		SIT	E INFORMATIC	
General Site Inf	ormation:			13 A 51
Site:		Jalmat Yates	Unit #31	Q101112132
Company:		COG Operatir		12 A 15
Section, Townsh	ip and Range	Section 18, T	25S, R37 E	140 2 3
Unit Letter:		К		m 640 mis m
Lease Number:		301048		N N
County:		Lea		- JUCANUM N
GPS:			103° 12' 17.3"	
Surface Owner:		Clay Osborne		Fig. State
Mineral Owner:				- 62
Directions:		From Jal, New M	Mexico, intersection of H	wy.18 and Hwy. 128, go97, Philes west on 1
		turn (north) into	lease, go 0.2 miles and	turn right (east) and go 0.1 mile to
	n ,	Jalmat Yates W		,
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Release Data:				
Date Released:		2/13/2005		
Type Release:		produced wate	Δr	
Source of Contai	mination:	Well- Hole in 1	the second s	
Fluid Released:		Volume Unkno		<u> </u>
Fluids Recovered	d:	Surface - None		· · · · · · · · · · · · · · · · · · ·
Official Commu				
	and the second	and the second		
Name:	Diane Kuyken			lke Tavarez
Company:	COG Operatin	ig, LLC		Highlander Environmental Corp.
Address:	550 W. Texas	Ave. Ste. 1300		1910 N. Big Spring
P.O. Box				
City:	Midland Texas	s. 79701		Midland, Texas
Phone number:	(432) 683-744			(432) 692- 4559
Fax:	(432) 683-744			(402) 002- 4000
rax.				itarian Ohaa aniina aan
Enail		onchoresources.con	0	itavarez@hec-enviro.com
Email:	акаукенаанаас			
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Highlander Environmental Corp.

Midland, Texas

April 4, 2005

Mr. Paul Sheeley Environmental Engineer Specialist Oil Conservation Division- District I 1625 N. French Drive Hobbs, New Mexico 88240

RE: Work Plan for the Spill at the Jalmat Yates, Well #31, Section 18, Township 25 South, Range 37 East, Lea County, New Mexico, Operated by COG Operating LLC. (API #30-025-26409), Lease No. 301048

Dear Mr. Sheeley:

Highlander Environmental Corp. (Highlander) was contacted by COG Operating (COG) to assess and to remediate the soil impact from a spill that occurred at the Jalmat Yates, Well #31 located in Section 18, Township 25 South, Range 37 East, Lea County, New Mexico. The Site location is shown on Figure 1. COG received a Notice of Violation, dated March 17, 2005 by the NMOCD and requested a remedial action plan regarding the release of the well. The violation letter and the initial Form C-141 are included in Appendix A.

Background

As reported in the C-141, the spill occurred on February 13, 2005. The spill occurred due to a hole in the well tubing. The fluids from the release filled the well cellar and overflowed to the edge of the well location. An unknown quantity of produced water was released and impacted an area of approximately 60' x 3'. No fluids were recovered off the ground.

Site Inspection

On April 1, 2005, Highlander personnel inspected the spill area. During the inspection, a pulling unit was on location. Spills were noted around the well's cellar. The cellar measured approximately 5' x 5' x 2' deep. During the release, the fluids from the well flowed approximately 60' east on the surface and flowed into an apparent animal borrow.

Groundwater and Regulatory

The State of New Mexico Well Reports did not show any water wells in Section 18. However, water wells were shown in Sections 19 and 20 with an average groundwater depth of approximately 44' to 34' below surface. In Section 29, an average depth to groundwater was reported at 219'. In addition, published data, from the

Midland, Texas 79705

(432) 682-4559

Geology and Groundwater Conditions in Southern New Mexico, showed wells in Section 17, 20 and 21 with depth to groundwater of 62.8', 65.0' and 38', respectively. The State of New Mexico Well Reports and the published reports are shown in Appendix B.

