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

APR 15 2009

Form C-144
July 21, 2008

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

lease 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 nvironment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.
Operator: Topat Oil Corporation OGRID #: _____
Address: 505 N Big Spring St, ste 405 Midland, TX 79701
Facility or well name: Patricia Federal #3
API Number: 30-005-~~62948~~ 63041 OCD Permit Number: _____
U/L or Qtr/Qtr N Section ~~26~~ 20 Township 11S Range 27E County: Chaves
Center of Proposed Design: Latitude _____ Longitude _____ 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 _____mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams: ☐ Welded ☐ Factory ☐ Other _____ Volume: _____bbl Dimensions: L_____ x W_____ x D_____

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.

6.

Fencing: Subsection D of 19.15.17.11 NMAC *(Applies to permanent pits, temporary pits, and below-grade tanks)*

☐ Chain link, six feet in height, two strands of barbed wire at top *(Required if located within 1000 feet of a permanent residence, school, hospital, institution or church)*

☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet

☐ Alternate. Please specify_____

7.

Netting: Subsection E of 19.15.17.11 NMAC *(Applies to permanent pits and permanent open top tanks)*

☐ Screen ☐ Netting ☐ Other_____

☐ Monthly inspections (If netting or screening is not physically feasible)

8.

Signs: Subsection C of 19.15.17.11 NMAC

☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers

☐ Signed in compliance with 19.15.3.103 NMAC

9.

Administrative Approvals and Exceptions:

Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.

Please check a box if one or more of the following is requested, if not leave blank:

☐ Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval.

☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

10.

Siting Criteria (regarding permitting): 19.15.17.10 NMAC

Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. **Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.**

Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. *(Applies to temporary, emergency, or cavitation pits and below-grade tanks)* - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No ☐ NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. *(Applies to permanent pits)* - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No ☐ NA
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. - Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	☐ Yes ☐ No
Within a 100-year floodplain. - FEMA map	☐ Yes ☐ No

11.
Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC
Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- ☐ Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
- ☐ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

☐ Previously Approved Design (attach copy of design) API Number: _____ or Permit Number: _____

12.
Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC
Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9
- ☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19.15.17.10 NMAC
- ☐ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

☐ Previously Approved Design (attach copy of design) API Number: _____

☐ Previously Approved Operating and Maintenance Plan API Number: _____ *(Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)*

13.
Permanent Pits Permit Application Checklist: Subsection B of 19.15.17.9 NMAC
Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
- ☐ Climatological Factors Assessment
- ☐ Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Quality Control/Quality Assurance Construction and Installation Plan
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- ☐ Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Nuisance or Hazardous Odors, including H_2S, Prevention Plan
- ☐ Emergency Response Plan
- ☐ Oil Field Waste Stream Characterization
- ☐ Monitoring and Inspection Plan
- ☐ Erosion Control Plan
- ☐ Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

14.
Proposed Closure: 19.15.17.13 NMAC
Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.

Type: ☐ Drilling ☐ Workover ☐ Emergency ☐ Cavitation ☐ P&A ☐ Permanent Pit ☐ Below-grade Tank ☐ Closed-loop System ☐ Alternative

Proposed Closure Method:
- ☐ Waste Excavation and Removal
- ☐ Waste Removal (Closed-loop systems only)
- ☐ On-site Closure Method (Only for temporary pits and closed-loop systems)
  - ☐ In-place Burial ☐ On-site Trench Burial
- ☐ Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

15.
Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) ***Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.***

- ☐ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
- ☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC
- ☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)
- ☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
- ☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

16.
Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19.15.17.13.D NMAC)
Instructions: Please indentify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?
☐ Yes (If yes, please provide the information below) ☐ No

Required for impacted areas which will not be used for future service and operations:
☐ Soil Backfill and Cover Design Specifications - - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

17.
Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC
Instructions: Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 50 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is between 50 and 100 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is more than 100 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. - Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	☐ Yes ☐ No
Within a 100-year floodplain. - FEMA map	☐ Yes ☐ No

18.
On-Site Closure Plan Checklist: (19.15.17.13 NMAC) ***Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.***
☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
☐ Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC
☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC
☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC
☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)
☐ Soil Cover Design - based upon the appropriate requirements of Subsection H of 19.15.17 13 NMAC
☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

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): _____ Title: _____

Signature: _____ Date: _____

e-mail address: _____ Telephone: _____

20.
OCD Approval: ☐ Permit Application (including closure plan) ☐ Closure Plan (only) ☐ OCD Conditions (see attachment)

OCD Representative Signature: _____ **Approval Date:** _____

Title: _____ **OCD Permit Number:** _____

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:** _____

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 indentify 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: _____ Disposal Facility Permit Number: _____

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): THOMAS E. SCHNEIDER Title: VICE President, Topat Oil Corporation

Signature: Thomas E. Schneider Date: 4-13-09

e-mail address: Topat 5 @ aol.com Telephone: (432) 682 6340

Accepted for record
NMOCD
APR 17 2009

Analytical Report 325787

for

Topat Oil Co.

Project Manager: Tomas Schineder

Patrica # 3

mike.bratcher@state.nm.us

27-FEB-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
Miramar, FL E86349
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

27-FEB-09

Project Manager: **Tomas Schineder**
Topat Oil Co.
505 N. Big Spring Suite 405
Midland, TX 79701

Reference: XENCO Report No: **325787**
Patrica # 3
Project Address: Chaves Co., NM

Tomas Schineder:

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 325787. 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. 325787 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

Sample Cross Reference 325787

Topat Oil Co., Midland, TX

Patrica # 3

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Middle	S	Feb-23-09 08:15		325787-001
NE	S	Feb-23-09 08:18		325787-002
SE	S	Feb-23-09 08:21		325787-003
SW	S	Feb-23-09 08:23		325787-004
NW	S	Feb-23-09 08:25		325787-005

Certificate of Analysis Summary 325787

Topat Oil Co., Midland, TX

Project Name: Patrica # 3

Project Id:

Contact: Tomas Schineder

Project Location: Chaves Co , NM

Date Received in Lab: Tue Feb-24-09 03:20 pm

Report Date: 27-FEB-09

Project Manager: Brent Barron, II

Analysis Requested												
	Lab Id:	325787-001		325787-002		325787-003		325787-004		325787-005		
	Field Id:	Middle		NE		SE		SW		NW		
	Depth:											
	Matrix:	SOIL		SOIL		SOIL		SOIL		SOIL		
	Sampled:	Feb-23-09 08 15		Feb-23-09 08:18		Feb-23-09 08 21		Feb-23-09 08 23		Feb-23-09 08:25		
Percent Moisture	*Extracted:*											
	Analyzed:	Feb-24-09 17 00		Feb-24-09 17 00		Feb-24-09 17 00		Feb-24-09 17 00		Feb-24-09 17 00		
	Units/RL:	%	RL	%	RL	%	RL	%	RL	%	RL	
Percent Moisture		2 62	1 00	2 34	1 00	1 26	1.00	2 27	1 00	2 59	1 00	
TPH By SW8015 Mod	*Extracted:*	Feb-25-09 21:50		Feb-25-09 21 50		Feb-25-09 21 50		Feb-25-09 21 50		Feb-25-09 21 50		
	Analyzed:	Feb-26-09 18.10		Feb-26-09 18 33		Feb-26-09 18:56		Feb-26-09 19 19		Feb-26-09 19 41		
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	
C6-C12 Gasoline Range Hydrocarbons		ND	15 4	ND	15 4	ND	15 2	ND	15 3	ND	15 4	
C12-C28 Diesel Range Hydrocarbons		137	15 4	ND	15 4	ND	15 2	ND	15 3	15.4	15 4	
C28-C35 Oil Range Hydrocarbons		48.1	15 4	ND	15 4	ND	15 2	ND	15 3	ND	15 4	
Total TPH		185 1	15 4	ND	15 4	ND	15 2	ND	15 3	15 4	15 4	

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.

Form 2 - Surrogate Recoveries

Project Name: Patrica # 3

Work Orders : 325787,

Project ID:

Lab Batch #: 751048 **Sample:** 525541-1-BKS / BKS **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 11:16

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	119	100	119	70-135	
o-Terphenyl	53.8	50.0	108	70-135	

Lab Batch #: 751048 **Sample:** 525541-1-BSD / BSD **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 11:39

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	118	100	118	70-135	
o-Terphenyl	57.5	50.0	115	70-135	

Lab Batch #: 751048 **Sample:** 525541-1-BLK / BLK **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 12:03

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	96 7	100	97	70-135	
o-Terphenyl	45 5	50.0	91	70-135	

Lab Batch #: 751048 **Sample:** 325787-001 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:10

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	94 0	100	94	70-135	
o-Terphenyl	44 5	50.0	89	70-135	

Lab Batch #: 751048 **Sample:** 325787-002 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:33

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	94.2	100	94	70-135	
o-Terphenyl	44.5	50.0	89	70-135	

** Surrogates outside limits, data and surrogates confirmed by reanalysis

*** Poor recoveries due to dilution

Surrogate Recovery [D] = 100 * A / B

All results are based on MDL and validated for QC purposes.

