District I 1625 N. French Dr., Hobb District II District III

1000 Rio Brazos Road, C.

District IV

1220 S. St. Francis Da, Santa Fe, NM 87503

State of New Mexico Energy Minerals and Natural Resources Department Oil Conservation Division

1220 South St. Francis Dr. Santa Fe, NM 87505

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office.

For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and

provide a copy to the appropriate NMOCD District Office.

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

Type of action:    Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method   Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method   Modification to an existing permit   Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method
Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request
Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.
1.
Operator:Yates Energy Corporation
Address:P. O. Box 2323, Roswell, New Mexico 88202
Facility or well name: Maduro State Com #1
Facility or well name:Maduro State Com_#1OCD Permit Number:
U/L or Qtr/Qtr         L         Section         16         Township         19S         Range         33E         County:         Lea
Center of Proposed Design: Latitude32.6584153736 Longitude103.674534419 NAD:1927 1983
Surface Owner:  Federal State Private Tribal Trust or Indian Allotment
Petroporary:   Drilling   Workover Old lined workover pit   Permanent   Emergency   Cavitation   P&A     Lined   Unlined Liner type: Thickness   12 mil   LLDPE   HDPE   PVC   Other     String-Reinforced     Liner Seams:   Welded   Factory   Other   Alb Seams   Volume:   214 bbl Dimensions: L 10   x W 20   x D 6     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
Liner Seams:  Welded  Factory Other
Below-grade tank: Subsection I of 19.15.17.11 NMAC  Volume:
Liner type: Thicknessmil
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, here).	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	
Signed in compinance with 12.13.3.163 (waste	
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 of	office for
consideration of approval.  Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.	
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 accept material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate the appropriate compliance of the appropriate compliance for each siting criteria may require administrative approval from the appropriate compliance for each siting criteria may require administrative approval from the appropriate compliance for each siting criteria below in the application.	
office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of a	pproval.
Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to dryi above-grade tanks associated with a closed-loop system.	ng paus or
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	Yes No
lake (measured from the ordinary high-water mark).  - Topographic map; Visual inspection (certification) of the proposed site	. •
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.	Yes No
(Applies to temporary, emergency, or cavitation pits and below-grade tanks)  - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	□ NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.	☐ Yes No
(Applies to permanent pits)  - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	□ NA \
	☐ 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 search; Visual inspection (certification) of the proposed site	
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance	☐ Yes No
adopted pursuant to NMSA 1978, Section 3-27-3, as amended.  - Written confirmation or verification from the municipality; Written approval obtained from the municipality	v
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:			
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)			
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 <sub>2</sub> S, 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			
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)			
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 G of 19.15.17.13 NMAC			

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.	mung junus und und caungs. Ose undemnen ij n	more man two		
Disposal Facility Name:				
Disposal Facility Name:	Disposal Facility Permit Number:			
Will any of the proposed closed-loop system operations and associated activities oc ☐ Yes (If yes, please provide the information below) ☐ No	cur on or in areas that will not be used for future serv	vice and operations?		
Required for impacted areas which will not be used for future service and operation  Soil Backfill and Cover Design Specifications based upon the appropriate  Re-vegetation Plan - based upon the appropriate requirements of Subsection  Site Reclamation Plan - based upon the appropriate requirements of Subsection	requirements of Subsection H of 19.15.17.13 NMAC I of 19.15.17.13 NMAC	2		
Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC Instructions: Each siting criteria requires a demonstration of compliance in the provided below. Requests regarding changes to certain siting criteria may require considered an exception which must be submitted to the Santa Fe Environmental demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for the same provided to the same pr	e administrative approval from the appropriate distr Bureau office for consideration of approval. Justi,	rict office or may be		
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	<ul><li>☐ Yes ☐ No</li><li>☐ NA</li></ul>		
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	<ul><li>☐ Yes ☐ No</li><li>☐ NA</li></ul>		
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other signaluke (measured from the ordinary high-water mark).  - Topographic map; Visual inspection (certification) of the proposed site	nificant watercourse or lakebed, sinkhole, or playa	☐ Yes ☐ No		
Within 300 feet from a permanent residence, school, hospital, institution, or church - Visual inspection (certification) of the proposed site; Aerial photo; Satellite		☐ Yes ☐ No		
Within 500 horizontal feet of a private, domestic fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less watering purposes, or within 1000 horizontal feet of any other fresh water well or spring that less water well o	pring, in existence at the time of initial application.	☐ Yes ☐ No		
Within incorporated municipal boundaries or within a defined municipal fresh water adopted pursuant to NMSA 1978, Section 3-27-3, as amended.  - Written confirmation or verification from the municipality; Written approve		Yes No		
Within 500 feet of a wetland.  - US Fish and Wildlife Wetland Identification map; Topographic map; Visua	il 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 Society; Topographic map	& Mineral Resources; USGS; NM Geological	☐ Yes ☐ No		
Within a 100-year floodplain FEMA map		☐ Yes ☐ No		
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 19.15.17.13 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 G of 19.15.17.13 NMAC				

