

JAN 29 2009

SEP - 2 2008

cm/llk

Form C-144
July 21, 2008

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

OCD-ARTESIA

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office.
For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.



Pit, Closed-Loop System, Below-Grade Tank, or Proposed Alternative Method Permit or Closure Plan Application

- Type of action
- Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method
 - Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method
 - Modification to an existing permit
 - Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method

Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances

1. Operator: Buenett Oil Co OGRID #: 3080
 Address: 901 Cherry St. Unit #9 Ft Worth Tx 76102
 Facility or well name: Stevens A #16 H
 API Number: 30-015-36146 OCD Permit Number: _____
 U/L or Qtr/Qtr L Section 13 Township 17 Range 30 County: Eddy
 Center of Proposed Design: Latitude 32° 50' 02.19 Longitude 103° 45' 58.04 NAD: 1927 1983
 Surface Owner: Federal State Private Tribal Trust or Indian Allotment

2. Pit: Subsection F or G of 19.15.17.11 NMAC
 Temporary: Drilling Workover
 Permanent Emergency Cavitation P&A
 Lined Unlined Liner type: Thickness 12 mil LLDPE HDPE PVC Other _____
 String-Reinforced
 Liner Seams: Welded Factory Other _____ Volume: 3500 bbl Dimensions: L 110 x W 50 x D 8

3. Closed-loop System: Subsection H of 19.15.17.11 NMAC
 Type of Operation: P&A Drilling a new well Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)
 Drying Pad Above Ground Steel Tanks Haul-off Bins Other _____
 Lined Unlined Liner type: Thickness _____ mil LLDPE HDPE PVC Other _____
 Liner Seams: Welded Factory Other _____

4. Below-grade tank: Subsection I of 19.15.17.11 NMAC
 Volume: _____ bbl Type of fluid: _____
 Tank Construction material: _____
 Secondary containment with leak detection Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
 Visible sidewalls and liner Visible sidewalls only Other _____
 Liner type: Thickness _____ mil HDPE PVC Other _____

5. Alternative Method:
 Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

Accepted for record FEB 04 2009 NMOCD Oil Conservation Division

Accepted for record FEB 04 2009 NMOCD



Final Closure DATE 1/26/09

19.

Operator Application Certification:

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.

Name (Print): Belton Mathews Title: Superintendent

Signature: Belton Mathews Date: 8/29/08

e-mail address: bocilb@PVT Networks.net Telephone: 575-677-2313

20.

OCD Approval: Permit Application (including closure plan) Closure Plan (only) OCD Conditions (see attachment)

OCD Representative Signature: Signed By Mike Brannon Approval Date: SEP 16 2008

Title: _____ OCD Permit Number: NA

21.

Closure Report (required within 60 days of closure completion): Subsection K of 19.15.17.13 NMAC

Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

Closure Completion Date: 1/26/09

22.

Closure Method:

- Waste Excavation and Removal
- On-Site Closure Method
- Alternative Closure Method
- Waste Removal (Closed-loop systems only)
- If different from approved plan, please explain.

23.

Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:

Instructions: Please identify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name: CR1 Disposal Facility Permit Number: 004

Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Were the closed-loop system operations and associated activities performed on or in areas that will not be used for future service and operations?
 Yes (If yes, please demonstrate compliance to the items below) No

Required for impacted areas which will not be used for future service and operations:

- Site Reclamation (Photo Documentation)
- Soil Backfilling and Cover Installation
- Re-vegetation Application Rates and Seeding Technique

24.

Closure Report Attachment Checklist: *Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.*

- Proof of Closure Notice (surface owner and division)
- Proof of Deed Notice (required for on-site closure)
- Plot Plan (for on-site closures and temporary pits)
- Confirmation Sampling Analytical Results (if applicable)
- Waste Material Sampling Analytical Results (required for on-site closure)
- Disposal Facility Name and Permit Number
- Soil Backfilling and Cover Installation
- Re-vegetation Application Rates and Seeding Technique
- Site Reclamation (Photo Documentation)

On-site Closure Location: Latitude _____ Longitude _____ NAD: 1927 1983

25.

Operator Closure Certification:

I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.