Form 2 - Surrogate Recoveries

Project Name: Patrica # 3

Work Orders : 325787, **Project ID:**

Lab Batch #: 751048 **Sample:** 325787-003 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:56

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	93.0	100	93	70-135	
o-Terphenyl	44 0	50.0	88	70-135	

Lab Batch #: 751048 **Sample:** 325787-004 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 19:19

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	91.8	100	92	70-135	
o-Terphenyl	43.2	50.0	86	70-135	

Lab Batch #: 751048 **Sample:** 325787-005 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 19:41

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	97.5	100	98	70-135	
o-Terphenyl	45.6	50.0	91	70-135	

Lab Batch #: 751048 **Sample:** 325777-004 S / MS **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 20:27

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	115	100	115	70-135	
o-Terphenyl	57 2	50.0	114	70-135	

Lab Batch #: 751048 **Sample:** 325777-004 SD / MSD **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 20:50

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	116	100	116	70-135	
o-Terphenyl	52 3	50 0	105	70-135	

** Surrogates outside limits; data and surrogates confirmed by reanalysis

*** Poor recoveries due to dilution

Surrogate Recovery [D] = 100 * A / B

All results are based on MDL and validated for QC purposes.

BS / BSD Recoveries

Project Name: Patrica # 3

Work Order #: 325787
Analyst: BHW
Lab Batch ID: 751048
Sample: 525541-1-BKS
Units: mg/kg

Date Prepared: 02/25/2009
Batch #: 1

Project ID:
Date Analyzed: 02/26/2009
Matrix: Solid

BLANK /BLANK SPIKE / BLANK SPIKE DUPLICATE RECOVERY STUDY

TPH By SW8015 Mod Analytes	Blank Sample Result [A]	Spike Added [B]	Blank Spike Result [C]	Blank Spike %R [D]	Spike Added [E]	Blank Spike Duplicate Result [F]	Blk. Spk Dup. %R [G]	RPD %	Control Limits %R	Control Limits %RPD	Flag
C6-C12 Gasoline Range Hydrocarbons	ND	1000	1050	105	1000	1040	104	1	70-135	35	
C12-C28 Diesel Range Hydrocarbons	ND	1000	1090	109	1000	1080	108	1	70-135	35	

Relative Percent Difference RPD = 200*|(C-F)/(C+F)|
Blank Spike Recovery [D] = 100*(C)/[B]
Blank Spike Duplicate Recovery [G] = 100*(F)/[E]
All results are based on MDL and Validated for QC Purposes

Form 3 - MS / MSD Recoveries

Project Name: Patrica # 3

Work Order # : 325787 **Project ID:**

Lab Batch ID: 751048 **QC- Sample ID:** 325777-004 S **Batch #:** 1 **Matrix:** Soil

Date Analyzed: 02/26/2009 **Date Prepared:** 02/25/2009 **Analyst:** BHW

Reporting Units: mg/kg

	MATRIX SPIKE / MATRIX SPIKE DUPLICATE RECOVERY STUDY										
TPH By SW8015 Mod **Analytes**	**Parent Sample Result [A]**	**Spike Added [B]**	**Spiked Sample Result [C]**	**Spiked Sample %R [D]**	**Spike Added [E]**	**Duplicate Spiked Sample Result [F]**	**Spiked Dup. %R [G]**	**RPD %**	**Control Limits %R**	**Control Limits %RPD**	**Flag**
C6-C12 Gasoline Range Hydrocarbons	ND	1080	1110	103	1080	1110	103	0	70-135	35	
C12-C28 Diesel Range Hydrocarbons	ND	1080	1190	110	1080	1210	112	2	70-135	35	

Matrix Spike Percent Recovery [D] = 100*(C-A)/B
Relative Percent Difference RPD = 200*|(C-F)/(C+F)|

Matrix Spike Duplicate Percent Recovery [G] = 100*(F-A)/E

ND = Not Detected, J = Present Below Reporting Limit, B = Present in Blank, NR = Not Requested, I = Interference, NA = Not ApplicableN = See Narrative, EQL = Estimated Quantitation Limit

Sample Duplicate Recovery

Project Name: Patrica # 3

Work Order #: 325787

Lab Batch #: 750769 **Project ID:**

Date Analyzed: 02/24/2009 **Date Prepared:** 02/24/2009 **Analyst:** BEV

QC- Sample ID: 325777-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: %

Percent Moisture Analyte	SAMPLE / SAMPLE DUPLICATE RECOVERY				
	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	27 8	10.9	87	20	F

Spike Relative Difference RPD 200 * | (B-A)/(B+A) |
All Results are based on MDL and validated for QC purposes.

Xenco Laboratories

The Environmental Lab of Texas

12600 West I-20 East
Odessa, Texas 79765

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

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

Project Manager: TOMAS Schinerer
Company Name: TOPAT Oil Co
Company Address: 505 N. Big Spring Ste 405
City/State/Zip: Midland TX. 79701
Telephone No: 432 682 6340
Fax No:
Sampler Signature: [signature]
e-mail: TOPAT S@AOL.com

Project Name: Patricia #3
Project #:
Project Loc: Chaves Co NM
PO #:
Report Format: ☐ Standard ☐ TRRP ☐ NPDES

(lab use only)
ORDER #: 325789

LAB # (lab use only)	FIELD CODE	Beginning Depth	Ending Depth	Date Sampled	Time Sampled	Field Filtered	Total # of Containers	Ice	HNO_3	HCl	H_2SO_4	NaOH	$Na_2S_2O_3$	None	Other (Specify)	Matrix (DW=Drinking Water, SL=Sludge, GW=Groundwater, S=Soil/Solid, NP=Non-Potable, Specify Other)	TPH: 418.1 8015M 8015B	TPH: TX 1005 TX 1006	Cations (Ca, Mg, Na, K)	Anions (Cl, SO4, Alkalinity)	SAR / ESP / CEC	Metals: As Ag Ba Cd Cr Pb Hg Se	Volatiles	Semivolatiles	BTEX 8021B/5030 or BTEX 8260	RCI	N.O.R.M.				RUSH TAT (Pre-Schedule) 24, 48, 72 hrs	Standard TAT
01	Patricia #3 1 middle			2-23-09	8:15A		1	X								Soil	X															X
02	Patricia #3 2 NE			2-23-09	8:18AM		1	X								Soil	X															X
03	Patricia #3 3 SE			2-23-09	8:21AM		1	X								Soil	X															X
04	Patricia #3 4 SW			2-23-09	8:23AM		1	X								Soil	X															X
05	Patricia #3 5 NW			2-23-09	8:25A		1	X								Soil	X															X

TCLP / TOTAL — Analyze For:

Special Instructions

Relinquished by:	Date	Time	Received by:	Date	Time
[signature]	2-23-09	10:35	FedEx/mp	2-23-09	1:05
Relinquished by	Date	Time	Received by	Date	Time
FedEx			Received by ELOT: Andrea Parra	2-24-09	3:20

Laboratory Comments:
Sample Containers Intact? (Y) N
VOCs Free of Headspace? (Y) N
Labels on container(s) (Y) N
Custody seals on container(s) (Y) N
Custody seals on cooler(s) (Y) N
Sample Hand Delivered Y N
by Sampler/Client Rep ? Y N
by Courier? UPS DHL (FedEx) Lone Star
Temperature Upon Receipt: 10.0 °C

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client: Top Oil Co.

Date/ Time: 7.24.09 15:20

Lab ID #: 325787

Initials: AL

Sample Receipt Checklist

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

Analytical Report 327990

for

Topat Oil Co.

Project Manager: Tomas Schineder

Pat Fed #3

23-MAR-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
Miramar, FL E86349
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

23-MAR-09

Project Manager: **Tomas Schineder**
Topat Oil Co.
505 N. Big Spring Suite 405
Midland, TX 79701

Reference: XENCO Report No: **327990**
Pat Fed #3
Project Address: Chavez County, NM

Tomas Schineder:

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 327990. 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. 327990 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

Sample Cross Reference 327990

Topat Oil Co., Midland, TX

Pat Fed #3

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Pasture, Pat Fed Loc	S	Mar-19-09 13:00		327990-001
Pit 2' depth	S	Mar-19-09 13:00		327990-002
Pit 4' depth	S	Mar-19-09 13:00		327990-003
Pit 6' depth	S	Mar-19-09 13:00		327990-004

Certificate of Analysis Summary 327990

Topat Oil Co., Midland, TX

Project Name: Pat Fed #3

Project Id:

Contact: Tomas Schineder

Project Location: Chavez County, NM

Date Received in Lab: Fri Mar-20-09 08:07 am

Report Date: 23-MAR-09

Project Manager: Brent Barron, II

Analysis Requested													
	Lab Id:	327990-001		327990-002		327990-003		327990-004					
	Field Id:	Pasture, Pat Fed Loc		Pit 2' depth		Pit 4' depth		Pit 6' depth					
	Depth:												
	Matrix:	SOIL		SOIL		SOIL		SOIL					
	Sampled:	Mar-19-09 13 00		Mar-19-09 13 00		Mar-19-09 13 00		Mar-19-09 13 00					
Anions by EPA 300	*Extracted:*												
	Analyzed:	Mar-20-09 09 56		Mar-20-09 09 56		Mar-20-09 09:56		Mar-20-09 09 56					
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL				
Chloride		8 03	5 09	590	55 6	567	61 1	1860	32 1				
Percent Moisture	*Extracted:*												
	Analyzed:	Mar-20-09 15 20		Mar-20-09 17:00		Mar-20-09 17 00		Mar-20-09 17 00					
	Units/RL:	%	RL	%	RL	%	RL	%	RL				
Percent Moisture		1 74	1 00	10.01	1 00	18.13	1.00	22 03	1 00				

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.

