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March 24, 2008

RECEIVED

Cimarex Energy Co.
P.O. Box 140907
Irving, Texas 75014-0907

APR 02 2008

HOBBS OCD

Re: Cimarex Energy Co.
Bierstadt 12 Fee No. 4 – Final Drying pad Closure

Bierstadt 12 Fee No. 4

API: 30-025-38585

Sec 12-T15S-R37E

Depth to Ground Water: 60'

Planned Analytical Testing: Chlorides

Site Ranking Score: 20

Primary Land Use: Ranching and Oil & Gas Production

Pursuant to Pit Rule 50 in the Pit and Below Grade Tank Guidelines of the New Mexico Oil Conservation District of the State of New Mexico regulatory requirement for pit closure, please accept the following documentation for final closure of the drilling pit for the aforementioned location.

All drill cuttings were stiffened and transported to Controlled Recovery, Inc. of Hobbs, New Mexico. Upon transferring all pit contents to C.R.I., field tests were performed on the soil within in the confines of the original drying pad. The field results of chloride delineation of the impacted material are as follows (a diagram has also been attached):

North East Quad 42.0mg/kg

North West Quad 65.4mg/kg

South East Quad <32.5mg/kg

South West Quad 101mg/kg

The pit area will be backfilled with clean native material and contoured to prevent erosion and ponding of rainwater.

Soil samples were collected, prepared, and packaged per EPA guidelines and forwarded to Trace Analysis in Lubbock, Texas for official analytical testing. Please find the official analytical results attached hereto.

Please review the attached documentation and contact me at 575-361-2132 with any questions or concerns.

Sincerely,

Rayland VanNatta
B&R Trucking

Cimarex Energy Co.

Sampling/Location diagram

Bierstadt 12 #4

Excavation Start Date 3/3/08

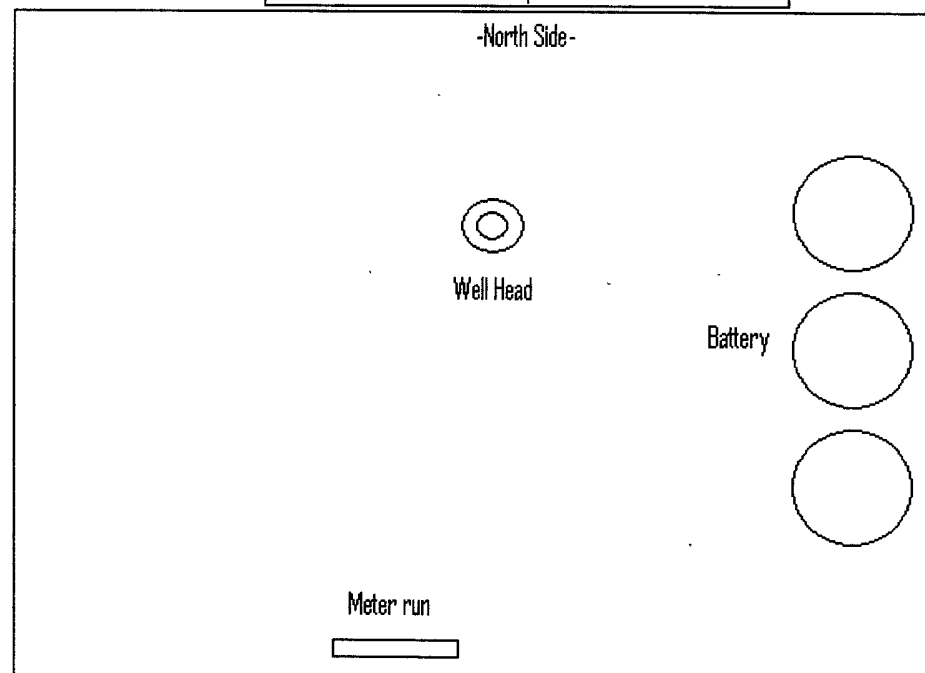
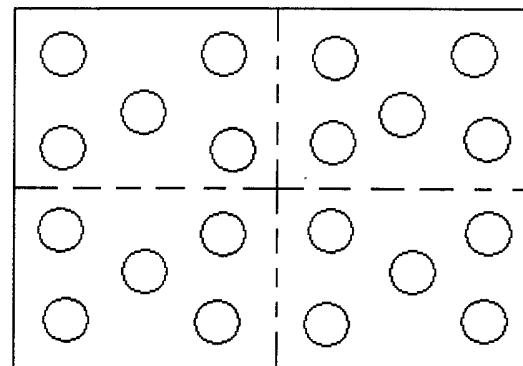
End Date 3/17/08