A risk-based evaluation was performed for the Site in accordance with the NMOCD Guidelines for Remediation of Leaks, Spills and Releases, dated August 13, 1993. The guidelines require a risk-based evaluation of the site to determine recommended remedial action levels (RRAL) for benzene, toluene, ethylbenzene and xylene (collectively referred to as BTEX) and total petroleum hydrocarbons (TPH) in soil. The proposed RRAL for benzene was determined to be 10 parts per million (ppm) or milligrams per kilogram (mg/kg) and 50 ppm for total BTEX (sum of benzene, toluene, ethylbenzene and xylene).

Highlander personnel will attempt to confirm the depth to groundwater in the vicinity of the Site. If the depth to groundwater is greater than 50' below surface, the RRAL for TPH will be 1,000 mg/kg. However, based on the regional groundwater data, the proposed RRAL for TPH is 100 mg/kg.

Work Plan

COG proposes to excavate the impacted areas using a backhoe. The areas include the impacted soil around the cellar, the 60' x 3' area located east of the well and the snake hole. Once the impacted soil is removed to the appropriate depth, composite soil samples will be collected from each excavated area. Soil samples will be analyzed for Total Petroleum Hydrocarbon (TPH) by method modified 8015 DRO/GRO, benzene, toluene, ethylbenzene, and xylene (BTEX) by method SW 846 5030/8020 and chloride by method SW846-9252. All samples were collected and preserved in laboratory prepared sample containers with standard QA/QC procedures. All samples were shipped under proper chain-of-custody control and analyzed within the standard holding times

Once the RRAL are achieved, the excavation will be backfilled with clean fill material. Until the depth to groundwater is confirmed, COG will either remediated onsite or hauled to disposal at Sundance Service, Inc. located in Eunice, New Mexico. Once the remedial activities are performed, a closure report will be submitted for your review.

If you require any additional information or have any questions or comments, please contact us at (432) 682-4559.

Highlander Environmental Corp.

Ike Tavarez, P.G. Project Manager/Senior Geologist

cc:

COG – Boyd Chesser



Highlander Environmental Corp.

FIGURES



APPENDIX A

District 1 1625 N. French Dr., Hobbs, NM 88240 <u>District II</u> 1301 W. Grand Avenuc, Artesia, NM 88210 <u>District III</u> 1000 Rio Brazos Road, Aztec, NM 87410 <u>District IV</u> 1220 S. St. Francis Dr., Santa Fe. NM 87505

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State of New Mexico Energy Minerals and Natural Resources

Oil Conservation Division 1220 South St. Francis Dr. Santa Fe, NM 87505 Form C-141 Revised October 10, 2003 mit 2 Copies to appropriate denies to appropriate

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

			Rele	ase Notific	atio	n and Co	rrective A	ction					
						OPERA	TOR	Σ] Initia	al Report		Fina	l Report
Name of Co	monany	COG Operat	ting LLC			Contact	Diane Kuyken						
Address 5	50 W. Tex	as Avc., Suit	te 1300 M	lidland, TX 797	/01	Telephone N	No. 432-683-74						
Facility Nat	ne Jalmat	Yates Unit	#31			Facility Typ	c Injection V	Vell					
Surface Ow	ner			Mineral C)wner				Lcase 1	No. 30104	8		
				LOCA	TIC	N OF REI	LEASE						
Unit Letter	Section	Township	Range	Feet from the		h/South Line	Fect from the	East/We	st Line	County			
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				-		E OF REL							
Type of Rele	ase Pri	oduced Water				Volume of				Recovered	<u> </u>		
Source of Re		the well				Date and H	lour of Occurrent	ce I	Date and	Hour of Di	scove	ry	
						2/13/05	110						
Was Immedi	ate Notice	Given?	Yes [No 🗌 Not R	cquire	Jf YES, To d Paul Schoo	Whom? eley - NMOCD						
By Whom?	Pumper -	Warren Hunt				Date and H	Iour	·····					
Was a Water		ched?				If YES, V	olume Impacting	the Water	course.				
		E] Yeş 🛛	g No									
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regulations public healt should their or the enviro	all operator: or the env operations onment. In	s are required pronnept. The have failed to	to report a e acceptan adcquatel OCD acce	e is true and com md/or file certain see of a C-141 rep y investigate and ptance of a C-141	rclcase ort by remed	e notifications a the NMOCD n inte contaminat	nd perform corre narked as "Final R tion that pose a th	ctive actio Report" do reat to gro	ns for re cs not re und wat	leases which lieve the op er, surface v	h may crator zter,	of liab	ger ility health
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Signature:										-			
Printed Nau	e: Diane	Kuykendall				Approved by	y District Supervi	sor:					
Title: Proc						Approval Date:			Expiration Date:				
E-mail Add	E-mail Address: dkuykendall@conchoresources.com					Conditions of Approval:				l			
Date: 3/10	/05		Phone	432-685-4372									
										-			