Blank Spike Recovery

Project Name: Pat Fed #3

Work Order #: 327990 **Project ID:**

Lab Batch #: 753228 **Sample:** 753228-1-BKS **Matrix:** Solid

Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** LATCOR

Reporting Units: mg/kg **Batch #:** 1

	BLANK /BLANK SPIKE RECOVERY STUDY					
Anions by EPA 300 **Analytes**	**Blank Result [A]**	**Spike Added [B]**	**Blank Spike Result [C]**	**Blank Spike %R [D]**	**Control Limits %R**	**Flags**
Chloride	ND	10.0	9.74	97	90-110	

Blank Spike Recovery [D] = 100*[C]/[B]
All results are based on MDL and validated for QC purposes.

Form 3 - MS Recoveries

Project Name: Pat Fed #3

Work Order #: 327990
Lab Batch #: 753228
Date Analyzed: 03/20/2009
QC- Sample ID: 327940-001 S
Reporting Units: mg/kg

Project ID:
Date Prepared: 03/20/2009
Analyst: LATCOR
Batch #: 1
Matrix: Soil

Inorganic Anions by EPA 300	MATRIX / MATRIX SPIKE RECOVERY STUDY					
Analytes	Parent Sample Result [A]	Spike Added [B]	Spiked Sample Result [C]	%R [D]	Control Limits %R	Flag
Chloride	1200	508	1780	114	80-120	

Matrix Spike Percent Recovery [D] = 100*(C-A)/B
Relative Percent Difference [E] = 200*(C-A)/(C+B)
All Results are based on MDL and Validated for QC Purposes

Sample Duplicate Recovery

Project Name: Pat Fed #3

Work Order #: 327990

Lab Batch #: 753228 **Project ID:**
Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** LATCOR
QC- Sample ID: 327940-001 D **Batch #:** 1 **Matrix:** Soil
Reporting Units: mg/kg

Anions by EPA 300	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Chloride	1200	1220	2	20	

Lab Batch #: 753256
Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** BEV
QC- Sample ID: 327939-001 D **Batch #:** 1 **Matrix:** Soil
Reporting Units: %

Percent Moisture	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	1 86	1.74	7	20	

Lab Batch #: 753313
Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** BEV
QC- Sample ID: 327990-002 D **Batch #:** 1 **Matrix:** Soil
Reporting Units: %

Percent Moisture	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	10 0	9 59	4	20	

Spike Relative Difference RPD 200 * | (B-A)/(B+A) |
All Results are based on MDL and validated for QC purposes

Analytical Report 328335

for

Topat Oil Co.

Project Manager: Tomas Schneider

Pat Fed # 3

26-MAR-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
Miramar, FL E86349
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

26-MAR-09

Project Manager: **Tomas Schneider**
Topat Oil Co.
505 N. Big Spring Suite 405
Midland, TX 79701

Reference: XENCO Report No: **328335**
Pat Fed # 3
Project Address: Chaves County, NM

Tomas Schneider:

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 328335. 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. 328335 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

Sample Cross Reference 328335

Topat Oil Co., Midland, TX

Pat Fed # 3

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Pit, 8' Depth	S	Mar-24-09 12:00		328335-001
Pit, 10' Depth	S	Mar-24-09 12:00		328335-002

Certificate of Analysis Summary 328335

Topat Oil Co., Midland, TX

Project Name: Pat Fed # 3

Project Id:

Contact: Tomas Schneider

Project Location: Chaves County, NM

Date Received in Lab: Wed Mar-25-09 09.55 am

Report Date: 26-MAR-09

Project Manager: Brent Barron, II

Analysis Requested													
	Lab Id:	328335-001		328335-002									
	Field Id:	Pit, 8' Depth		Pit, 10' Depth									
	Depth:												
	Matrix:	SOIL		SOIL									
	Sampled:	Mar-24-09 12 00		Mar-24-09 12 00									
Anions by EPA 300	*Extracted:*												
	Analyzed:	Mar-25-09 14 00		Mar-25-09 14 00									
	Units/RL:	mg/kg	RL	mg/kg	RL								
Chloride		905	61.6	471	62 7								
Percent Moisture	*Extracted:*												
	Analyzed:	Mar-25-09 13 30		Mar-25-09 13 30									
	Units/RL:	%	RL	%	RL								
Percent Moisture		18 77	1.00	20 22	1 00								

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.

Blank Spike Recovery

Project Name: Pat Fed # 3

Work Order #: 328335 **Project ID:**

Lab Batch #: 753843 **Sample:** 753843-1-BKS **Matrix:** Solid

Date Analyzed: 03/25/2009 **Date Prepared:** 03/25/2009 **Analyst:** LATCOR

Reporting Units: mg/kg **Batch #:** 1

		BLANK /BLANK SPIKE RECOVERY STUDY				
Anions by EPA 300 **Analytes**	**Blank Result [A]**	**Spike Added [B]**	**Blank Spike Result [C]**	**Blank Spike %R [D]**	**Control Limits %R**	**Flags**
Chloride	ND	10 0	10.3	103	90-110	

Blank Spike Recovery [D] = 100*[C]/[B]
All results are based on MDL and validated for QC purposes.

Form 3 - MS Recoveries

Project Name: Pat Fed # 3

Work Order #: 328335
Lab Batch #: 753843
Project ID:
Date Analyzed: 03/25/2009 **Date Prepared:** 03/25/2009 **Analyst:** LATCOR
QC- Sample ID: 328335-001 S **Batch #:** 1 **Matrix:** Soil
Reporting Units: mg/kg

Inorganic Anions by EPA 300	MATRIX / MATRIX SPIKE RECOVERY STUDY					
Analytes	Parent Sample Result [A]	Spike Added [B]	Spiked Sample Result [C]	%R [D]	Control Limits %R	Flag
Chloride	905	1230	2340	117	80-120	

Matrix Spike Percent Recovery [D] = 100*(C-A)/B
Relative Percent Difference [E] = 200*(C-A)/(C+B)
All Results are based on MDL and Validated for QC Purposes

Sample Duplicate Recovery

Project Name: Pat Fed # 3

Work Order #: 328335

Lab Batch #: 753843 **Project ID:**

Date Analyzed: 03/25/2009 **Date Prepared:** 03/25/2009 **Analyst:** LATCOR

QC- Sample ID: 328335-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: mg/kg

Anions by EPA 300	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Chloride	905	907	0	20	

Lab Batch #: 753842

Date Analyzed: 03/25/2009 **Date Prepared:** 03/25/2009 **Analyst:** BEV

QC- Sample ID: 328331-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: %

Percent Moisture	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	1.21	1.24	2	20	

Spike Relative Difference RPD 200 * | (B-A)/(B+A) |
All Results are based on MDL and validated for QC purposes.

Bratcher, Mike, EMNRD

From: TOPAT5@aol.com
Sent: Tuesday, March 24, 2009 5:01 AM
To: Bratcher, Mike, EMNRD
Subject: Fwd: WO#327990 Pat Fed #3
Attachments: Re: WO#327990 Pat Fed #3

Mike, here is analysis on latest samples, we have contacted a contractor whom is moving in an excavator as we have reached our depth limit with backhoe. will advise when get 8' & 10' samples, should be in next several days. tom schneider, midland, tx

---

Bratcher, Mike, EMNRD

From: Jeanne Fitch [jeanne.fitch@xenco.com]
Sent: Monday, March 23, 2009 8:11 AM
To: topat5@aol.com
Subject: Re: WO#327990 Pat Fed #3
Attachments: 2009_327990_.pdf

Thank You,

Jeanne Fitch

Environmental Lab of Texas
a Xenco Company
12600 West I-20 East
Odessa, TX 79765
(432) 563-1800

Analytical Report 327990

for

Topat Oil Co.

