe Fully.* N/A
WATER = 90'

Describe Cause of Problem and Remedial Action Taken.* possibly high winds blew down the down-comer that comes from the free water knockout. The volume of that cut a two foot gap in firewall. Repaired firewall with backhoe and vacuum truck sucked up spill.

Describe Area Affected and Cleanup Action Taken.* Spill escaped firewall and flowed into pasture heater treater, south. Backhoe prevented water from puddling to protect livestock. On 8/10/09 met with OCD rep. On 8/11/09 gathered up soil samples.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCDC 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 NMOCDC 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, NMOCDC 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: <i>Mike Wilson</i>	OIL CONSERVATION DIVISION	
Printed Name: Michael Wilson	Approved by ENV ENGINEER	District Supervisor: <i>Jeffrey Leising</i>
Title: Production Manager	Approval Date: 09/07/09	Expiration Date: 11/09/09
E-mail Address: mwilson@aspen-oil.com	Conditions of Approval: DELINEATE TO CLEAN UP. SUBMIT FINAL C-141 BY	Attached <input type="checkbox"/>
Date: 08/25/09 Phone: 817-882-9063 Ext 19		IRP-09-10-2291

* Attach Additional Sheets If Necessary

FGRL0927540575



Aspen Operating Company, L.L.C.

August 25, 2009

Mr. Larry Johnson
Oil Conservation Division
1625 N. French Drive
Hobbs, New Mexico 88240
Phone: 505-393-6161
Fax: 505-393-0720
<http://www.emnrd.state.nm.us>

RECEIVED

SEP 04 2009

HOBBSOCD

RE: **C-141**
Gainer No.1 / Saltwater Spill 7/30/2009 / D-22-10S-36E /
30-025-34201-00-00

Dear Mr. Larry Johnson,

Please find the C-141 for the Gainer #1 spill on 7/30/2009. Should this C-141 not be satisfactory, please contact me as soon as possible.

We are making every effort to comply. I am regularly in contact with Aspen's pumper, Johnny Villa (Cell: 432-889-0988). Johnny Villa reported that he is in contact with a man from the OCD named Mr. Geoffrey Leking. To my knowledge since the spill, Johnny Villa has taken soil samples of the affected area. The landowner was contacted. The saltwater was vacuumed up. The firewall was repaired, and the Gainer well is currently producing.

Sincerely,

Michael Wilson
Aspen Operating Company, L.L.C.
Production Manager
(817) 882-9063, ext. 19
mwilson@aspen-oil.com