* Attach Additional Sheets If Necessary

Mar-22-05 05:24pm From-



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON Governor Joanna Prukop Cabinet Scenetary

Mark E. Fesmire, P.E. Director **Oil Conservation Division**

P.02/05 F-443

T-170

NOTICE OF VIOLATION March 17, 2005

COG Operating LLC 550 W. Texas, Suite 1300 Midland, TX 79701

Certified Mail Return Receipt: 7099 3220 0001 9920 5978

RE: Jalmat Yates Unit, Well #31 UL K, Sec. 18, TS 25S, R 37E API # 30-025-26409 U.S. Specialty Insurance Company Bond B001038

1. Violation of Oil Conservation Division Rule 19, 15.3, 116 NMAC [Rule 116]

Dear Sirs:

An investigation of the COG Operating LLC's (COG's) Jalmat Yates Unit, Well #31, API# 30-025-26409 revealed a violation of Oil Conservation Division (OCD) Rule 19.15.3.116 NMAC (Rule 116). The investigation and its results are summarized below.

OCD Investigation

On Sunday, February 13, 2005 OCD Deputy Inspector Gary Wink received a telephone call from surface owner 1. Clay Osborn regarding an on-going leak at the Jalmat Yates Unit, Well #31.

2. The Jahmat Yates Unit well #31 is an injection well operated by COG.

Deputy Inspector Wink telephoned COG's pumper, Warren Hunt, on February 13, 2005 and notified him of the 3. leak.

4. The next day, February 14, 2005, OCD Environmental Engineer Paul Sheeley investigated the site and observed the following:

The cellar and the area immediately surrounding the well were wet, and fluid had flowed away from the a. well.

The fluid had flowed down dip towards an arroyo that runs east/southeast towards the Jal Country Club b. Golf Course, which is located approximately one half-mile away.

Vegetation in the wet area was muddy and stained with oily scum. C.

5. Environmental Engineer Sheeley contacted Mr. Osborn, who told him the following:

Oil Conservation Division * 1220 South St. Francis Drive * Santa Fe, New Mexico 87505 2: Ercick, Joe, Baya

a. On February 13, 2005, Mr. Osborn and his wife observed that the cellar of the well was full of fluid and the fluid was flowing away from the well site and disappearing down a hole.

b. Mr. Osborn called Deputy Inspector Gaty Wink to notify him of the release.

c. The flow continued until a vacuum truck arrived at the scene, shut in the well, and vacuumed fluid from the cellar of the well.

d. Mr. and Mrs. Osborn took still photos and a short video of the release, which they provided to the OCD.

Mr. Sheeley's subsequent investigation revealed the following:

a. A field test on wet soil at the site indicated the presence of chlorides. A sample has been sent to the laboratory for analysis.

b. It appeared that the hole observed by the Osborns had been covered up. Mr. Osborn dug out the area of the hole, and revealed what appeared to be a snake hole.

c. The well's cellar is 56" square, and 24" deep.

d. Based on the volume of the cellar, the size of the surface area affected by the release (even though the liquid found a preferential pathway and flowed underground), the amount of skim observed on the vegetation, the length of time of the release (as observed by the Osborns), the rate of flow (as observed by the Osborns), Mr. Sheeley concluded that the volume of the release was substantially in excess of five barrels.

