



# New Mexico Energy, Minerals and Natural Resources Department

**Bill Richardson**  
Governor

**Joanna Prukop**  
Cabinet Secretary  
**Reese Fullerton**  
Deputy Cabinet Secretary

**Mark Fesmire**  
Division Director  
Oil Conservation Division



October 13, 2009

BOPCO, L.P.  
Attn: Tony Savoie  
522 W Mermod, Suite 704  
Carlsbad, NM 88220

Reference: Poker Lake Unit 227 30-015-33929  
P-30-24S-30E Eddy County, New Mexico  
2RP-348

Operator,

The New Mexico Oil Conservation Division District 2 Office (OCD) is in receipt of an Initial Report C-141 for a release of produced fluids occurring at the above referenced facility on July 30, 2009. Included with the C-141 is a plan for remediation actions.

The following points of the remediation plan are outlined with OCD comments in RED

- "All affected soil will be excavated and sampled for the presence of Hydrocarbons EPA method (8015M) and Chlorides method 4500-Cl-B or 300S" APPROVED
- "Soil with TPH values greater than 1000 mg/kg will be treated on-site and used for backfill." PLEASE DEFINE HOW SOIL IS TO BE TREATED ON SITE
- "Soil with Chloride values greater than 1000 mg/kg will be disposed of in an approved facility" DENIED. OPERATOR HAS NOT SUBMITTED BACKGROUND ANALYTICAL DATA TO MAKE THIS DETERMINATION. PLEASE SUBMIT BACKGROUND ANALYTICAL DATA.
- "Soil with Chloride value less than 1000 mg/kg will be used to backfill the site." DENIED. OPERATOR HAS NOT SUBMITTED BACKGROUND ANALYTICAL DATA TO MAKE THIS DETERMINATION. PLEASE SUBMIT BACKGROUND ANALYTICAL DATA.

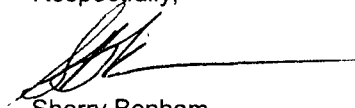
The remainder of the remediation plan is accepted with the following stipulations:

- Contaminated soils shall be remediated so that residual contaminant concentrations are below the recommended soil remediation action levels. Confirmation soil samples reflecting TPH, BTEX, and chloride constituents will be required.
- Notify the OCD 48 hours prior to obtaining samples where analyses are to be submitted to the OCD.
- Remediation requirements may be subject to change as site conditions warrant.
- Depending upon the contractual obligation, the operator may be required to obtain like approval from the surface owner. Should like approval be required, it is the operator responsibility per the contractual obligation to obtain this approval.
- Results of analytical data obtained through sampling shall be forwarded to OCD for approval **prior** to any backfilling activities.
- Upon completion of remedial activities, a final report summarizing all actions taken to mitigate environmental damage related to the release is to be provided to OCD.
- A final Report C-141 is to be submitted to the OCD upon satisfactory completion of remediation project.
- Remediation to be completed on or before December 13, 2009.



Please be advised that NMOCD acceptance of this plan 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 this plan does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

Respectfully,

A handwritten signature in black ink, appearing to read 'Sherry Bonham', with a long horizontal line extending to the right.

Sherry Bonham  
NMOCD District 2  
1301 W Grand Avenue  
Artesia, NM 88210  
575.748.1283 ext. 109  
[sherry.bonham@state.nm.us](mailto:sherry.bonham@state.nm.us)

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

SEP - 1 2009

Form C-141  
Revised October 10, 2003

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

ASEB 0928648481  
SEB 0928649105  
SEB 0928649268

Release Notification and Corrective Action

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company BOPCO, L.P.	260737	Contact Tony Savoie
Address 522 W. Mermod, Suite 704 Carlsbad, N.M. 88220		Telephone No. 432-556-8730
Facility Name Poker Lake Unit #227		Facility Type E&P
30-015-3929		
Surface Owner Federal	Mineral Owner Federal	Lease No.