Project Manager: Tomas Schineder

Pat Fed #3

23-MAR-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
Miramar, FL E86349
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

23-MAR-09

Project Manager: **Tomas Schineder**
Topat Oil Co.
505 N. Big Spring Suite 405
Midland, TX 79701

Reference: XENCO Report No: **327990**
Pat Fed #3
Project Address: Chavez County, NM

Tomas Schineder:

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 327990. 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. 327990 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

Sample Cross Reference 327990

Topat Oil Co., Midland, TX

Pat Fed #3

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Pasture, Pat Fed Loc	S	Mar-19-09 13:00		327990-001
Pit 2' depth	S	Mar-19-09 13:00		327990-002
Pit 4' depth	S	Mar-19-09 13:00		327990-003
Pit 6' depth	S	Mar-19-09 13:00		327990-004

Certificate of Analysis Summary 327990

Topat Oil Co., Midland, TX

Project Name: Pat Fed #3

Project Id:

Contact: Tomas Schineder

Project Location: Chavez County, NM

Date Received in Lab: Fri Mar-20-09 08:07 am

Report Date: 23-MAR-09

Project Manager: Brent Barron, II

Analysis Requested	*Lab Id:*	327990-001		327990-002		327990-003		327990-004			
	Field Id:	Pasture, Pat Fed Loc		Pit 2' depth		Pit 4' depth		Pit 6' depth			
	Depth:										
	Matrix:	SOIL		SOIL		SOIL		SOIL			
	Sampled:	Mar-19-09 13 00		Mar-19-09 13.00		Mar-19-09 13 00		Mar-19-09 13.00			
Anions by EPA 300	*Extracted:*										
	Analyzed:	Mar-20-09 09 56		Mar-20-09 09:56		Mar-20-09 09 56		Mar-20-09 09 56			
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL		
Chloride		8 03	5 09	590	55.6	567	61 1	1860	32 1		
Percent Moisture	*Extracted:*										
	Analyzed:	Mar-20-09 15 20		Mar-20-09 17:00		Mar-20-09 17 00		Mar-20-09 17 00			
	Units/RL:	%	RL	%	RL	%	RL	%	RL		
Percent Moisture		1.74	1 00	10 01	1 00	18 13	1 00	22 03	1 00		

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.

Blank Spike Recovery

Project Name: Pat Fed #3

Work Order #: 327990 **Project ID:**

Lab Batch #: 753228 **Sample:** 753228-1-BKS **Matrix:** Solid

Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** LATCOR

Reporting Units: mg/kg **Batch #:** 1

	BLANK /BLANK SPIKE RECOVERY STUDY					
Anions by EPA 300 **Analytes**	**Blank Result [A]**	**Spike Added [B]**	**Blank Spike Result [C]**	**Blank Spike %R [D]**	**Control Limits %R**	**Flags**
Chloride	ND	10 0	9 74	97	90-110	

Blank Spike Recovery [D] = 100*[C]/[B]
All results are based on MDL and validated for QC purposes.

Form 3 - MS Recoveries

Project Name: Pat Fed #3

Work Order #: 327990

Lab Batch #: 753228

Project ID:

Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** LATCOR

QC- Sample ID: 327940-001 S **Batch #:** 1 **Matrix:** Soil

Reporting Units: mg/kg

	MATRIX / MATRIX SPIKE RECOVERY STUDY					
Inorganic Anions by EPA 300 **Analytes**	**Parent Sample Result [A]**	**Spike Added [B]**	**Spiked Sample Result [C]**	**%R [D]**	**Control Limits %R**	**Flag**
Chloride	1200	508	1780	114	80-120	

Matrix Spike Percent Recovery [D] = 100*(C-A)/B
Relative Percent Difference [E] = 200*(C-A)/(C+B)
All Results are based on MDL and Validated for QC Purposes

Sample Duplicate Recovery

Project Name: Pat Fed #3

Work Order #: 327990

Lab Batch #: 753228 **Project ID:**

Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** LATCOR

QC- Sample ID: 327940-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: mg/kg

Anions by EPA 300	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Chloride	1200	1220	2	20	

Lab Batch #: 753256

Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** BEV

QC- Sample ID: 327939-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: %

Percent Moisture	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	1 86	1 74	7	20	

Lab Batch #: 753313

Date Analyzed: 03/20/2009 **Date Prepared:** 03/20/2009 **Analyst:** BEV

QC- Sample ID: 327990-002 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: %

Percent Moisture	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	10 0	9.59	4	20	

Spike Relative Difference RPD 200 * | (B-A)/(B+A) |
All Results are based on MDL and validated for QC purposes

Xenco Laboratories

The Environmental Lab of Texas

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

12600 West I-20 East
Odessa, Texas 79765

Phone. 432-563-1800
Fax. 432-563-1713

Project Manager: Tom Schneider
Company Name: Topaz Oil Corp
Company Address: 508 N Big Spring st, Ste 405
City/State/Zip: Midland TX 79701
Telephone No: 432 664 5220 Fax No: 687 3996
Sampler Signature: [signature] e-mail: ttopaz5@aol.com

Project Name: Pat Fed #3
Project #:
Project Loc: Chaves Cnty, NM
PO #
Report Format: ☐ Standard ☐ TRRP ☐ NPDES

(lab use only)
ORDER #: 32799

LAB # (lab use only)	FIELD CODE	Beginning Depth	Ending Depth	Date Sampled	Time Sampled	Field Filtered	Total # of Containers	Preservation & # of Containers: Ice	HNO3	HCl	H2SO4	NaOH	Na2S2O3	None	Other (Specify)	Matrix: Soil/Sediment	Water	Sludge	Other	Analyze For: TPH 418.1	BTEX 8015M	TPH TX1005	TPH TX1005	Chlorides (Cl, Mg, Na, K)	Anions (Cl, SO4, Alkalinity, TDS)	SAR / ESP / CEC	Metals As Ag Ba Cd Cr Pb Hg Se	Volatiles	Semivolatiles	GRO - 8021B/5030 or BTEX 8260	PCI	NORM			RUSH TAT (Pre-Schedule) 24, 48, 72 hrs.	Standard TAT
1	Pasture, Pat Fed Loc			03/19/09	1300		1							X		S									X									X	
2	Pit 2' depth						1							X		S									X									X	
3	Pit 4' depth						1							X		S									X									X	
4	Pit 6' depth						1							X		S									X									X	

Special Instructions:
[signature]

Relinquished by	Date	Time	Received by	Date	Time
	3-20-09	0807	[signature]		
Relinquished by	Date	Time	Received by	Date	Time
Relinquished by	Date	Time	Received by ELOT:	Date	Time
				03/20/09	0807

Laboratory Comments:
Sample Containers Intact? Y N
VOCs Free of Headspace? Y N
Labels on container(s)? Y N
Custody seals on container(s)? Y N
Custody seals on cooler(s)? Y N
Sample Hand Delivered by Sampler/Client Rep.? Y N
by Courier? UPS DHL FedEx Lone Star
Temperature Upon Receipt: 16.5 °C

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client: Tetra Tech

Date/ Time: 05 20 09 @ 0900

Lab ID #: 321990

Initials: JME

Sample Receipt Checklist

				Client Initials
#1 Temperature of container/ cooler?	Yes	No	1.5 °C	
#2 Shipping container in good condition?	Yes	No		
#3 Custody Seals intact on shipping container/ cooler?	Yes	No	Not Present	
#4 Custody Seals intact on sample bottles/ container?	Yes	No	Not Present	
#5 Chain of Custody present?	Yes	No		
#6 Sample instructions complete of Chain of Custody?	Yes	No		
#7 Chain of Custody signed when relinquished/ received?	Yes	No		
#8 Chain of Custody agrees with sample label(s)?	Yes	No	ID written on Cont / Lid	
#9 Container label(s) legible and intact?	Yes	No	Not Applicable	
#10 Sample matrix/ properties agree with Chain of Custody?	Yes	No		
#11 Containers supplied by ELOT?	Yes	No		
#12 Samples in proper container/ bottle?	Yes	No	See Below	
#13 Samples properly preserved?	Yes	No	See Below	
#14 Sample bottles intact?	Yes	No		
#15 Preservations documented on Chain of Custody?	Yes	No		
#16 Containers documented on Chain of Custody?	Yes	No		
#17 Sufficient sample amount for indicated test(s)?	Yes	No	See Below	
#18 All samples received within sufficient hold time?	Yes	No	See Below	
#19 Subcontract of sample(s)?	Yes	No	Not Applicable	
#20 VOC samples have zero headspace?	Yes	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

Bratcher, Mike, EMNRD

From: TOPAT5@aol.com
Sent: Friday, March 20, 2009 5:46 AM
To: Bratcher, Mike, EMNRD
Subject: Re: WO#325787 Patricia #3

Mike;

took samples yesterday (thursday) from pit on Pat 3, @ 2', 4' & 6' depths, also from pasture as rancher says soil very gypy. will deliver at 8AM this AM to lab and get results, will advise as available. thanks, tom schneider, topat

---

REC'D 3/6/09

Bratcher, Mike, EMNRD TOPAT Oil Patricia #3

From: Gracie Avalos [gracie.avalos@xenco.com]
Sent: Friday, March 06, 2009 11:57 AM
To: topat5@aol.com; Bratcher, Mike, EMNRD
Subject: WO 325787 / Patrica #3
Attachments: 2009_325787_FINAL.pdf

Gracie Avalos
Project Assistant
Xenco Labs - Odessa
432-563-1800 Office
432-4563-1713 Fax
gracie.avalos@xenco.com

Rec'd 3/6/09

Analytical Report 325787

for

Topat Oil Co.