Name (Print): Eddie W. Seay Title: Agent

Signature: Eddie W. Seay Date: 1/26/2009

e-mail address: seay04@leaco.net Telephone: 575-392-2236

JAN 29 2009

January 26, 2009

NMOCD Artesia
ATTN: Mike Bratcher
1301 W. Grand Ave.
Artesia, NM 88210

RE: Burnett Oil Co.
Stevens A #16 H
C-144 Final Report

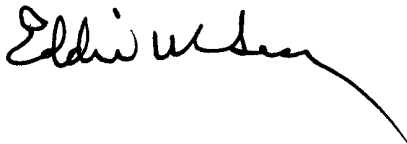
Mr. Bratcher:

We have completed the closing of the above listed pit. All pit contents were hauled to CRI for disposal. Seeding will be conducted as OCD requires.

Also find copy of letter authorizing me to sign closure.

If you have any questions, please call.

Thanks,



Eddie W. Seay, Agent
Eddie Seay Consulting
601 W. Illinois
Hobbs, NM 88242
(575)392-2236
seay04@leaco.net

cc: Burnett Oil

6666


December 22, 2008

New Mexico Oil Conservation Division

RE: Authorized Agent

Eddie Seay is an authorized agent for Burnett Oil Company, Inc. (BOCI) to sign regulatory documents on the behalf of BOCI.

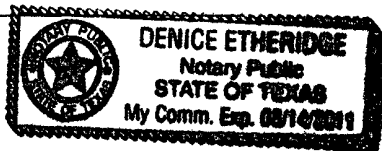
Sincerely,


Mark A Jacoby
Engineering Manager

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me on December 22, 2008 by Mark Jacoby, Engineering Manager, Burnett Oil Company.
My Commission Expires


Notary Public





ANALYTICAL RESULTS FOR
 EDDIE SEAY CONSULTING
 ATTN: EDDIE SEAY
 601 W. ILLINOIS
 HOBBS, NM 88242
 FAX TO: (575) 392-6949

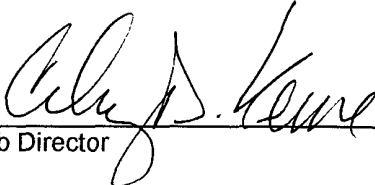
Receiving Date: 11/12/08
 Reporting Date: 11/19/08
 Project Owner: BURNETT OIL
 Project Name: STEVENS A #16 PIT CLOSURE
 Project Location: LOCO HILLS, NM

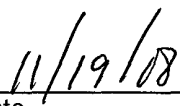
Sampling Date: 11/12/08
 Sample Type: SOIL
 Sample Condition: COOL & INTACT
 Sample Received By: ML
 Analyzed By: ZL

LAB NUMBER	SAMPLE ID	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
ANALYSIS DATE		11/19/08	11/19/08	11/19/08	11/19/08
H16311-1	SA-16-1	<0.050	<0.050	<0.050	<0.150
Quality Control		0.058	0.053	0.058	0.164
True Value QC		0.050	0.050	0.050	0.150
% Recovery		116	106	116	109
Relative Percent Difference		3.3	2.0	1.7	6.6

METHOD: EPA SW-846 8260B

TEXAS NELAP CERTIFICATION T104704398-08-TX FOR BENZENE, TOLUENE, ETHYL BENZENE,
 AND TOTAL XYLENES.


 Lab Director


 Date

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 client for 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 thirty (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. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal Laboratories.




ANALYTICAL RESULTS FOR
 EDDIE SEAY CONSULTING
 ATTN: EDDIE SEAY
 601 W. ILLINOIS
 HOBBS, NM 88242
 FAX TO: (575) 392-6949

Receiving Date: 11/12/08
 Reporting Date: 11/13/08
 Project Owner: BURNETT OIL
 Project Name: STEVENS A #16 PIT CLOSURE
 Project Location: LOCO HILLS, NM

Sampling Date: 11/12/08
 Sample Type: SOIL
 Sample Condition: COOL & INTACT
 Sample Received By: ML
 Analyzed By: CK/HM

LAB NUMBER	SAMPLE ID	GRO (C ₆ -C ₁₀) (mg/kg)	DRO (>C ₁₀ -C ₂₈) (mg/kg)	CI* (mg/kg)
ANALYSIS DATE		11/13/08	11/13/08	11/12/08
H16311-1	SA-16-1	<10.0	<10.0	272
Quality Control		546	505	500
True Value QC		500	500	500
% Recovery		109	101	100
Relative Percent Difference		0.4	11.5	< 0.1

METHODS: TPH GRO & DRO: EPA SW-846 8015 M; Std. Methods 4500-CFB
 Note: Analysis performed on a 1:4 w:v aqueous extract.