LOCATION OF RELEASE

Unit Letter P	Section 30	Township 24S	Range 30E	Feet from the	North/South Line	Feet from the	East/West Line	County Eddy
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Latitude N 32.18191 Longitude W 103.91429

NATURE OF RELEASE

Type of Release: Produced water and crude oil	Volume of Release: 200 bbls produced water and less than 5 bls crude oil	Volume Recovered: none
Source of Release: Tank Failure	Date and Hour of Occurrence 7/30/09, Hour unknown	Date and Hour of Discovery 7/30/09 8:00 a.m.
Was Immediate Notice Given? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input 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.\*

The Produced water tank at the facility was struck by lightning, the fire burned itself out after a few minutes, all of the produced water that was left in the affected tank was removed with a vacuum truck. A portion of the berm was washed out due to the volume of water that was released.

Describe Area Affected and Cleanup Action Taken.\*

The produced water traveled across a lease road, approximately 30 ft wide, across a closed temporary pit which was approximately 200 ft. wide, and into the pasture. The area affected in the pasture land covered approximately 4,700 Sq. Ft. Samples were collected from the surface and 1 ft. below the surface on 8/6/09. The temporary pit area was sampled 8/27/09.

The Site remediation for the produced water spill will follow the NMOCD guidelines for leaks and spills.  
Remediation of the temporary pit area will follow the NMOCD guidelines for pit closure.

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: Tony Savoie		OIL CONSERVATION DIVISION	
Printed Name: Tony Savoie		Approved by District Supervisor: R. Daley	
Title: Waste Mgmt. & Remediation Specialist		Approval Date: 10-13-09	Expiration Date: 12-13-09
E-mail Address: TASavoie@BassPet.com		Conditions of Approval:	
Date: 9/1/09	Phone: 432-556-8730	Attached <input checked="" type="checkbox"/>	

\* Attach Additional Sheets If Necessary

ASEB 0928650769

2 RP-348

# Poker Lake Unit #227

## Job # CPL-09-02

### Ranking Analysis

NMOCD Standards			Points
Depth to Ground Water	Greater than 100 ft.		0
Depth to Ground Water	Less than 100 ft. but greater than 50 ft.		10
Depth to Ground Water	Less than 50 ft.		20
Well Head Protection	Less than 1000 ft. from a water source, or;	Yes	20
	Less than 200 ft. from private domestic water source	No	0
Distance to Surface water body	Less than 200 Horizontal. ft.		20
Distance to Surface water body	200 to 1000 Horizontal ft.		10
Distance to Surface water body	Greater than 1000 Horizontal ft.		0
<b>Action levels</b>	<b>&gt;19</b>	<b>10-19</b>	<b>0-9</b>
Benzene (mg/kg)	10	10	10
BTEX (mg/kg)	50	50	50
TPH (mg/kg)	100	1000	5000

Site Ranking			Points
Depth to Ground Water	125 to 150 ft.		0
Well Head Protection	2.5 Horiz. Miles		0
Surface Water Body	959 Horiz. Ft.		10
<b>Total Ranking Score</b>			<b>10</b>

Site Closure Objective	
Benzene (mg/kg)	10
BTEX (mg/kg)	50
TPH (mg/kg)	Delineation 100mg/kg    Backfill 1000 mg/kg
Chloride (mg/kg)	Delineation 250mg/kg    Backfill 1000 mg/kg

#### Remediation Plan:

All affected soil will be excavated and sampled for the presence of Hydrocarbons EPA method (8015M) and Chlorides method 4500-Cl-B or 300 S

Soil with TPH values greater than 1000 mg/kg will be treated on-site and used for backfill

Soil with Chloride values greater than 1000 mg/kg will be disposed of in an approved facility