Project Manager: Tomas Schineder

Patrica # 3

06-MAR-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
Miramar, FL E86349
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

06-MAR-09

Project Manager: **Tomas Schineder**
Topat Oil Co.
505 N. Big Spring Suite 405
Midland, TX 79701

Reference: XENCO Report No: **325787**
Patrica # 3
Project Address: Chaves Co., NM

Tomas Schineder:

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 325787. 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. 325787 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

Sample Cross Reference 325787

Topat Oil Co., Midland, TX

Patrica # 3

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Middle	S	Feb-23-09 08:15		325787-001
NE	S	Feb-23-09 08:18		325787-002
SE	S	Feb-23-09 08:21		325787-003
SW	S	Feb-23-09 08:23		325787-004
NW	S	Feb-23-09 08:25		325787-005

Certificate of Analysis Summary 325787

Topat Oil Co., Midland, TX

Project Name: Patrica # 3

Project Id:
Contact: Tomas Schneder
Project Location: Chaves Co , NM

Date Received in Lab: Tue Feb-24-09 03:20 pm
Report Date: 06-MAR-09
Project Manager: Brent Barron, II

Analysis Requested											
	Lab Id:	325787-001		325787-002		325787-003		325787-004		325787-005	
	Field Id:	Middle		NE		SE		SW		NW	
	Depth:										
	Matrix:	SOIL		SOIL		SOIL		SOIL		SOIL	
	Sampled:	Feb-23-09 08:15		Feb-23-09 08 18		Feb-23-09 08.21		Feb-23-09 08:23		Feb-23-09 08 25	
Anions by EPA 300	*Extracted:*										
	Analyzed:	Mar-05-09 13 51		Mar-05-09 13:51		Mar-05-09 13:51		Mar-05-09 13:51		Mar-05-09 13:51	
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL
Chloride		2460	51.3	1670	51.2	721	20 3	2280	51.2	4100	103
Percent Moisture	*Extracted:*										
	Analyzed:	Feb-24-09 17.00		Feb-24-09 17 00		Feb-24-09 17:00		Feb-24-09 17.00		Feb-24-09 17.00	
	Units/RL:	%	RL	%	RL	%	RL	%	RL	%	RL
Percent Moisture		2.62	1 00	2 34	1.00	1.26	1.00	2 27	1 00	2 59	1.00
TPH By SW8015 Mod	*Extracted:*	Feb-25-09 21.50		Feb-25-09 21·50		Feb-25-09 21·50		Feb-25-09 21:50		Feb-25-09 21:50	
	Analyzed:	Feb-26-09 18.10		Feb-26-09 18 33		Feb-26-09 18:56		Feb-26-09 19:19		Feb-26-09 19:41	
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL
C6-C12 Gasoline Range Hydrocarbons		ND	15 4	ND	15 4	ND	15 2	ND	15 3	ND	15.4
C12-C28 Diesel Range Hydrocarbons		137	15.4	ND	15 4	ND	15 2	ND	15.3	15 4	15 4
C28-C35 Oil Range Hydrocarbons		48.1	15.4	ND	15 4	ND	15 2	ND	15.3	ND	15 4
Total TPH		185 1	15 4	ND	15 4	ND	15.2	ND	15.3	15 4	15.4

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.

Form 2 - Surrogate Recoveries

Project Name: Patrica # 3

Work Orders : 325787,

Project ID:

Lab Batch #: 751048 **Sample:** 525541-1-BKS / BKS **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 11:16

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	119	100	119	70-135	
o-Terphenyl	53.8	50.0	108	70-135	

Lab Batch #: 751048 **Sample:** 525541-1-BSD / BSD **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 11:39

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	118	100	118	70-135	
o-Terphenyl	57.5	50.0	115	70-135	

Lab Batch #: 751048 **Sample:** 525541-1-BLK / BLK **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 12:03

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	96.7	100	97	70-135	
o-Terphenyl	45.5	50.0	91	70-135	

Lab Batch #: 751048 **Sample:** 325787-001 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:10

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	94.0	100	94	70-135	
o-Terphenyl	44 5	50 0	89	70-135	

Lab Batch #: 751048 **Sample:** 325787-002 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:33

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	94.2	100	94	70-135	
o-Terphenyl	44.5	50.0	89	70-135	

** Surrogates outside limits, data and surrogates confirmed by reanalysis

*** Poor recoveries due to dilution

Surrogate Recovery [D] = 100 * A / B

All results are based on MDL and validated for QC purposes.

Form 2 - Surrogate Recoveries

Project Name: Patrica # 3

Work Orders : 325787,

Project ID:

Lab Batch #: 751048 **Sample:** 325787-003 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:56

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	93.0	100	93	70-135	
o-Terphenyl	44.0	50.0	88	70-135	

Lab Batch #: 751048 **Sample:** 325787-004 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 19:19

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	91.8	100	92	70-135	
o-Terphenyl	43.2	50.0	86	70-135	

Lab Batch #: 751048 **Sample:** 325787-005 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 19:41

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	97 5	100	98	70-135	
o-Terphenyl	45 6	50.0	91	70-135	

Lab Batch #: 751048 **Sample:** 325777-004 S / MS **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 20:27

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	115	100	115	70-135	
o-Terphenyl	57.2	50.0	114	70-135	

Lab Batch #: 751048 **Sample:** 325777-004 SD / MSD **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 20:50

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	116	100	116	70-135	
o-Terphenyl	52.3	50.0	105	70-135	

** Surrogates outside limits; data and surrogates confirmed by reanalysis

*** Poor recoveries due to dilution

Surrogate Recovery [D] = 100 * A / B

All results are based on MDL and validated for QC purposes.

Blank Spike Recovery

Project Name: Patrica # 3

Work Order #: 325787 **Project ID:**

Lab Batch #: 751684 **Sample:** 751684-1-BKS **Matrix:** Solid

Date Analyzed: 03/05/2009 **Date Prepared:** 03/05/2009 **Analyst:** LATCOR

Reporting Units: mg/kg **Batch #:** 1

	BLANK /BLANK SPIKE RECOVERY STUDY					
Anions by EPA 300 **Analytes**	**Blank Result [A]**	**Spike Added [B]**	**Blank Spike Result [C]**	**Blank Spike %R [D]**	**Control Limits %R**	**Flags**
Chloride	ND	10 0	9.99	100	80-120	

Blank Spike Recovery [D] = 100*[C]/[B]
All results are based on MDL and validated for QC purposes.

BS / BSD Recoveries

Project Name: Patrica # 3

Work Order #: 325787
Analyst: BHW
Lab Batch ID: 751048
Sample: 525541-1-BKS
Units: mg/kg

Date Prepared: 02/25/2009
Batch #: 1

Project ID:
Date Analyzed: 02/26/2009
Matrix: Solid

BLANK /BLANK SPIKE / BLANK SPIKE DUPLICATE RECOVERY STUDY

TPH By SW8015 Mod Analytes	Blank Sample Result [A]	Spike Added [B]	Blank Spike Result [C]	Blank Spike %R [D]	Spike Added [E]	Blank Spike Duplicate Result [F]	Blk. Spk Dup. %R [G]	RPD %	Control Limits %R	Control Limits %RPD	Flag
C6-C12 Gasoline Range Hydrocarbons	ND	1000	1050	105	1000	1040	104	1	70-135	35	
C12-C28 Diesel Range Hydrocarbons	ND	1000	1090	109	1000	1080	108	1	70-135	35	

Relative Percent Difference RPD = 200*|(C-F)/(C+F)|
Blank Spike Recovery [D] = 100*(C)/[B]
Blank Spike Duplicate Recovery [G] = 100*(F)/[E]
All results are based on MDL and Validated for QC Purposes

Form 3 - MS Recoveries

Project Name: Patrica # 3

Work Order #: 325787
Lab Batch #: 751684
Project ID:
Date Analyzed: 03/05/2009
Date Prepared: 03/05/2009
Analyst: LATCOR
QC- Sample ID: 325787-001 S
Batch #: 1
Matrix: Soil
Reporting Units: mg/kg

Inorganic Anions by EPA 300	MATRIX / MATRIX SPIKE RECOVERY STUDY					
Analytes	Parent Sample Result [A]	Spike Added [B]	Spiked Sample Result [C]	%R [D]	Control Limits %R	Flag
Chloride	2460	1030	3540	105	80-120	

Matrix Spike Percent Recovery [D] = 100*(C-A)/B
Relative Percent Difference [E] = 200*(C-A)/(C+B)
All Results are based on MDL and Validated for QC Purposes

