

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

JAN 23 2009
OCD-ARTESIA
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

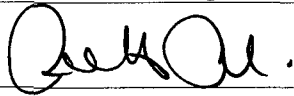
Name of Company Yates Petroleum Corporation	OGRID Number 25575	Contact Robert Asher
Address 104 S. 4 TH Street	Telephone No. 575-748-1471	
Facility Name Samuel Smith Unit #1	API Number 30-015-32351 32581	Facility Type Battery
Surface Owner State	Mineral Owner	Lease No. V0-5824

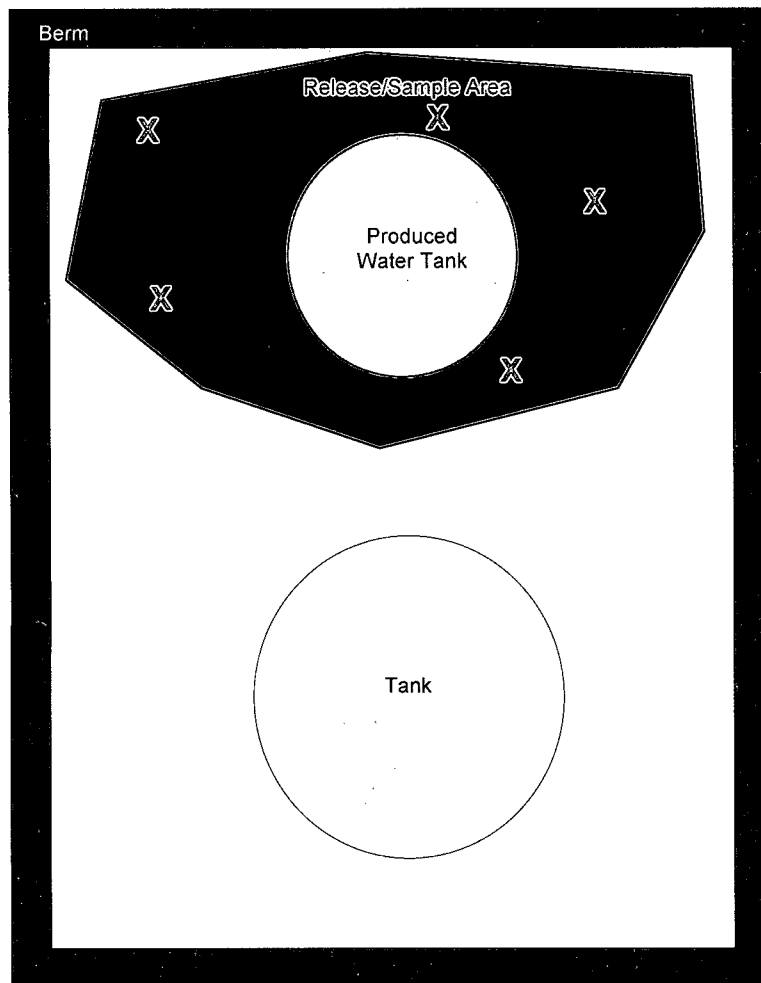
LOCATION OF RELEASE

Unit Letter I	Section 32	Township 23S	Range 24E	Feet from the 1400	North/South Line South	Feet from the 1170	East/West Line East	County Eddy
------------------	---------------	-----------------	--------------	-----------------------	---------------------------	-----------------------	------------------------	----------------

Latitude 32.25686 Longitude 104.51498

NATURE OF RELEASE

Type of Release Produced Water	Volume of Release 60 B/PW	Volume Recovered 0 B/PW
Source of Release Water Tank	Date and Hour of Occurrence 12/18/2008- PM	Date and Hour of Discovery 12/18/2008 - PM
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Mike Bratcher, OCD, District II	
By Whom? Robert Asher, Yates Petroleum Corporation	Date and Hour 12/19/2008: AM (Voicemail and e-mail)	
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		
Describe Cause of Problem and Remedial Action Taken.* Water line off back of tank froze and pulled away from tank causing fiberglass to give way. Vacuum truck called to empty tank, crew called to make repairs.		
Describe Area Affected and Cleanup Action Taken.* An approximate area of 30' X 20'. Vacuum truck emptied tank, crew repaired water line. Vertical and horizontal delineation samples will be taken and analysis ran for TPH & BTEX. If initial analytical results for TPH & BTEX are under RRAL's a Final Report, C-141 will be submitted to the OCD requesting closure. If the analytical results are above the RRAL a work plan will be submitted to the OCD. Depth to Ground Water: >100' (approx. 663', per NM Office of the State Engineer), Wellhead Protection Area: No, Distance to Surface Water Body: >1000', SITE RANKING IS 0. Based on analytical results are below RRAL's, depth to ground water and Site Ranking is Zero (0), Yates Petroleum Corporation requests 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: 	OIL CONSERVATION DIVISION	
Printed Name: Robert Asher	Approved by District Supervisor: Accepted for record NMOCD	
Title: Environmental Regulatory Agent	Approval Date:	Expiration Date:
E-mail Address: boba@ypcnm.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: Wednesday, January 21, 2009	Phone: 575-748-4217	



Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TPH TOTAL	Chlorides
GS/Comp-001	1/2/2009	Grab/Composite	4"	ND	ND	448	448	6920

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 636'). All results are ppm.
Chloride results are for reference purposes. Because of a rocky subsurface approximately 4" below ground surface, deeper delineation was not possible.