Soil with Chloride value less than 1000 mg/kg will be used to backfill the site

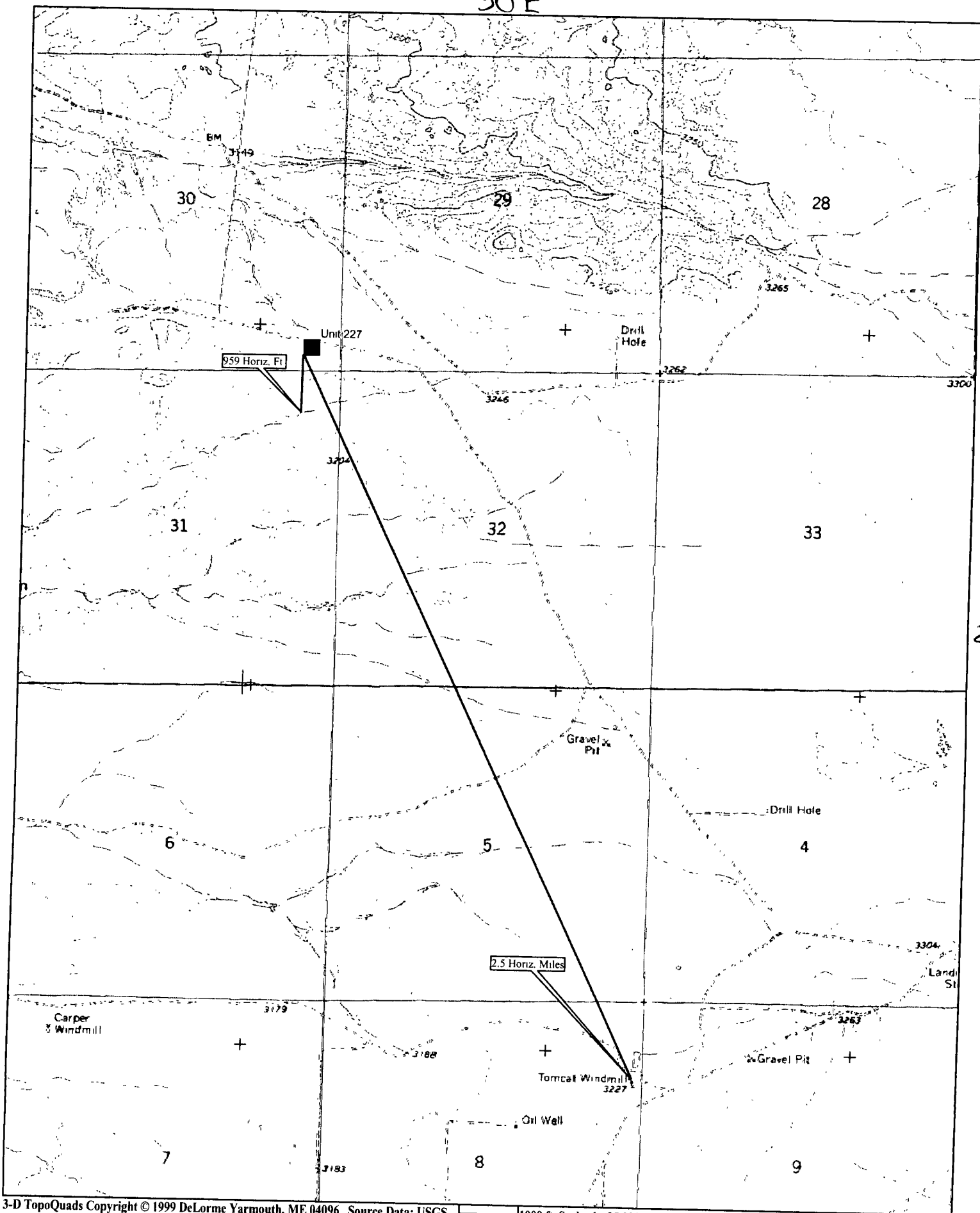
S.U.G.S. Landfarm.

