

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
S Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

MAR 14 2008

Form C-144
June 1, 2004

OCD-ARTESIA

For drilling and production facilities, submit to appropriate NMOC District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☒

Type of action: Registration of a pit or below-grade tank ☐ Closure of a pit or below-grade tank ☒

Operator: <u>CIMAREX ENERGY CO.</u> Telephone: <u>972-401-3111</u> e-mail address: <u>2FARRIS@CIMAREX.COM</u>								
Address: <u>PO BOX 140907 IRVING TX 75014-0907</u>								
Facility or well name: <u>BEAR BRYANT 31 FSD1</u> API #: <u>30-015-34906-50-55</u> U/L or Qtr/Qtr <u>K</u> Sec <u>31</u> T <u>16S</u> R <u>29E</u>								
County: <u>Eddy</u> Latitude <u>32°-52'-32.6"-N</u> Longitude <u>104°-07'-04.4"-W</u> NAD: 1927 <input type="checkbox"/> 1983 <input type="checkbox"/>								
Surface Owner: Federal <input type="checkbox"/> State <input type="checkbox"/> Private <input type="checkbox"/> Indian <input type="checkbox"/> <u>SLW: 3676</u>								
Pit Type: Drilling <input type="checkbox"/> Production <input checked="" type="checkbox"/> Disposal <input type="checkbox"/> Workover <input checked="" type="checkbox"/> Emergency <input type="checkbox"/> Lined <input checked="" type="checkbox"/> Unlined <input type="checkbox"/> Liner type: Synthetic <input checked="" type="checkbox"/> Thickness <u>12</u> mil Clay <input type="checkbox"/> Pit Volume <u>300</u> bbl	Below-grade tank Volume: _____ bbl Type of fluid: <u>N/A</u> Construction material: _____ Double-walled, with leak detection? Yes <input type="checkbox"/> If not, explain why not: _____							
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.) <u>50' BGS</u>	<table border="1"><tr><td>Less than 50 feet</td><td>(20 points)</td><td rowspan="3"><u>20</u></td></tr><tr><td>50 feet or more, but less than 100 feet</td><td>(10 points)</td></tr><tr><td>100 feet or more</td><td>(0 points)</td></tr></table>	Less than 50 feet	(20 points)	<u>20</u>	50 feet or more, but less than 100 feet	(10 points)	100 feet or more	(0 points)
Less than 50 feet	(20 points)	<u>20</u>						
50 feet or more, but less than 100 feet	(10 points)							
100 feet or more	(0 points)							
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	<table border="1"><tr><td>Yes</td><td>(20 points)</td><td rowspan="3"><u>0</u></td></tr><tr><td>No</td><td>(0 points)</td></tr></table>	Yes	(20 points)	<u>0</u>	No	(0 points)		
Yes	(20 points)	<u>0</u>						
No	(0 points)							
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	<table border="1"><tr><td>Less than 200 feet</td><td>(20 points)</td><td rowspan="3"><u>0</u></td></tr><tr><td>200 feet or more, but less than 1000 feet</td><td>(10 points)</td></tr><tr><td>1000 feet or more</td><td>(0 points)</td></tr></table>		Less than 200 feet	(20 points)	<u>0</u>	200 feet or more, but less than 1000 feet	(10 points)	1000 feet or more
Less than 200 feet	(20 points)	<u>0</u>						
200 feet or more, but less than 1000 feet	(10 points)							
1000 feet or more	(0 points)							
Ranking Score (Total Points) <u>20</u>								

If this is a pit closure: (1) Attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if you are burying in place) onsite ☐ offsite ☒ If offsite, name of facility CRI. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☒ Yes ☐ If yes, show depth below ground surface _____ ft. and attach sample results.

(5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:
<u>SEE ATTACHED WORK PLAN</u>

I hereby certify that the information above is true and complete to the best of my knowledge and belief. I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOC District guidelines ☐, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.

Date: _____
Printed Name/Title: Dorsey Rogers Duty Signature: [Signature]
Your certification and NMOC District approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval: _____
Printed Name/Title: Mike Bratcher Field Super. Signature: [Signature] Signed By: Mike Bratcher Date: MAR 24 2008

NOTIFY OCD 24 HOURS PRIOR to beginning closure and 24 HOURS PRIOR to obtaining samples. Samples are to be obtained from pit area and analyses provided to OCD prior to backfilling pit.

pit closure to be completed by April 15, 2008 per Attached work plan



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

Field Inspection Program

"Preserving the Integrity of Our Environment"

22-Feb-08

CIMAREX ENERGY CO. OF COLORADO

P O BOX 1237

EDNICE NM 88231

LOV NO. 02-08-033

LETTER OF VIOLATION - Inspection

Dear Operator:

The following inspection(s) indicate that the well, equipment, location or operational status of the well(s) failed to meet standards of the New Mexico Oil Conservation Division as described in the detail section below. To comply with standards imposed by Rules and Regulations of the Division, corrective action must be taken immediately and the situation brought into compliance. The detail section indicates preliminary findings and/or probable nature of the violation. This determination is based on an inspection of your well or facility by an inspector employed by the Oil Conservation Division on the date(s) indicated.

Please notify the proper district office of the Division, in writing, of the date corrective actions are scheduled to be made so that arrangements can be made to reinspect the well and/or facility.