Samuel Smith Unit #1
Section 32, T23S-R24E
Eddy County, NM

Sample Diagram
(Not to Scale)

Prepared by Robert Asher
Environmental Regulatory Agent
January 21, 2009

Analytical Report 321709

for

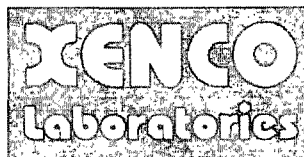
Yates Petroleum Corporation

Project Manager: Robert Asher

Samuel Smith Unit # 1

30-015-32581

09-JAN-09



12600 West I-20 East Odessa, Texas 79765

Texas certification numbers:

Houston, TX T104704215-08B-TX - Odessa/Midland, TX T104704400-08-TX

Florida certification numbers:

Houston, TX E871002 - Miami, FL E86678 - Tampa, FL E86675

Norcross(Atlanta), GA E87429

South Carolina certification numbers:

Norcross(Atlanta), GA 98015

North Carolina certification numbers:

Norcross(Atlanta), GA 483

Houston - Dallas - San Antonio - Tampa - Miami - Latin America

Midland - Corpus Christi - Atlanta



09-JAN-09

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

Reference: XENCO Report No: **321709**
Samuel Smith Unit # 1
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 321709. 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. 321709 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 321709



Yates Petroleum Corporation, Artesia, NM

Samuel Smith Unit # 1

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-001	S	Jan-02-09 11:05	4 - 6 In	321709-001



Certificate of Analysis Summary 321709

Yates Petroleum Corporation, Artesia, NM

Project Name: Samuel Smith Unit # 1



Project Id: 30-015-32581

Contact: Robert Asher

Project Location: Eddy County

Date Received in Lab: Tue Jan-06-09 11:50 am


Report Date: 09-JAN-09

Project Manager: Brent Barron, II

Analysis Requested	Lab Id:	321709-001					
	Field Id:	GS/Comp-001					
	Depth:	4-6 In					
	Matrix:	SOIL					
	Sampled:	Jan-02-09 11:05					
BTEX by EPA 8021B	Extracted:	Jan-07-09 10:00					
	Analyzed:	Jan-07-09 20:25					
	Units/RL:	mg/kg RL					
Benzene		ND 0.0011					
Toluene		ND 0.0021					
Ethylbenzene		ND 0.0011					
m,p-Xylenes		ND 0.0021					
o-Xylene		ND 0.0011					
Total Xylenes		ND 0.0021					
Total BTEX		ND 0.0011					
Percent Moisture	Extracted:						
	Analyzed:	Jan-06-09 17:00					
	Units/RL:	% RL					
Percent Moisture		5.72 1.00					
TPH By SW8015B Mod	Extracted:						
	Analyzed:	Jan-07-09 13:51					
	Units/RL:	mg/kg RL					
C6-C10 Gasoline Range Hydrocarbons		ND 15.9					
C10-C28 Diesel Range Hydrocarbons		448 15.9					
Total TPH		448 15.9					

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
Odessa Laboratory Director



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.

* Outside XENCO's scope of NELAC Accreditation.

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5332 Blackberry Drive, San Antonio TX 78238
2505 North Falkenburg Rd, Tampa, FL 33619
5757 NW 158th St, Miami Lakes, FL 33014
12600 West I-20 East, Odessa, TX 79765
842 Cantwell Lane, Corpus Christi, TX 78408

Phone	Fax
(281) 240-4200	(281) 240-4280
(214) 902 0300	(214) 351-9139
(210) 509-3334	(210) 509-3335
(813) 620-2000	(813) 620-2033
(305) 823-8500	(305) 823-8555
(432) 563-1800	(432) 563-1713
(361) 884-0371	(361) 884-9116

Analytical Report 321710

for

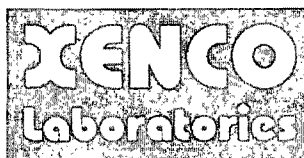
Yates Petroleum Corporation

Project Manager: Robert Asher

Samuel Smith Unit # 1

30-015-32581

08-JAN-09



12600 West I-20 East Odessa, Texas 79765

Texas certification numbers:

Houston, TX T104704215-08B-TX - Odessa/Midland, TX T104704400-08-TX

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Houston, TX E871002 - Miami, FL E86678 - Tampa, FL E86675

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South Carolina certification numbers:

Norcross(Atlanta), GA 98015

North Carolina certification numbers:

Norcross(Atlanta), GA 483

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Midland - Corpus Christi - Atlanta



08-JAN-09

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

Reference: XENCO Report No: **321710**
Samuel Smith Unit # 1
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 321710. 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.