7. OCD records establish the following:

a. COG submitted a C-141 reporting the release, dated March 10, 2005, twenty-five days after COG became aware of the release, In the C-141, COG

1) states that the volume of the release as 10 barrels:

indicates the type of release as "produced water."

3) describes the cause of the problem and remedial action taken as follows: "There was a hole in the tubing. Well SI until tubing is replaced;" and

4) describes the area affected and cleanup action taken as follows: "There was an area 3' wide by 60' long of produced water that ran to the edge of location but not beyond. The affected area was raked and cleaned. No recovery on ground. RU & remove injection wellhead. Release pkr. NU BOP. Bled down well in to cellar. Fulco Oil Services pumped cellar out w/vacuum truck 5 bbls out the cellar. Soaked and drained up. Hooked up hose on tubing and bled down. Recovered an additional 25-40 BBLS."

b. To date, COG has not submitted a remediation plan regarding the release at the well.

Violations:

6.

1. OCD Rule 116 [19.15.3.116 NMAC] requires notification to the OCD of any unauthorized release, and requires the responsible person to complete division-approved corrective action for releases that endanger public health or the environment.

A "Minor Release" requires written notice within 15 days. A "Minor Release" is a release of any volume, greater than 5 barrels but not more than 25 barrels.

A "Major Release" requires both immediate verbal notice and written notice within 15 days. A "Major Release" is defined to include the unauthorized release of any volume which will reach a water course, results in substantial damage to property or the environment, or which may with reasonable probability be detrimental to water or cause an exceedance of the standards in Section 19, Subsection B, Paragraphs (1) and (2) or (3) of 19.15.1 NMAC.

2. COG has acknowledged that the volume of the release exceeds 5 barrels. Whether the release is considered a "Major Release" or a "Minor Release," COG knowingly and willfully violated the notice requirements of Rule 116 by failing to provide the OCD with written notice of the unauthorized release within 15 days.

3. COG has not yet submitted a remediation plan or completed OCD-approved corrective action for the release of the liquids.

Compliance and Enforcement Actions

COG's conduct warrants issuance of this "Notice of Violation" and assessment of civil penalties pursuant to NMSA 1978, Section 70-2-31(A) for violation of OCD Rule 116. Section 70-2-31(A) authorizes penalties of up to one thousand dollars (\$1,000) per day per violation for any knowing and willful violation of any provision of the "Oil and Gas Act" or any rule adopted pursuant to the Act. The statute specifically provides that in the case of a continuing violation, each day shall constitute a separate violation.

In view of the seriousness of this violation, and the continuing nature of this violation, the Hobbs District Office of the OCD believes a penalty of \$1,000 and corrective action by COG is essential. The proposed penalty is based on one violation of Rule 116. The corrective action would include the submission of a remediation plan as soon as possible but in no event later than 30 days of the date of this letter, and completing an OCD-approved remediation plan within 60 days of the date the plan is approved.

Unless the matter is satisfactorily resolved at an administrative conference we may request an enforcement hearing before an OCD Hearing Examiner or file suit in District Court, where we will seek a formal order requiring compliance with OCD rules, a civil penalty, and corrective action. Please note that because the rules were actually violated over a period of time, if this matter is litigated, the OCD may seek a penalty greater than the \$1,000 penalty proposed in this notice.

The OCD may request an enforcement hearing before an OCD hearing examiner seeking an order requiring that the Jalmat Yates Unit well #31 be plugged and abandoned pursuant to NMSA 1978, § 70-2-14(B). That statute provides:

"If any of the requirements of the Oil and Gas Act or the rules promulgated pursuant to that act have not been complied with, the oil conservation division, after notice and hearing, may order any well pingged and abandoned by the operator or surety or both in accordance with division rules. If the order is not complied with in the time period set out in the order, the financial assurance shall be forfeited."