Form 3 - MS / MSD Recoveries

Project Name: Patrica # 3

Work Order # : 325787 **Project ID:**

Lab Batch ID: 751048 **QC- Sample ID:** 325777-004 S **Batch #:** 1 **Matrix:** Soil

Date Analyzed: 02/26/2009 **Date Prepared:** 02/25/2009 **Analyst:** BHW

Reporting Units: mg/kg

TPH By SW8015 Mod Analytes	MATRIX SPIKE / MATRIX SPIKE DUPLICATE RECOVERY STUDY										
	Parent Sample Result [A]	Spike Added [B]	Spiked Sample Result [C]	Spiked Sample %R [D]	Spike Added [E]	Duplicate Spiked Sample Result [F]	Spiked Dup. %R [G]	RPD %	Control Limits %R	Control Limits %RPD	Flag
C6-C12 Gasoline Range Hydrocarbons	ND	1080	1110	103	1080	1110	103	0	70-135	35	
C12-C28 Diesel Range Hydrocarbons	ND	1080	1190	110	1080	1210	112	2	70-135	35	

Matrix Spike Percent Recovery [D] = 100*(C-A)/B
Relative Percent Difference RPD = 200*|(C-F)/(C+F)|

Matrix Spike Duplicate Percent Recovery [G] = 100*(F-A)/E

ND = Not Detected, J = Present Below Reporting Limit, B = Present in Blank, NR = Not Requested, I = Interference, NA = Not ApplicableN = See Narrative, EQL = Estimated Quantitation Limit

Sample Duplicate Recovery

Project Name: Patrica # 3

Work Order #: 325787

Lab Batch #: 751684 **Project ID:**

Date Analyzed: 03/05/2009 **Date Prepared:** 03/05/2009 **Analyst:** LATCOR

QC- Sample ID: 325787-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: mg/kg

Anions by EPA 300	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Chloride	2460	2430	1	20	

Lab Batch #: 750769

Date Analyzed: 02/24/2009 **Date Prepared:** 02/24/2009 **Analyst:** BEV

QC- Sample ID: 325777-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: %

Percent Moisture	SAMPLE / SAMPLE DUPLICATE RECOVERY				
Analyte	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	27.8	10.9	87	20	F

Spike Relative Difference RPD 200 * | (B-A)/(B+A) |
All Results are based on MDL and validated for QC purposes

Xenco Laboratories
The Environmental Lab of Texas

12600 West I-20 East
Odessa, Texas 79765

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

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

Project Manager: [illegible]
Company Name: TOPAT [illegible]
Company Address: 505 N. Big Spring Ste. 405
City/State/Zip: Midland TX 79701
Telephone No: 432 682 6340
Fax No:
Sampler Signature: [signature]
e-mail: [illegible]

Project Name: Patrick #3
Project #:
Project Loc: [illegible] Co. NM
PO #:
Report Format: ☐ Standard ☐ TRRP ☐ NPDES

(lab use only)
ORDER #: 325787

LAB # (lab use only)	FIELD CODE	Beginning Depth	Ending Depth	Date Sampled	Time Sampled	Field Filtered	Total # of Containers	Ice	HNO_3	HCl	H_2SO_4	NaOH	$Na_2S_2O_3$	None	Other (Specify)	Matrix (DW=Drinking Water, SL=Sludge, GW=Groundwater, S=Soil/Solid, NP=Non-Potable, Specify Other)	TPH 418.1 8015M 8015B	TPH TX 1005 TX 1006	Cations (Ca, Mg, Na, K)	Anions (Cl, SO4, Alkalinity)	SAR / ESP / CEC	Metals: As Ag Ba Cd Cr Pb Hg Se	Volatiles	Semivolatiles	BTEX 8021B/5030 or BTEX 8260	RCI	N.O.R.M.				RUSH TAT (Pre-Schedule) 24, 48, 72 hrs	Standard TAT
01	PATRICA #3 1 MIDDLE			2-23-09	8:15A		1	X								Soil	X															X
02	PATRICA #3 2 NE			2-23-09	8:18Am		1	X								Soil	X															X
03	PATRICA #3 3 SE			2-23-09	8:21Am		1	X								Soil	X															Y
04	PATRICA #3 4 SW			2-23-09	8:23Am		1	X								Soil	X															Y
05	PATRICA #3 5 NW			2-23-09	8:25A		1	X								Soil	X															Y
																																Y

Special Instructions:

Relinquished by	Date	Time	Received by	Date	Time
[signature]	2-23-09	12:35	FedEx / mp	[illegible]	[illegible]
Fedex			Received by ELOT: Andrea Lama	2-24-09	8:10

Laboratory Comments:
Sample Containers Intact? Y N
VOCs Free of Headspace? Y N
Labels on container(s) Y N
Custody seals on container(s) Y N
Custody seals on cooler(s) Y N
Sample Hand Delivered Y N
by Sampler/Client Rep.? Y N
by Courier? UPS DHL FedEx Lone Star
Temperature Upon Receipt: 10.0 °C

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client: Top Oil Co

Date/ Time: 2-28-01 13:20

Lab ID #: 373787

Initials: CL

Sample Receipt Checklist

				Client Initials
#1 Temperature of container/ cooler?	Yes	No	10.0 °C	
#2 Shipping container in good condition?	Yes	No		
#3 Custody Seals intact on shipping container/ cooler?	Yes	No	Not Present	
#4 Custody Seals intact on sample bottles/ container?	Yes	No	Not Present	
#5 Chain of Custody present?	Yes	No		
#6 Sample instructions complete of Chain of Custody?	Yes	No		
#7 Chain of Custody signed when relinquished/ received?	Yes	No		
#8 Chain of Custody agrees with sample label(s)?	Yes	No	ID written on Cont./ Lid	
#9 Container label(s) legible and intact?	Yes	No	Not Applicable	
#10 Sample matrix/ properties agree with Chain of Custody?	Yes	No		
#11 Containers supplied by ELOT?	Yes	No		
#12 Samples in proper container/ bottle?	Yes	No	See Below	
#13 Samples properly preserved?	Yes	No	See Below	
#14 Sample bottles intact?	Yes	No		
#15 Preservations documented on Chain of Custody?	Yes	No		
#16 Containers documented on Chain of Custody?	Yes	No		
#17 Sufficient sample amount for indicated test(s)?	Yes	No	See Below	
#18 All samples received within sufficient hold time?	Yes	No	See Below	
#19 Subcontract of sample(s)?	Yes	No	Not Applicable	
#20 VOC samples have zero headspace?	Yes	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

Gracie Avalos

From: Brent Barron [brent.barron@xenco.com]
Sent: Thursday, March 05, 2009 8:05 AM
To: Gracie Avalos
Subject: FW: WO#325787 Patricia #3

Please add and have Tasha Process as soon as possible.
-----Original Message-----
From: TOPAT5@aol.com [mailto:TOPAT5@aol.com]
Sent: Wednesday, March 04, 2009 6:11 AM
To: jeanne.fitch@xenco.com
Subject: Re: WO#325787 Patricia #3

Jeanne,

The OCC in Artesia, NM wants a test run on the samples for clorides. I thought it was included but perhaps we misunderstood each other. please advise if and when you can do this test. thanks for your quick and efficient processing of these samples. tom (not tomas) schneider, Topat Oil Corp., Midland, TX

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Tuesday, March 03, 2009 10:38 AM
To: 'TOPAT5@aol.com'
Subject: RE: WO#325787 Patricia #3

Mr. Schneider,

In reviewing the analytical data presented, I notice that there were no tests run for chlorides. If the lab still has the samples you took to them, they may still be able to run that test. We will need that run before we can approve closure for this pit. I left a message on the phone number provided, so please contact me at your earliest convenience.

Thank you,

Mike Bratcher
NMOCD District 2
1301 W. Grand Ave.
Artesia, NM 88210
575-748-1283 Ext.108

From: TOPAT5@aol.com [mailto:TOPAT5@aol.com]
Sent: Monday, March 02, 2009 8:03 AM
To: Bratcher, Mike, EMNRD
Subject: Fwd: WO#325787 Patricia #3

Dear Mike;

Attached please find report on samples taken from pit on Patricia Fed #3 in Chaves County, NM I am a bit confused on results. Please advise on what we need to do here or if there is anything lacking on the C-144 I had sent in earlier.

Regards;

Thomas E Schneider

Rec'd 3/2/09

Analytical Report 325787

for

Topat Oil Co.