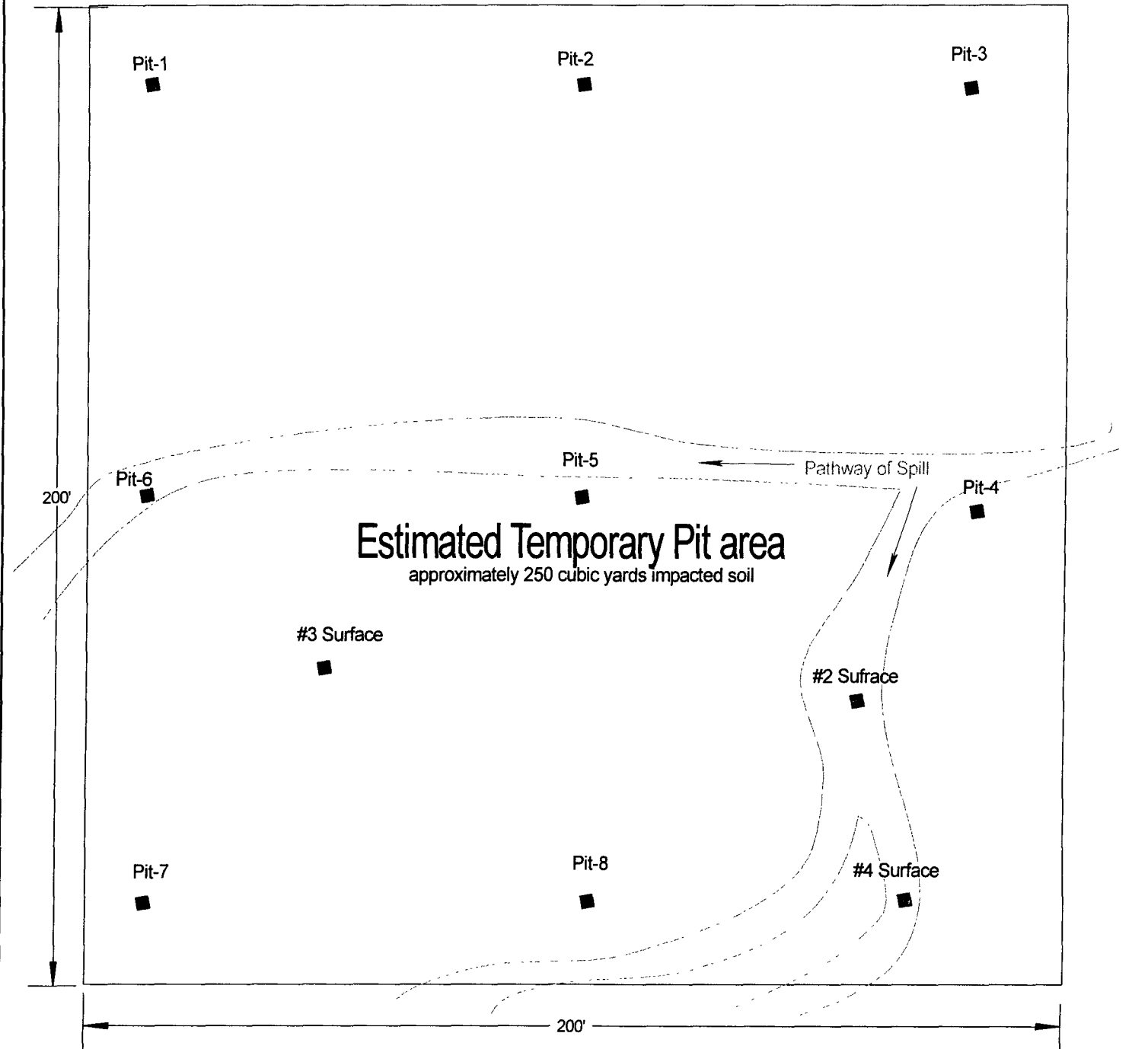
Soil samples will be collected from the excavation and analyzed for Hydrocarbons EPA method (8015M) and Chlorides method 4500-Cl-B or 300 S

All samples will be field screened with a "PID" The soil sample with the highest PID reading will be analyzed separately and tested for BTEX.