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): Sheryl L. Jonas Title: Agent for Yates Energy Corp			
Signature:			
e-mail address: Sjonas4011@aol.com Telephone: 432-683-5511			
20. OCD Approval: ☐ Permit Application (including closure plan) ☑ Closure Plan (only) ☐ OCD Conditions (see attachment)			
OCD Representative Signature: Approval Date:			
Title: ENVIRONMENTAL ENGINEER OCD Permit Number: PI-DD54D			
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. <u>Closure Report Attachment Checklist</u> : <u>Instructions</u> : 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)			
<ul> <li>☐ Confirmation Sampling Analytical Results (if applicable)</li> <li>☐ Waste Material Sampling Analytical Results (required for on-site closure)</li> <li>☐ Disposal Facility Name and Permit Number</li> </ul>			
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			
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): Title:			
Signature: Date:			
e-mail address: Telephone:			

### TEMPORARY PIT CLOSURE YATES ENERGY CORPORATION MADURO STATE COM NO. 1 LIQUID LINED PIT LEA COUNTY NEW MEXICO 30-025-29332

**Design and Construction Specifications:** 

This pit was constructed prior to new Pit Rules in March 2006.

A sign is posted at well site.

The 10' X 20' X 6' lined liquid pit is fenced.

The pit is currently being monitored.

In the event there is not the required amount of topsoil to fill and cover the pit, the Remaining amount required will be trucked in.

19.15.17.13

**CLOSURE REQUIREMENTS** 

The surface owner of this property is the State of New Mexico.

Waste Excavation and Removal

Any liquid in the lined pit will be removed prior to excavating the pit liner, and disposed of at

Controlled Recovery, Inc. P. O. Box 388 Hobbs, New Mexico 88241 (877) 505-4274

The pit liner will be excavated and disposed of at an approved facility.

Controlled Recovery, Inc. P. O. Box 388 Hobbs, New Mexico 88241 (877) 505-4274 TEMPORARY PIT CLOSURE YATES ENERGY CORPORATION MADURO STATE COM NO. 1 LIQUID LINED PIT LEA COUNTY NEW MEXICO 30-025-29332 Page -2-

A minimum five point composite sample shall be taken of the pit after the liner has been excavated. Individual grab samples shall be collected from any area that is wet, discolored or showing other evidence of release.

There are no records showing the water table to be above 100' per New Mexico State Engineer information (see attached records from various resources). The soil will be analyzed by the following criteria.

Benzene cannot exceed 0.2 mg/kg
Total BTEX cannot exceed 50 mg/kg
The GRO and DRO combined fraction cannot exceed 500 mg/kg
TPH cannot exceed 2500 mg/kg
Chlorides cannot exceed 1000 mg/kg or the background
concentration, whichever is greater.

#### Sample collection, preservation, storage and transport

- 1. Fill a 100 ml pre-cleaned borosilicate jar with soil. The sample should completely fill the container (no head space).
- 2. Wipe the jar screw threads with a clean tissue to remove any sample article that adheres to the jar threads and that could affect seal.
- 3. Cap the jar with a Teflon-lined cap, placing the coated side toward the sample.
- 4. Label the sample. Place it in a cooler with ice (not dry ice), and keep in the dark.
- 5. Samples will be submitted for analysis (5 plus days for normal turn around).