 Lab Director


 Date

H16311 TCL SEAY

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CARDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240
(505) 393-2326 Fax (505) 393-2476

CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

Page ___ of ___

Company Name: <u>Eddie Sean Consulting</u>		BILL TO				ANALYSIS REQUEST																						
Project Manager: <u>Eddie Sean</u>		P.O. #:				<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">BTEX</div> <div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">TPH (PID)</div> <div style="font-size: 2em; font-weight: bold;">Chloride</div>																						
Address: <u>Los Alamos, NM</u>		Company:																										
City: <u>Hobbs</u> State: <u>NM</u> Zip: <u>88242</u>		Attn:																										
Phone #: <u>2-2236</u> Fax #: <u>2-6949</u>		Address:																										
Project #: <u>Stevens A #16</u> Project Owner: <u>Burnell Oil</u>		City:																										
Project Name: <u>Stevens A #16 Pit Closure</u>		State: Zip:																										
Project Location: <u>Loon Hills</u>		Phone #:																										
Sampler Name: <u>Eddie Sean</u>		Fax #:																										
FOR LAB USE ONLY	Lab I.D.	Sample I.D.	(GRAB OR COMP)	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER:	ACID/BASE:	ICE/COOL	OTHER:	DATE	TIME													
	<u>H16311-1</u>	<u>SA-16-1</u>	<input checked="" type="checkbox"/>	<u>2</u>			<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>		<u>11/12</u>	<u>7:40</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>										

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.

Terms and Conditions: Interest will be charged on all accounts more than 30 days past due at the rate of 24% per annum from the original date of invoice, and all costs of collections, including attorney's fees.

Sampler Relinquished:		Date: <u>11/12</u>	Received By:		Phone Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Phone #:
<div style="font-size: 2em; font-weight: bold; text-align: center;">Eddie Sean</div>		Time: <u>11:00</u>	<div style="font-size: 2em; font-weight: bold; text-align: center;">Nancy LeBout</div>		Fax Result: <input type="checkbox"/> Yes <input type="checkbox"/> No	Add'l Fax #:
		Relinquished By:			Date:	Received By:
		Time:				
Delivered By: (Circle One)		Temp.	Sample Condition	CHECKED BY:		
Sampler - UPS - Bus - Other:			Cool <input checked="" type="checkbox"/> Intact <input checked="" type="checkbox"/> <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<u>MSB</u>		

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

- Confirmation Sampling:
 - Operator shall collect, at a minimum, a five point composite sample.
 - Operator shall collect individual grab samples from any area that is wet, discolored or showing other evidence of a release.
 - Operator shall analyze for benzene, total BTEX, TPH, the GRO and DRO combined fraction and chlorides beneath a temporary pit.
 - Operator shall analyze for benzene, total BTEX, TPH, and chlorides beneath a permanent pit or below-grade tank.

TEMPORARY PITS CONFIRMATION SAMPLING

- Where ground water is more than 100 feet below the bottom of the temporary pit:
 - Operator shall demonstrate that
 - Benzene, as determined by EPA SW-846 method 8021B or 8260B or other EPA method that the division approves, does not exceed 0.2 mg/kg.
 - Total BTEX, as determined by EPA SW-846 method 8021B or 8260B or other EPA method that the division approves, does not exceed 50 mg/kg.
 - TPH, as determined by EPA SW-846 method 418.1 or other EPA method that the division approves, does not exceed 2500 mg/kg;
 - GRO and DRO combined fraction, as determined by EPA SW-846 method 8015M, does not exceed 500 mg/kg, and
 - Chlorides, as determined by EPA method 300.1, do not exceed 1000 mg/kg or the background concentration, whichever is greater.