30 E

24  
S






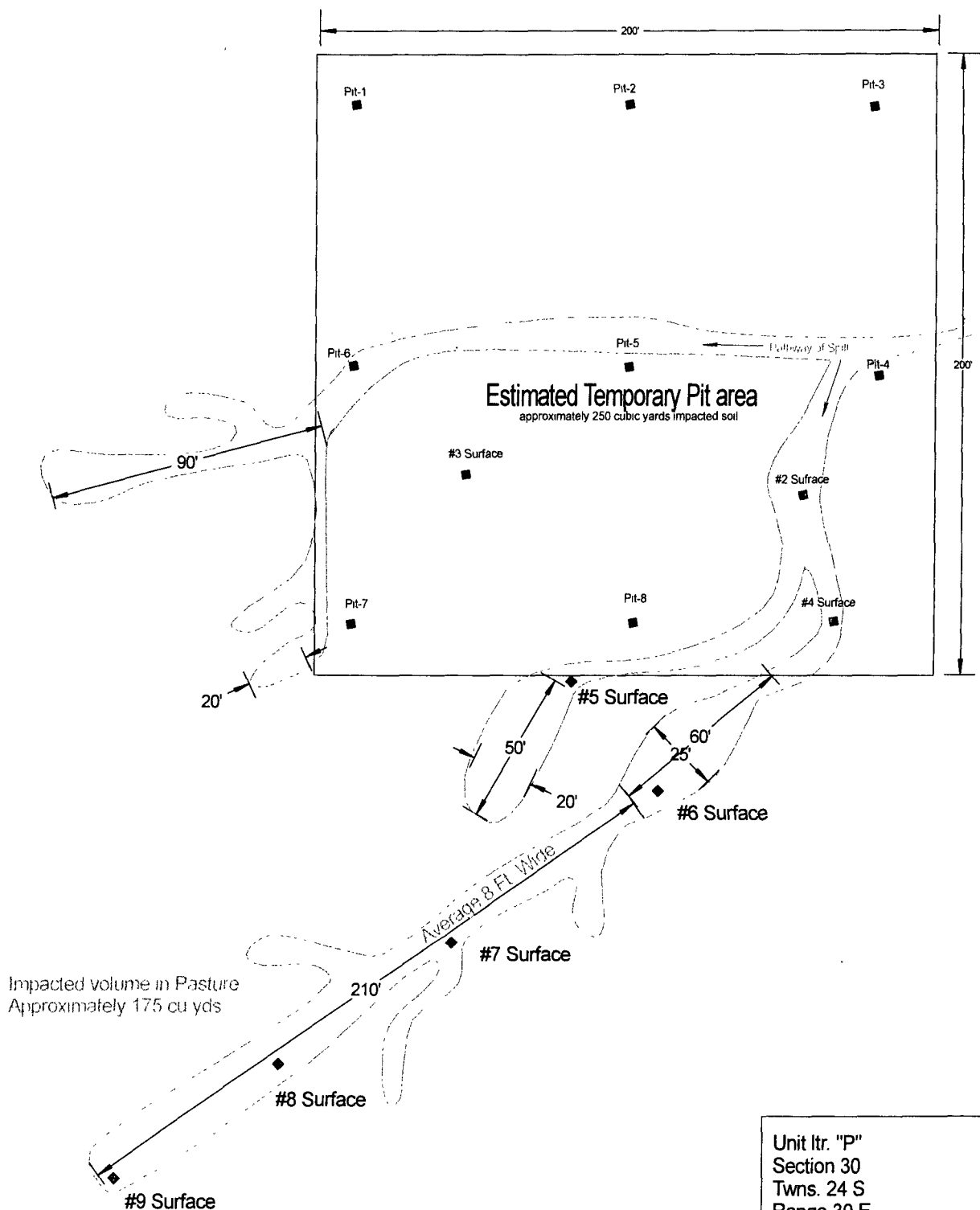
Samples Pit-1 through Pit-8 Collected on 8/27/09  
 Samples Surface #2, #3, & #4 Collected on 8/6/09

Unit ltr. "P"  
 Section 30  
 Twns. -24 S  
 Range 30E  
 County-Lea, N.M.  
 GPS  
 Lat- N32.18191  
 Long-W103.91429

Approximate  
 Scale 1"= 30'



 BOPCO. L.P. A Bass Legacy Company	Site Plan-Poker Lake Unit 227		CPL-09-02
	Eddy County Area	Carlsbad, N.M.	Figure 1



Approximate  
Scale 1"= 50'



Unit ltr. "P"  
Section 30  
Twns. 24 S  
Range 30 E  
County: Lea, N.M.  
GPS  
Lat. N32.18191  
Long W103.91429



BOPCO, L.P.  
A Bass Legacy Company

## SITE PLAN: Poker Lake Unit 227

Eddy County Area

Carlsbad, N.M.