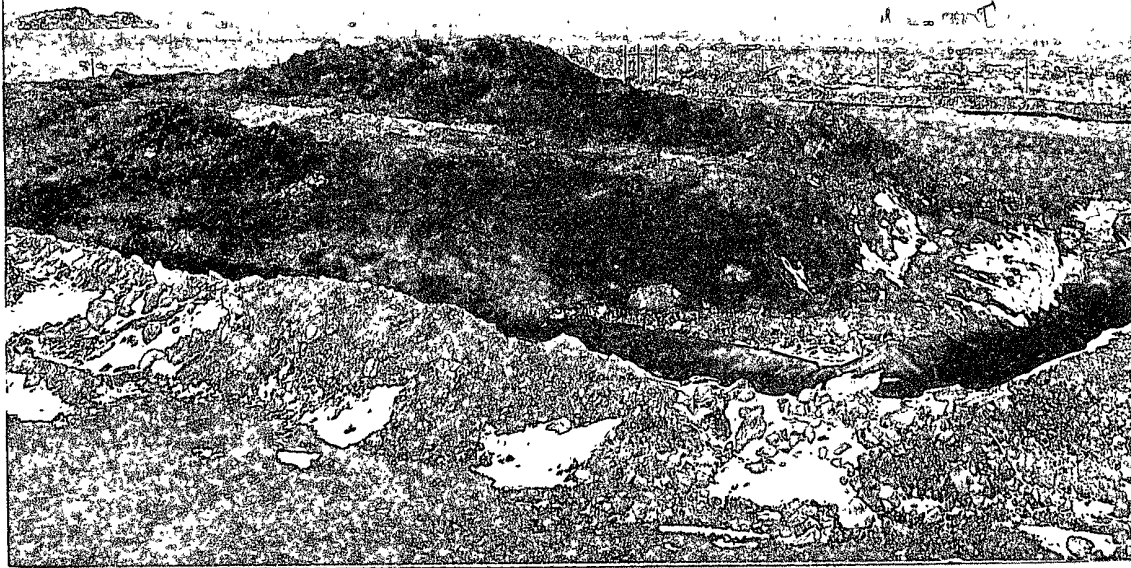
The Excavation included the removal of all mud, liner, and 6" of soil under liner.

Field samples were then performed and digging continued where necessary.

The drying pad was divided into four equal quadrants. Five samples were taken in each quad (one in each corner and one in the center) they were then combined into one composite sample for that quad.

Drying pad/Sampling diagram





Summary Report

Rayland Vannatta
B & R Trucking
4311 Monica Lane
Carlsbad, NM, 88220

Report Date: March 25, 2008

Work Order: 8032114



Project Location: 30-025-38585
Project Name: Bierstadt 12 #4
Project Number: Cimarex

Sample	Description	Matrix	Date Taken	Time Taken	Date Received
154312	NE Quad	soil	2008-03-19	13:00	2008-03-21
154313	NW Quad	soil	2008-03-19	13:30	2008-03-21
154314	SE Quad	soil	2008-03-19	13:45	2008-03-21
154315	SW Quad	soil	2008-03-19	14:00	2008-03-21

Sample: 154312 - NE Quad

Param	Flag	Result	Units	RL
Chloride		42.0	mg/Kg	3.25

Sample: 154313 - NW Quad

Param	Flag	Result	Units	RL
Chloride		65.4	mg/Kg	3.25

Sample: 154314 - SE Quad

Param	Flag	Result	Units	RL
Chloride		<32.5	mg/Kg	3.25

Sample: 154315 - SW Quad

Param	Flag	Result	Units	RL
Chloride		101	mg/Kg	3.25

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

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

Form C-144
June 1, 2004

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

Pit or Below-Grade Tank Registration or Closure

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

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

Operator: <u>Cimarex Energy Co.</u> Telephone: <u>972-401-3111</u> e-mail address: <u>zfarris@cimarex.com</u>		
Address: <u>PO Box 140907, Irving, TX 75014-0907</u>		
Facility or well name: <u>Bierstadt 12 Fee No. 4</u> API #: <u>30-025-38585</u> U/L or Qtr/Qtr <u>O</u> Sec. <u>12</u> T. <u>15S</u> R. <u>37E</u>		
County: <u>Lea</u> Latitude: <u>33° 01' 32.77 N</u> Longitude: <u>103° 09' 02.68 W</u> NAD: 1927 <input type="checkbox"/> 1983 <input checked="" type="checkbox"/>		
Surface Owner: Federal <input type="checkbox"/> State <input type="checkbox"/> Private <input type="checkbox"/> Indian <input checked="" type="checkbox"/>		
Pit Type: Drilling <input checked="" type="checkbox"/> Production <input type="checkbox"/> Disposal <input type="checkbox"/> Workover <input type="checkbox"/> Emergency <input type="checkbox"/> Lined <input checked="" type="checkbox"/> Unlined <input type="checkbox"/> Liner type: Synthetic <input checked="" type="checkbox"/> Thickness <u>12</u> mil Clay <input type="checkbox"/> Pit Volume _____ bbl closed system, cuttings buried	Below-grade tank Volume: _____ bbl Type of fluid: _____ Construction material: _____ Double-walled, with leak detection? Yes <input type="checkbox"/> If not, explain why not _____	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.) <u>60'</u>	Less than 50 feet <u>50 feet or more, but less than 100 feet</u> 100 feet or more	(20 points) <u>(10 points)</u> (0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes <u>No</u>	(20 points) <u>(0 points)</u>
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet 200 feet or more, but less than 1000 feet <u>1000 feet or more</u>	(20 points) (10 points) <u>(0 points)</u>
Ranking Score (Total Points)		20

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

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

Additional Comments:

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

Date: 10.11.07

Printed Name/Title: Natalie Krueger - Regulatory Analyst

Signature: Natalie Krueger

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations

Approval:

Printed Name/Title: [Signature]

Signature: _____

Date: OCT 11 2007