Please contact this office within ten (10) days of the date of this letter to schedule an administrative conference to discuss this matter. OCD legal counsel may be present by telephone for this conference and you may bring legal counsel if you desire. If we do not hear from COG within ten days, we will schedule the matter for hearing.

If you have any questions, you may contact me at 505-393-6161 ext 102.

Sincerely, ma Welliam

Chris Williams Supervisor, District 1

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ec: Daniel Sanchez, Compliance Manager Gail MacQuesten, OCD Attorney Roger Anderson, Environmental Bureau Chief

oc: U.S. Specialty Insurance Company 13403 Northwest Freeway Houston, TX 77040

APPENDIX B

	24 Soi	uth	3	6 Eas	t	2	24 So	uth	3	7 Eas	t			So	uth	E	ast
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31	32	33	34	35	36	31	32	33	34	35	36		31	32	33	34	35

Water Well - Average Depth to Groundwater

150 Average depth to groundwater (ft) - New Mexico State Engineer Well Reports

56 Groundwater Depth (ft) - Geology and Groundwater Conditions in Southern Lea County, New Mexico (Report 6)

		<i>New Mexico O</i> Well Rep	<i>Office of the Se</i> ports and Dov		
Town	ship: 25S	Range: 37E	Sections:		
NAD27	X:	Y:	Zone:	Search R	adius:
County:	В	asin:		Number:	Suffix:
Owner Name: (First)		(La	ast) ④All	○Non-D	omestic ODomestic
	Well / Sur	face Data Report Wat Clear Form	er Column Rep		eport

		AVERAGE D	EPTH OF	WATER REI	PORT 0	4/04/20	05		
							(Depth W	Water in	Feet)
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СР	25S	37E 20				6	23	60	34
CP	25S	37E 29				5	187	250	219
CP	25S	37E 35				1	185	185	185

Record Count: 21

		<i>Office of the</i> ports and D	<i>State Engineer</i> ownloads		
Township: 25S	Range: 36E	Sections:			
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County:	Basin:		Number:	Suffi	x:
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Well / Su	rface Data Report		Avg Depth to Water	r Report)
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Bsn		Rng Sec	Zone	x	Wells	Water in Max	Feet) Avg
No R	ecord	s found,	try again				

	New Mexico C Well Rej	<i>Office of the S</i> ports and Dov	-	
Township: 24S	Range: 37E	Sections:		
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County: E	Basin:		Number:	Suffix:
Owner Name: (First)	(La	ast) • All	⊖Non-I	Domestic Domestic
Well / Sur	face Data Report Wat Clear Form	er Column Rep WATERS I		Report

AVERAGE DEPTH OF WATER REPORT 04/04/2005

							(Depth	Water in	Feet)
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CP	24S	37E 05				· 1	106	106	106
СР	24S	37E 08				1	90	90	90
CP	24S	37E 23				1	94	94	94
CP	24S	37E 24				1	100	100	100
СР	24S	37E 25				1	90	90	90
CP	24S	37E 28				1	70	70	70

Record Count: 6

http://iwaters.ose.state.nm.us:7001/iWATERS/WellAndSurfaceDispatcher

	<i>New Mexico C</i> Well Rej	<i>Office of the S</i> ports and Dov		
Township: 245	S Range: 36E	Sections:		
NAD27 X:	Y:	Zone:	Search	Radius:
County:	Basin:		Number:	Suffix:
Owner Name: (First)	(La	ast) ④ All	○ Non-J	Domestic 🕖 Domestic
Well / S	urface Data Report		Avg Depth to Water	Report
	Wat	ter Column Rep	port	
	Clear Form	WATERS I	Menu Help	
AVERAGE DEPT	H OF WATER REPO	ORT 04/04/20	005 (Depth Water	in Feet)