CPL-09-02

Figure 2



# **CARDINAL LABORATORIES**

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

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August 30, 2009

Tony Savoie  
B.O.P.C.O. LP  
522 West Mermod, Suite 704  
Carlsbad, NM 88220

Re: UNIT 227 TEMP. PIT

Enclosed are the results of analyses for sample number H18103, received by the laboratory on 08/27/09 at 1:15 pm.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report: 4 (includes Chain of Custody)

Sincerely,

Celey D. Keene  
Laboratory Director








**101 East Marland, Hobbs, NM 88240**

**(575) 393-2326 Fax (575) 393-2476**

Page \_\_\_\_ of \_\_\_\_

**PLEASE NOTE:** Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

<b>Sampler Relinquished:</b>  <b>Relinquished By:</b>		<b>Date:</b> 8/27/09 <b>Time:</b> 13:15	<b>Received By:</b>  <b>Received By:</b>	<b>Phone Result:</b> <input type="checkbox"/> No <b>Add'l Phone #:</b> <b>Fax Result:</b> <input type="checkbox"/> No <b>Add'l Fax #:</b> <b>REMARKS:</b>
<b>Delivered By: (Circle One)</b> Sampler - UPS - Bus - Other:		<b>Temp.</b> 40°	<b>Sample Condition</b> Cool Intact <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>CHECKED BY:</b> (Initials) 

† Cardinal cannot accept verbal changes. Please fax written changes to 575-393-2476.

井乙






**(575) 393-2326 Fax (575) 393-2476**

Page 202

Page \_\_\_\_ of \_\_\_\_

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<b>Sampler Relinquished:</b>  <b>Relinquished By:</b>		<b>Date:</b> 8/27/09 <b>Time:</b> 13:15 <b>Received By:</b>  <b>Date:</b> <b>Time:</b>		<b>Phone Result:</b> <input type="checkbox"/> No <b>Add'l Phone #:</b> <b>Fax Result:</b> <input type="checkbox"/> No <b>Add'l Fax #:</b> <b>REMARKS:</b>	
<b>Delivered By: (Circle One)</b> Sampler - UPS - Bus - Other:		<b>Temp.</b> 40°C <b>Sample Condition</b> Cool Intact <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>CHECKED BY:</b> (Initials) 	

† Cardinal cannot accept verbal changes. Please fax written changes to 575-393-2476.

#26



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR  
B.O.P.C.O. LP  
ATTN: TONY SAVOIE  
522 WEST MERMOD, SUITE 704  
CARLSBAD, NM 88220  
FAX TO: (575) 887-7473

Receiving Date: 08/27/09  
Reporting Date: 08/28/09  
Project Number: NOT GIVEN  
Project Name: UNIT 227 TEMP. PIT  
Project Location: EAST OF CARLSBAD


Analysis Date: 08/28/09  
Sampling Date: 08/27/09  
Sample Type: SOIL  
Sample Condition: COOL & INTACT @ 4°C  
Sample Received By: ML  
Analyzed By: NF/HM