INSPECTION DETAIL SECTION

BEAR BRYANT 31 FEDERAL No.001

K-31-16S-29E

30-015-34906-00-00

Inspection Date	Type Inspection	Inspector	Violation?	*Significant Non-Compliance?	Corrective Action Due By:	Inspection No.
02/05/2008	Routine/Periodic	Richard Inge	Yes	No	3/7/2008	IREI0803645763

Comments on Inspection: Violation of OCD rule 50. Unauthorized, unregistered pit on location. The north side of pit has caved in. Looks like fluid level was above where liner is down. Some fluids are inside the pit.

Please submit a C-144 Pit Closure Plan to the Artesia OCD by compliance due date. Pits are to be closed within 15 days of a C-144 plan approval.



PHOENIX ENVIRONMENTAL LLC

P.O. Box 1856

2113 French Dr.

Hobbs, NM 88241-1856

Office 505-391-9685

Fax 505-391-9687

March 10, 2008

Cimarex Energy Co.
207 S. Mesa
Carlsbad, New Mexico 88220

Attn: Mr. Dorsey Rogers
Drilling Superintendent

RE: Work Plan to Clean Up the Bear Bryant 31 Fed #1 Located in UL-K, Sec 31, T16S and R29E of Eddy County, New Mexico

Dear Mr. Rogers:

Phoenix Environmental, LLC (Phoenix) would like to take this time to thank you and Cimarex Energy Co., for the opportunity to provide our professional services. Please find attached our work plan for the above listed site.

If you have any questions and/or need more data in regards to projects please call at any time. My cell phone is 575-631-8314.

Sincerely,

Allen Hodge, REM
VP Operations
Phoenix Environmental LLC



Summary/Overview

The NOV at the Bear Bryant 31 Fed #1 site should be completed and remediated in accordance with the standards of the NMOCD. It is our understanding that any potential contamination from the site was a result of activities associated with the work over pit and production of oil and gas.

The potential contaminants of concern are mid to high-level concentrations of brine water and hydrocarbons from the unauthorized work over pit on location.

The lands primary use is domestic pasture for ranching and the production of oil and gas.

The ground water depth data available for this area showed the depth to ground water to be in the 50' range BGS.

Pursuant to the standards of the NMOCD, the clean up level for this site will be at <100ppm of TPH, <50ppm for BTEX and Chlorides less than <250ppm.

The following scope of work was based on data from our site visit and the requirements of the NMOCD for site clean up.

Scope of Work to Address Impacted Soils

NOTE: Phoenix, for the purpose of this work plan, will estimate that there is approximately 300cyds of impacted soils at the site that needs to be addressed for site closure.

1. Phoenix will mobilize to the site located northwest of Loco Hills, NM equipment and personnel necessary to start and complete the site remediation as required, getting the site back into compliance.
2. The site will be cleared of brush and debris and a staging area set up for site control and safety.
3. The saturated impacted soils will be excavated and placed on plastic to prevent additional impact to the site.



4. Once the impacted soils have been excavated bottom samples will be taken to confirm the site is below NMOCD levels for clean up.
5. Impacted soils at the site will then be transported to a NMOCD approved disposal facility for disposal.
6. Phoenix will field screen the site during the excavation, and, once the TPH and CL has dropped below clean-up requirements, final samples will be taken and sent to a third party lab for analysis.
7. Once all of the remediation criteria have been met for site closure and compliance, the site will be backfilled with clean material.
8. Once all of the closure criteria have been met, a final closure report will be prepared by Phoenix. This report will include a summary of remediation operations, findings on-site and lab analysis, site maps and project photos.

If you have any questions and/or need more data in regards to this project please call 505-631-8314 at any time.

Sincerely,



Allen Hodge, REM
VP Operations
Phoenix Environmental LLC



Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Monday, March 24, 2008 10:23 AM
To: '2farris@cimarex.com'
Cc: 'eahodge@leaco.net'; Inge, Richard, EMNRD; Guye, Gerry, EMNRD
Subject: Bear Bryant 31 Fed 001

Reference: Bear Bryant 31 Fed 001 30-015-34986 K-31-16s-29e Eddy County New Mexico NMOCD Letter of Violation (LOV) 02-08-033

Operator,

This is notification that the work plan proposal submitted by your contractor, Phoenix Environmental, LLC, is approved with the following stipulations:

- Notify NMOCD District 2 office 24 hours prior to commencement of operations.
- Notify NMOCD District 2 office 24 hours prior to obtaining samples where analyses of samples obtained are to be submitted to OCD.
- Pit is to be closed and final report documentation submitted to NMOCD District 2 office not later than April 15, 2008.

Approval of this work plan proposal does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, this approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

Sincerely,

Mike Bratcher
NMOCD District II
Office (575)748-1283x108
Cell (575)626-0857

3/24/2008

Bratcher, Mike, EMNRD

From: System Administrator
To: 2farris@cimarex.com
Sent: Monday, March 24, 2008 10:22 AM
Subject: Undeliverable: Bear Bryant 31 Fed 001

Your message did not reach some or all of the intended recipients.

Subject: Bear Bryant 31 Fed 001
Sent: 3/24/2008 10:23 AM

The following recipient(s) could not be reached:

2farris@cimarex.com on 3/24/2008 10:22 AM

There was a SMTP communication problem with the recipient's email server. Please contact your system administrator.
<CEXFE3.nmes.lcl #5.5.0 smtp;550 No such user (2farris@cimarex.com)>

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Monday, March 24, 2008 10:26 AM
To: '2FARRIS@CIMAREX.com'
Subject: FW: Bear Bryant 31 Fed 001

From: Bratcher, Mike, EMNRD
Sent: Monday, March 24, 2008 10:23 AM
To: '2farris@cimarex.com'
Cc: 'eahodge@leaco.net'; Inge, Richard, EMNRD; Guye, Gerry, EMNRD
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