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Sample Cross Reference 321710



Yates Petroleum Corporation, Artesia, NM
Samuel Smith Unit # 1

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-001	S	Jan-02-09 11:05		321710-001



Certificate of Analysis Summary 321710

Yates Petroleum Corporation, Artesia, NM



Project Id: 30-015-32581
Contact: Robert Asher
Project Location: Eddy County

Date Received in Lab: Tue Jan-06-09 11:50 am
Report Date: 08-JAN-09
Project Manager: Brent Barron, II

Analysis Requested	Lab Id:	321710-001				
	Field Id:	GS/Comp-001				
	Depth:					
	Matrix:	SOIL				
Anions by EPA 300	Sampled:	Jan-02-09 11:05				
	Extracted:					
	Analyzed:	Jan-07-09 17:10				
	Units/RL:	mg/kg RL				
Percent Moisture	Chloride	6920 106				
	Extracted:					
	Analyzed:	Jan-06-09 17:00				
	Units/RL:	% RL				
Percent Moisture		5.72 1.00				

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Brent Barron
Odessa Laboratory Director



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(305) 823-8500	(305) 823-8555
(432) 563-1800	(432) 563-1713
(361) 884-0371	(361) 884-9116

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

Phone: 432-563-1800
Fax: 432-563-1713

Project Name: Samuel Smith Unit #1

Project #: 30-015-32581Project Loc: Eddy County

PO #: 105632

Report Format: ☒ Standard ☐ TRRP ☐ NPDES

Fax No: 505-743-4662

Analysis For:			
TOTAL			
TOTAL			
HF/Non-Fusible	8051	0.00	40150
TPH	418.1	80.5M	
TPN	14.1005	TA	1000
Cations (Ca, Mg, Na, K)			
Anions (Cl, SO ₄ , alkalinity)			
SAR (ESP/CEC)			
Metals: As, Ag, Cd, Cr, Pb, Hg, Se			
Volatiles			
Semi-volatiles			
BTEX	80718-0020	61	BTEX 12000
RCI			
NORM			
Chlorides			
RUSH TAT (Per Schedule 24, 48, 72 hrs)			
Standard TAT			

Laboratory Comments:
 Sample Containers Intact? N
 VOCs Free of Headspace? N
 Labels on container(s) N
 Custody seals on container(s) N
 Custody seals on cooler(s) N
 Sample Hand Delivered N
 by Sampler/Clienc Rep? N
 by Courier? UPS DHL FedEx Line Star
 4/22/03 11:03 AM
 Temperature Upon Receipt: 3.5 °C

Relinquished by:	Date	Time	Received by:	Date	Time
Robert Asher	01/05/09	2 21 PM			
Relinquished by:	Date	Time	Received by:	Date	Time
Relinquished by:	Date	Time	Received by:	Date	Time
Fedex	1-6-09		Unshia Sam	1-6-09	11:50

Environmental Lab of Texas
Variance/ Corrective Action Report- Sample Log-In

Client: Yates Pet.
Date/ Time: 1-6-09 11:50
Lab ID #: 321709 / 321710
Initials: AL

Sample Receipt Checklist

				Client Initials	
#1	Temperature of container/ cooler?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	3.5 °C	
#2	Shipping container in good condition?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#3	Custody Seals intact on shipping container/ cooler?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Present	
#4	Custody Seals intact on sample bottles/ container?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Present	
#5	Chain of Custody present?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#6	Sample instructions complete of Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#7	Chain of Custody signed when relinquished/ received?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#8	Chain of Custody agrees with sample label(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	ID written on Cont / Lid	
#9	Container label(s) legible and intact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable	
#10	Sample matrix/ properties agree with Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#11	Containers supplied by ELOT?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#12	Samples in proper container/ bottle?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#13	Samples properly preserved?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#14	Sample bottles intact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#15	Preservations documented on Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#16	Containers documented on Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#17	Sufficient sample amount for indicated test(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#18	All samples received within sufficient hold time?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#19	Subcontract of sample(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable	
#20	VOC samples have zero headspace?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> 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

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

JOHN A. YATES
CHAIRMAN OF THE BOARD
PRESIDENT

DAVID LANNING
CHIEF OPERATING OFFICER

JAN 23 2009
OCD-ARTESIA

January 21, 2009

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

Re: Samuel Smith Unit #1
2RP-285
30-015-32581
Section 32, T23S-R24E
Eddy County, New Mexico

Dear Mr. Bratcher,

Enclosed please find a Form C-141, Final Report for the above captioned site regarding the release on 12/18/2008 (60 B/PW with 0 B/PW recovered). Samples were taken (1/2/2009), an OCD approved laboratory tested the samples and the results (enclosed with a sample diagram) are within the RRAL's for the site ranking (BTEX, <50 ppm; TPH, <5000 ppm), chloride results are for reference. Further delineation was not possible due to a rocky subsurface (approximately 4" below the ground surface). Site ranking is zero (0), with the depth to ground water >100' (approximately 636', per New Mexico Office of the State Engineer). Yates Petroleum Corporation requests closure.

If you have any questions, please call me at 505-748-4217.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

/rca
Enclosure(s)