Project Manager: Tomas Schineder

Patrica # 3

27-FEB-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
Miramar, FL E86349
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

27-FEB-09

Project Manager: **Tomas Schineder**
Topat Oil Co.
505 N. Big Spring Suite 405
Midland, TX 79701

Reference: XENCO Report No: **325787**
Patrica # 3
Project Address: Chaves Co., NM

Tomas Schineder:

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 325787. 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. 325787 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

Sample Cross Reference 325787

Topat Oil Co., Midland, TX

Patrica # 3

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Middle	S	Feb-23-09 08:15		325787-001
NE	S	Feb-23-09 08:18		325787-002
SE	S	Feb-23-09 08:21		325787-003
SW	S	Feb-23-09 08:23		325787-004
NW	S	Feb-23-09 08:25		325787-005

Certificate of Analysis Summary 325787

Topat Oil Co., Midland, TX

Project Name: Patrica # 3

Project Id:

Contact: Tomas Schineder

Project Location: Chaves Co., NM

Date Received in Lab: Tue Feb-24-09 03:20 pm

Report Date: 27-FEB-09

Project Manager: Brent Barron, II

Analysis Requested												
	Lab Id:	325787-001		325787-002		325787-003		325787-004		325787-005		
	Field Id:	Middle		NE		SE		SW		NW		
	Depth:											
	Matrix:	SOIL		SOIL		SOIL		SOIL		SOIL		
	Sampled:	Feb-23-09 08 15		Feb-23-09 08:18		Feb-23-09 08:21		Feb-23-09 08 23		Feb-23-09 08 25		
Percent Moisture	*Extracted:*											
	Analyzed:	Feb-24-09 17 00		Feb-24-09 17.00		Feb-24-09 17:00		Feb-24-09 17 00		Feb-24-09 17:00		
	Units/RL:	%	RL	%	RL	%	RL	%	RL	%	RL	
Percent Moisture		2 62	1 00	2 34	1 00	1 26	1 00	2 27	1 00	2 59	1.00	
TPH By SW8015 Mod	*Extracted:*	Feb-25-09 21:50		Feb-25-09 21 50		Feb-25-09 21.50		Feb-25-09 21:50		Feb-25-09 21:50		
	Analyzed:	Feb-26-09 18:10		Feb-26-09 18 33		Feb-26-09 18:56		Feb-26-09 19:19		Feb-26-09 19 41		
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	
C6-C12 Gasoline Range Hydrocarbons		ND	15 4	ND	15.4	ND	15 2	ND	15 3	ND	15.4	
C12-C28 Diesel Range Hydrocarbons		137	15 4	ND	15 4	ND	15 2	ND	15 3	15 4	15 4	
C28-C35 Oil Range Hydrocarbons		48 1	15.4	ND	15.4	ND	15.2	ND	15.3	ND	15 4	
Total TPH		185.1	15 4	ND	15.4	ND	15 2	ND	15.3	15 4	15 4	

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.

Form 2 - Surrogate Recoveries

Project Name: Patrica # 3

Work Orders : 325787,

Project ID:

Lab Batch #: 751048 **Sample:** 525541-1-BKS / BKS **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 11:16

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	119	100	119	70-135	
o-Terphenyl	53.8	50.0	108	70-135	

Lab Batch #: 751048 **Sample:** 525541-1-BSD / BSD **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 11:39

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	118	100	118	70-135	
o-Terphenyl	57.5	50.0	115	70-135	

Lab Batch #: 751048 **Sample:** 525541-1-BLK / BLK **Batch:** 1 **Matrix:** Solid

Units: mg/kg **Date Analyzed:** 02/26/09 12:03

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	96.7	100	97	70-135	
o-Terphenyl	45.5	50 0	91	70-135	

Lab Batch #: 751048 **Sample:** 325787-001 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:10

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	94.0	100	94	70-135	
o-Terphenyl	44.5	50.0	89	70-135	

Lab Batch #: 751048 **Sample:** 325787-002 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:33

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	94.2	100	94	70-135	
o-Terphenyl	44.5	50.0	89	70-135	

** Surrogates outside limits; data and surrogates confirmed by reanalysis

*** Poor recoveries due to dilution

Surrogate Recovery [D] = 100 * A / B

All results are based on MDL and validated for QC purposes.

Form 2 - Surrogate Recoveries

Project Name: Patrica # 3

Work Orders : 325787,

Project ID:

Lab Batch #: 751048 **Sample:** 325787-003 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 18:56

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	93.0	100	93	70-135	
o-Terphenyl	44 0	50.0	88	70-135	

Lab Batch #: 751048 **Sample:** 325787-004 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 19:19

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	91 8	100	92	70-135	
o-Terphenyl	43.2	50.0	86	70-135	

Lab Batch #: 751048 **Sample:** 325787-005 / SMP **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 19:41

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	97.5	100	98	70-135	
o-Terphenyl	45.6	50.0	91	70-135	

Lab Batch #: 751048 **Sample:** 325777-004 S / MS **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 20:27

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	115	100	115	70-135	
o-Terphenyl	57.2	50.0	114	70-135	

Lab Batch #: 751048 **Sample:** 325777-004 SD / MSD **Batch:** 1 **Matrix:** Soil

Units: mg/kg **Date Analyzed:** 02/26/09 20:50

TPH By SW8015 Mod Analytes	SURROGATE RECOVERY STUDY Amount Found [A]	True Amount [B]	Recovery %R [D]	Control Limits %R	Flags
1-Chlorooctane	116	100	116	70-135	
o-Terphenyl	52.3	50.0	105	70-135	

** Surrogates outside limits; data and surrogates confirmed by reanalysis

*** Poor recoveries due to dilution

Surrogate Recovery [D] = 100 * A / B

All results are based on MDL and validated for QC purposes

BS / BSD Recoveries

Project Name: Patrica # 3

Work Order #: 325787
Analyst: BHW
Lab Batch ID: 751048 **Sample:** 525541-1-BKS
Units: mg/kg

Date Prepared: 02/25/2009 **Batch #:** 1

Project ID:
Date Analyzed: 02/26/2009
Matrix: Solid

BLANK /BLANK SPIKE / BLANK SPIKE DUPLICATE RECOVERY STUDY

TPH By SW8015 Mod Analytes	Blank Sample Result [A]	Spike Added [B]	Blank Spike Result [C]	Blank Spike %R [D]	Spike Added [E]	Blank Spike Duplicate Result [F]	Blk. Spk Dup. %R [G]	RPD %	Control Limits %R	Control Limits %RPD	Flag
C6-C12 Gasoline Range Hydrocarbons	ND	1000	1050	105	1000	1040	104	1	70-135	35	
C12-C28 Diesel Range Hydrocarbons	ND	1000	1090	109	1000	1080	108	1	70-135	35	

Relative Percent Difference RPD = 200*|(C-F)/(C+F)|
Blank Spike Recovery [D] = 100*(C)/[B]
Blank Spike Duplicate Recovery [G] = 100*(F)/[E]
All results are based on MDL and Validated for QC Purposes

Form 3 - MS / MSD Recoveries

Project Name: Patrica # 3

Work Order # : 325787 **Project ID:**

Lab Batch ID: 751048 **QC- Sample ID:** 325777-004 S **Batch #:** 1 **Matrix:** Soil

Date Analyzed: 02/26/2009 **Date Prepared:** 02/25/2009 **Analyst:** BHW

Reporting Units: mg/kg

TPH By SW8015 Mod Analytes	MATRIX SPIKE / MATRIX SPIKE DUPLICATE RECOVERY STUDY										
	Parent Sample Result [A]	Spike Added [B]	Spiked Sample Result [C]	Spiked Sample %R [D]	Spike Added [E]	Duplicate Spiked Sample Result [F]	Spiked Dup. %R [G]	RPD %	Control Limits %R	Control Limits %RPD	Flag
C6-C12 Gasoline Range Hydrocarbons	ND	1080	1110	103	1080	1110	103	0	70-135	35	
C12-C28 Diesel Range Hydrocarbons	ND	1080	1190	110	1080	1210	112	2	70-135	35	

Matrix Spike Percent Recovery [D] = 100*(C-A)/B
Relative Percent Difference RPD = 200*|(C-F)/(C+F)|

Matrix Spike Duplicate Percent Recovery [G] = 100*(F-A)/E

ND = Not Detected, J = Present Below Reporting Limit, B = Present in Blank, NR = Not Requested, I = Interference, NA = Not ApplicableN = See Narrative, EQL = Estimated Quantitation Limit