							(Depth	water III	reelj
Bsn	Tws	Rng Sec	: Zone	х	Y	Wells	Min	Max	Avg
СР	24S	36E 04				3	155	178	165
CP	24S	36E 15				2	173	450	312
CP	24S	36E 20				1	97	97	97
CP	24S	36E 23				1	160	160	160
CP	24S	36E 33				1	53	53	53

Record Count: 8

OF 94 15 040			1.00	A							n	G
25.34.15.242		Tr	168	3,335	164.9	7-23-54		10	Lw	S		GROUND
25.35.10.223	Georgia Bryant	To	83M	3,180	76.9	4. 2.53		9	Lw	S	-	õ
21.122	-	Tr		3,230	173.3	4. 2.53		81/2	N	N		5
25.36.10.313	W. D. Dinwiddie	Tr	512	3,130	300				Lw	S	-	Ē
15.111	do,	Tr(?)	140	3,125	120.2	353	1951		N	N	·	
23.234		Qalı	65M	3,070	53.7	3-31-53	-	61/2	Lw	S	-	WATER
24.112	Humble Oil Co.	Tr ₁	455	3,115	292.4	4-15-53	-		N	N		- 25
25.37.1.340	Pure Oil Co.	Τσ΄	217	3,108	<u>60</u>	-		20	Te	In,D		Ē
2.332	Richmond Drill- ing Co.	To	112M	3,140	98.8	3-29-53	-	7	Lw	D	-	7
9.833	Stanolind Oil Co,	Tr	502	3,140	-	-	1938	-	Lw	מ	WBZ 470-502 feet.	
10.412	EPNG	То	270	3,120	(50	12-20-49	1949	12	Te	In,D	Jal Plant 3, well 2.	
10.433	M. B. Owens	То		3,100	54.9	2-26-53		71/2	Lw	S	MWP	
13.312a	City of Jal	То	152	3,080	73	654	1954	12	Te	P	New city well. EY 750 gpm. Chem- ical analysis in table 8.	LEA
25.37.15.221	I. M. Owens	To		3,100	59.2	2-26-53			Ti	In	EY 30 gpm, PR,	
15.223	Sun Oil Co.	To		3,090	-	_			Lw	D	Chemical analysis in table 8.	8
15.411		Qal	85M	3,070	81.1.	2-26-53		61/2	N	Ñ		ā
17.114		Qal	-	3,105	62.8	8-5-53		_	Lw	s	MWP	Z
19.211	-	Ťo	_	3,088	62.3	5-30-55	-	6	Je	Ď		COUNTY
19.221	City of Jal	Tr	500	3,110	284.0	11-11-54	1948	10	N	Ñ	Chemical analysis in table 8.	- ج
19.240	do.	Tr	450	3,040	65	1942	-	-	_		Old public-supply well. WBZ 70-450 feet. EY (1942) 50 gpm. Chemical analysis in table 8.	
20.310	do.	Qał	70	3,035	65	1-18-42	- ,	6×6 ft.	-	-	Dug. WBZ "clayey sand" 65-70 feet. EY 50 gpm. Chemical analysis in table 8.	
25.37.20.413	EPNG	Tr	419	-	-		_	103/4	Je	In,D	Ial General Camp well I.	
21.411	G. B. Hadfield	Тө	46M	3,050	38.2	2-12-53		6	Lw	S	EY 1 gpm.	
24.211	~	То		3.071	58,4	2.12.53		6	N	Ň		
24.422	_	To		3,050	60.2	2.12.53		8	N	N	_	
25.411		To	62M	3,055	56.4	2-12-53	_	6	N	N		
33.114	Olsen Oil Co.	Qal	105	3.000	87.4	2-16-53	_	12	N	N	_	
36.244		To	120	3,035	74.2	2-13-53	-	10	N	N	_	
25.38.6.122	Fowler Hair	To	65M	3,100	60.5	3. 3.53	-	61/2	Lw	s	_	
6.134		To		3,095	53.1	2.25-53	_	3	N	Ň	Cased shothole.	
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