If test results do not exceed the above criteria the following pit closure will take place.

The pit shall be backfilled with clean soil.

A Division-prescribed soil cover of the background thickness of topsoil or one foot of suitable material to establish vegetation at the site to existing grade, and prevent ponding of water and erosion of cover material.

If test results do exceed the above criteria a Form C-141 will be filed with NMOCD and remediation performed per NMOCD rules and guidelines.

TEMPORARY PIT CLOSURE YATES ENERGY CORPORATION MADURO STATE COM NO. 1 LIQUID LINED PIT LEA COUNTY NEW MEXICO 30-025-29332 Page -3-

#### **ATTACHMENTS**

- 1. Map showing sections (in yellow) that were searched for Water Column and Surface Data reports.
- 2. Water Column and Surface Data reports.
- 3. Map showing different well locations including water wells.
- 4. Topographic Map showing no continuously flowing watercourse.
- 5. Arial photo showing no permanent livable structures.
- 6. Pictures of location.
- 7. Picture of location and pit location.

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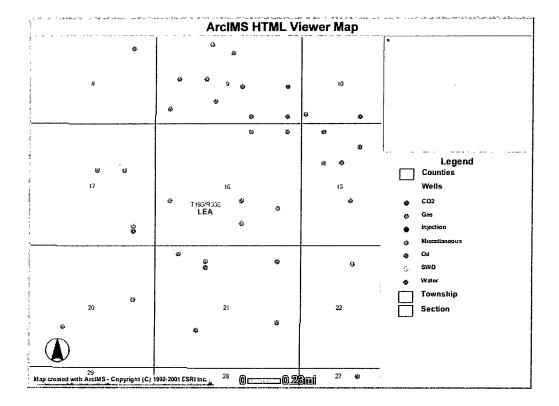
# New Mexico Office of the State Engineer POD Reports and Downloads

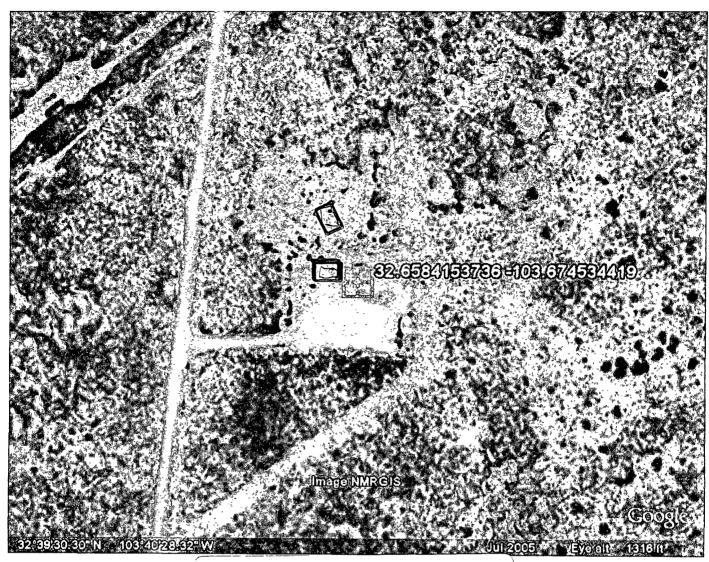
Township: 19S Range: 33E Sections: 9	-
NAD27 X: Y: Zone: Search Radius:	
County: Basin: Number: Suffix:	
Owner Name: (First) (Last) C Non-Domestic C Domestic All	
POD// Surface Data Report Avg Depth to Water Report Water Column Report	
Cléar Form	

AVERAGE DEPTH OF WATER REPORT 08/07/2008

Bsn Tws Rng Sec Zone X Y Wells Min Max Avg

No Records found, try again





YATES ENERGY CORPORATION
MADURO STATE NO. 1
LEA COUNTY, NEW MEXICO API # 30-025-29332