LAB NO.	SAMPLE ID	Cl <sup>-</sup> (mg/kg)
H18103-1	PIT 1 SURFACE	31,200
H18103-2	PIT 1 1'	10,600
H18103-3	PIT 2 SURFACE	880
H18103-4	PIT 2 9"	80
H18103-5	PIT 3 SURFACE	10,800
H18103-6	PIT 3 1'	3,920
H18103-7	PIT 4 SURFACE	4,240
H18103-8	PIT 4 14"	5,280
H18103-9	PIT 5 SURFACE	16,800
H18103-10	PIT 5 1'	9,600
H18103-11	PIT 6 SURFACE	44,400
H18103-12	PIT 6 6"	10,400
H18103-13	PIT 7 SURFACE	4,560
H18103-14	PIT 7 6"	16,800
H18103-15	PIT 8 SURFACE	9,400
H18103-16	PIT 8 6"	4,400
Quality Control		500
True Value QC		500
% Recovery		100
Relative Percent Difference		2.0

METHOD: Standard Methods

4500-Cl<sup>-</sup>B

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

  
Chemist

  
Date

H18103 BOPCO

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# **ARDINAL LABORATORIES**

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

---

August 12, 2009

Tony Savoie  
B.O.P.C.O. LP  
522 West Mermod, Suite 704  
Carlsbad, NM 88220

Re: CPL-09-02 (Unit 227)

Enclosed are the results of analyses for sample number H17934, received by the laboratory on 08/06/09 at 3:20 pm.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Total Number of Pages of Report: 6 (includes Chain of Custody)

Sincerely,

Celey D. Keene  
Laboratory Director



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR  
B.O.P.C.O. LP  
ATTN: TONY SAVOIE  
522 WEST MERMOD, SUITE 704  
CARLSBAD, NM 88220

Receiving Date: 08/06/09  
Reporting Date: 08/07/09  
Project Number: CPL-09-02  
Project Name: UNIT 227  
Project Location: WEST OF CARLSBAD

Analysis Date: 08/07/09  
Sampling Date: 08/06/09  
Sample Type: SOIL  
Sample Condition: COOL & INTACT @ 5°C  
Sample Received By: ML  
Analyzed By: HM

LAB NO.	SAMPLE ID	Cl <sup>-</sup> (mg/kg)
H17934-1	#1 @ 6"	2,080
H17934-2	#1 @ 2 FT.	2,520
H17934-3	#2 SURFACE	19,600
H17934-4	#3 SURFACE	13,000
H17934-5	#4 SURFACE	11,600
H17934-6	#4 @ 1'	3,040
H17934-7	#5 SURFACE	9,700
H17934-8	#5 @ 1'	2,840
H17934-9	#6 SURFACE	18,000
H17934-10	#6 @ 1'	48
H17934-11	#7 SURFACE	12,400
H17934-12	#7 @ 1'	832
H17934-13	#8 SURFACE	19,000
H17934-14	#8 @ 1'	288
H17934-15	#9 SURFACE	16,600
H17934-16	#9 @ 6"	320
Quality Control		490
True Value QC		500
% Recovery		98.0
Relative Percent Difference		< 0.1

METHOD: Standard Methods

4500-Cl<sup>-</sup>B

Note: Analyses performed on 1.4 w:v aqueous extracts. Not accredited for Chloride.

  
Chemist

  
Date

H17934 BOPCO

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ANALYTICAL RESULTS FOR  
B.O.P.C.O. LP  
ATTN: TONY SAVOIE  
522 WEST MERMOD, SUITE 704  
CARLSBAD, NM 88220

Receiving Date: 08/06/09  
Reporting Date: 08/11/09  
Project Number: CPL-09-02  
Project Name: UNIT 227  
Project Location: WEST OF CARLSBAD, NM

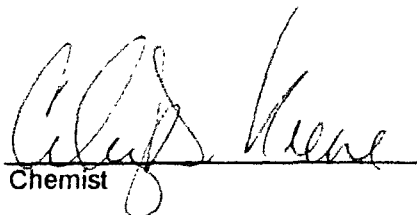
Sampling Date: 08/06/09  
Sample Type: SOIL  
Sample Condition: COOL & INTACT @ 5°C  
Sample Received By: ML  
Analyzed By: AB

LAB NUMBER	SAMPLE ID	GRO (C <sub>6</sub> -C <sub>10</sub> ) (mg/kg)	DRO (>C <sub>10</sub> -C <sub>28</sub> ) (mg/kg)
		08/10/09	08/10/09
H17934-1	#1 @ 6"	905	2,990
H17934-2	#1 @ 2 FT	1,260	6,600
H17934-7	#5 SURFACE	<50.0	3,430
H17934-8	#5 @ 1'	<10.0	<10.0
H17934-15	#9 SURFACE*	<10.0	<10.0
Quality Control		590	584
True Value QC		500	500
% Recovery		118	117
Relative Percent Difference		1.1	0.5

METHOD: SW-846 8015 M. Reported on wet weight.