Sample Duplicate Recovery

Project Name: Patrica # 3

Work Order #: 325787

Lab Batch #: 750769 **Project ID:**

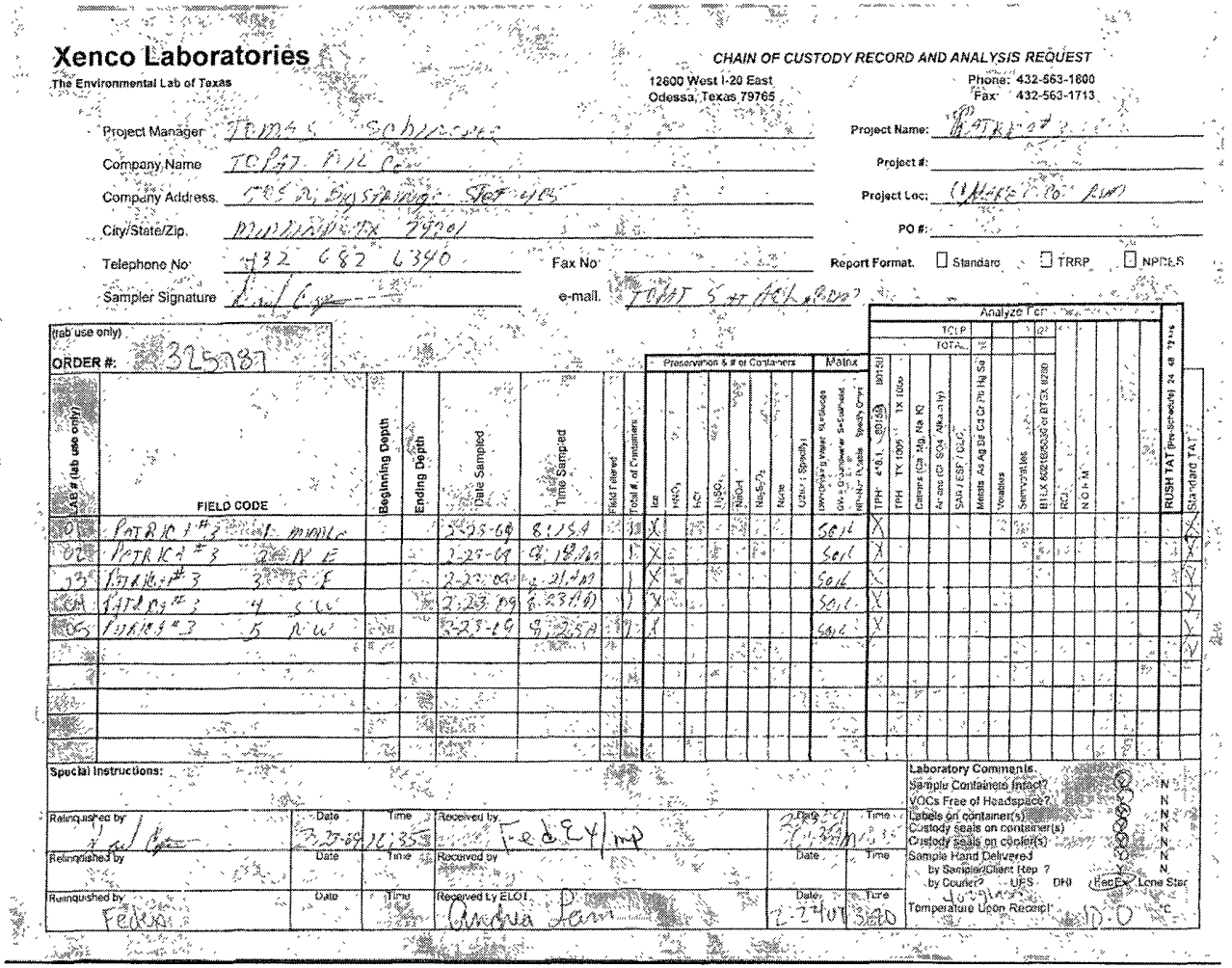
Date Analyzed: 02/24/2009 **Date Prepared:** 02/24/2009 **Analyst:** BEV

QC- Sample ID: 325777-001 D **Batch #:** 1 **Matrix:** Soil

Reporting Units: %

Percent Moisture Analyte	SAMPLE / SAMPLE DUPLICATE RECOVERY				
	Parent Sample Result [A]	Sample Duplicate Result [B]	RPD	Control Limits %RPD	Flag
Percent Moisture	27 8	10.9	87	20	F

Spike Relative Difference RPD 200 * | (B-A)/(B+A) |
All Results are based on MDL and validated for QC purposes



Xenco Laboratories

The Environmental Lab of Texas

12600 West I-20 East
Odessa, Texas 79765

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

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

Project Manager: Tom Schmeer
Company Name: TCEQ, PJC Co.
Company Address: 1801 N. Big Spring, Ste 405
City/State/Zip: Midland, TX 79701
Telephone No: 432 682 6340
Fax No:
Sampler Signature:
e-mail: TOM.SCHMEER@TCEQ.STATE.TX.US

Project Name: PATRICK #3
Project #:
Project Loc: (MIDLAND CO. AIR)
PO #:
Report Format: ☐ Standard ☐ TRRP ☐ NPDES

(lab use only)
ORDER #: 325187

LAB # (lab use only)	FIELD CODE	Beginning Depth	Ending Depth	Date Sampled	Time Sampled	Field Filtered	Total # of Containers	Preservation & # of Containers: Ice	HNO3	HCl	H2SO4	NaOH	Na2S2O3	None	Other (Specify)	Matrix: Groundwater Wastewater Soil/Solid Oil Sludge Other (Specify)	Analyze For: TPH 418.1 / 8015M	TPH TX 1005 / TX 1006	Cations (Ca, Mg, Na, K)	Anions (Cl, SO4, Alkalinity)	SAR / ESP / CEC	Metals: As Ag Ba Cd Cr Pb Hg Se	VOA	Semivolatiles	BTEX 8021B/5030 or BTEX 8260	RCI	N O W	RUSH TAT (Pre-Scheduling 24 48 72 hrs)	Standard TAT
01	PATRICK #3 1 MIDDLE			2-23-09	8:15A		1	X								Soil	X												X
02	PATRICK #3 2 N E			2-23-09	9:18A		1	X								Soil	X												X
03	PATRICK #3 3 E S E			2-23-09	9:21A		1	X								Soil	X												X
04	PATRICK #3 4 S W			2-23-09	9:23A		1	X								Soil	X												X
05	PATRICK #3 5 N W			2-23-09	9:25A		1	X								Soil	X												X

Special Instructions:

Relinquished by	Date	Time	Received by	Date	Time
	2-27-09	16:35	FedEx/mp	2.27.09	16:35
Relinquished by	Date	Time	Received by	Date	Time
Relinquished by	Date	Time	Received by ELOT: Andrea Lam	Date: 2-27-09	Time: 3:20

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 Sample/Client Rep ?	N
by Courier? UPS DHL FedEx Lone Star	
Temperature Upon Receipt: 10.0 °C	

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client: Tom Oil Co

Date/ Time: 7-24-09 10:20

Lab ID #: 325787

Initials: mal

Sample Receipt Checklist

				Client Initials
#1 Temperature of container/ cooler?	Yes	No	10.0 °C	
#2 Shipping container in good condition?	Yes	No		
#3 Custody Seals intact on shipping container/ cooler?	Yes	No	Not Present	
#4 Custody Seals intact on sample bottles/ container?	Yes	No	Not Present	
#5 Chain of Custody present?	Yes	No		
#6 Sample instructions complete of Chain of Custody?	Yes	No		
#7 Chain of Custody signed when relinquished/ received?	Yes	No		
#8 Chain of Custody agrees with sample label(s)?	Yes	No	ID written on Cont./ Lid	
#9 Container label(s) legible and intact?	Yes	No	Not Applicable	
#10 Sample matrix/ properties agree with Chain of Custody?	Yes	No		
#11 Containers supplied by ELOT?	Yes	No		
#12 Samples in proper container/ bottle?	Yes	No	See Below	
#13 Samples properly preserved?	Yes	No	See Below	
#14 Sample bottles intact?	Yes	No		
#15 Preservations documented on Chain of Custody?	Yes	No		
#16 Containers documented on Chain of Custody?	Yes	No		
#17 Sufficient sample amount for indicated test(s)?	Yes	No	See Below	
#18 All samples received within sufficient hold time?	Yes	No	See Below	
#19 Subcontract of sample(s)?	Yes	No	Not Applicable	
#20 VOC samples have zero headspace?	Yes	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

FEB 23 2009

Topat Oil Corporation, Inc.
505 N Big Spring St, Ste 405
Midland, TX 79701
(432) 682-6340
(432) 682-3996 Fax

Oil Conservation Commission
1301 W Grand Ave
Artesia, NM 88210
Attn: Mike Bratcher

2/19/09

Re: C-144 Application to close pit

Dear Mr. Bratcher;

As per our conversation yesterday, I am sending you a partially filled out C-144 to fill in an old drilling pit. This pit was dug in 1995 when we drilled the Patricia Federal #3 well, it had ground water in it in the original drilling and has been kept open since as per the request of David Carpenter, the surface owner whom also takes care of these wells for us. He uses it to water his cattle when there are sufficient rains to supplement his well water. You can contact David at (575) 626-6336 to confirm. Inspector Richard Inge is also very familiar with the case.

I talked to Environmental Compliance in Midland, TX (432) 563-1800 concerning taking soil samples on a 5 spot pattern from the bottom of this pit that is presently dry. They are forwarding test containers to David via Fed-Ex so that we should have the results in the next several days. Taking the samples is tentatively set up for Monday morning, February 23rd, 2009 at 8AM.

Please advise if you need more information. I filled out the C-144 as best I could up to item #14. We would like to use fill dirt on location to backfill the pit provided the samples come back clean. Thanks for your help with this.

Regards;

Thomas E Schneider
Operations Manager, Topat Oil Corporation