Not accredited for GRO/DRO.

\*Surrogate for DRO outside historical limits due to matrix interference.

  
Chemist

  
Date

H17934 T BOPCO

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# ARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

## ANALYTICAL RESULTS FOR

B.O.P.C.O. LP

ATTN: TONY SAVOIE

522 WEST MERMOD, SUITE 704

CARLSBAD, NM 88220

Receiving Date: 08/06/09

Reporting Date: 08/10/09

Project Number: CPL-09-02

Project Name: UNIT 227

Project Location: WEST OF CARLSBAD

Sampling Date: 08/06/09

Sample Type: SOIL

Sample Condition: COOL & INTACT @ 5°C

Sample Received By: ML

Analyzed By: ZL

LAB NO.	SAMPLE ID	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
---------	-----------	--------------------	--------------------	-----------------------------	-----------------------------

ANALYSIS DATE:	08/07/09	08/07/09	08/07/09	08/07/09
H17934-2 #1 @ 2FT	1.30	3.99	3.22	11.0
H17934-15 #9 SURFACE	<0.050	<0.050	<0.050	<0.300
Quality Control	0.047	0.048	0.048	0.145
True Value QC	0.050	0.050	0.050	0.150
% Recovery	94.0	96.0	96.0	96.7
Relative Percent Difference	5.1	1.6	11.4	9.2

METHODS: BTEX - SW-846 8021B.

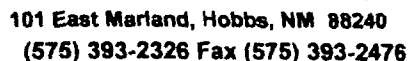
TEXAS NELAP ACCREDITATION T104704398-08-TX FOR BENZENE, TOLUENE, ETHYL BENZENE,  
AND TOTAL XYLENES. Reported on wet weight.

  
Chemist

  
Date

H17934 BTEX BUPCO

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1 OF 2  
e-mail [fasavie@basspet.com](mailto:fasavie@basspet.com)

Page \_\_\_\_ of \_\_\_\_

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Sampler Relinquished: <i>Tom Davis</i>		Date: <i>1/6/09</i> Time: <i>15:20</i>		Received By: <i>[Signature]</i>		Phone Result: <input type="checkbox"/> No    Add'l Phone #: _____ Fax Result: <input type="checkbox"/> No    Add'l Fax #: _____	
Relinquished By:		Date: _____ Time: _____		Received By: _____		REMARKS:	
Delivered By: (Circle One) Sampler - UPS - Bus - Other:		Temp. <i>5°C</i>		Sample Condition Cool Intact <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No			
				CHECKED BY: (Initials) <i>UPB</i>			

† Cardinal cannot accept verbal changes. Please fax written changes to 575-393-2476.

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<b>Samplers Relinquished:</b> <i>Tony Deane</i>		<b>Date:</b> 8/6/09 <b>Time:</b> 15:20		<b>Received By:</b> <i>[Signature]</i>		<b>Phone Result:</b> <input type="checkbox"/> No <b>Add'l Phone #:</b> _____ <b>Fax Result:</b> <input type="checkbox"/> No <b>Add'l Fax #:</b> _____ <b>REMARKS:</b>	
<b>Relinquished By:</b>		<b>Date:</b> <b>Time:</b>		<b>Received By:</b>			
<b>Delivered By: (Circle One)</b> Sampler - UPS - Bus - Other:		<b>Temp.</b> <i>K01</i>		<b>Sample Condition</b> Cool Intact <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No		<b>CHECKED BY:</b> (Initials) <i>UBB</i>	

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