PIT REMEDIATION AND CLOSURE REPORT

EAGLE ROCK ENERGY, LLC.
BERRY HOBBS UNIT 17 #1, API: 30-025-36657
LEA COUNTY, NEW MEXICO

Prepared For:

EAGLE ROCK ENERGY, LLC.
P.O. BOX 1311
MIDLAND, TEXAS 79702

Prepared By:

SOUTH ENVIRONMENTAL SERVICES, INC
2400 S. LOOP 250 WEST
MIDLAND, TEXAS 79703

NOVEMBER 2009

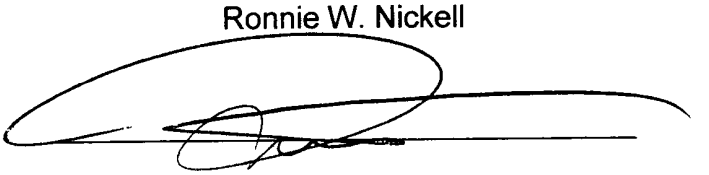
A Report Prepared for:

EAGLE ROCK ENERGY, LLC.
P.O. BOX 1311
MIDLAND, TEXAS 79702

PIT REMEDIATION AND CLOSURE REPORT

Prepared by:

Ronnie W. Nickell



SOUTH ENVIRONMENTAL SERVICES, INC
2400 S. LOOP 250 WEST
MIDLAND, TEXAS 79703

NOVEMBER 2009

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1.0 INTRODUCTION

On behalf of Eagle Rock Energy, LLC. (EAGLE ROCK), South Environmental Services, Inc. (SES) is pleased to submit this Pit Remediation and Closure Report for the site known as Berry Hobbs unit 17 #1 Lease, API: 30-025-36657, Lea County, New Mexico (the site). The site is located approximately 2 miles southeast of the intersection of SR 18 and US 62/180 in Lovington, New Mexico. This report presents the results of the remedial actions performed at the above referenced site.

1.1 Purpose of Report

The purpose of this report is to present a summary of the completed field activities and results of remedial actions performed in order to facilitate regulatory closure of this site.

2.0 PROTOCOLS AND PROCEDURES

2.1 Pit Remediation and Closure Activities

As illustrated in the attached Figures, the Excavation and Backfill procedures followed all applicable protocols and rules outlined in 19.15.17.10 NMAC. All liquids were removed prior to excavation process and the in place soil was mixed at a 3 to 1 ratio. South Environmental Services, Inc. took special care to ensure all impacted soils were included in the excavation and disposal. As outlined an approved state disposal facility was utilized for waste disposal. Confirmation sampling took place to ensure no impacted soil had been left in place. All backfilled material was appropriate soil, clean and compacted. Re-Vegetation and Site Remediation procedures were followed.

3.0 CONFIRMATION SAMPLING

As illustrated in the attached figures, confirmation sampling took place after impacted material had been disposed of on-site. The confirmation samples were taken for each quadrant (North, South, East, and West) of the main reserve pit and as well as Bottom Hole sample from the center of the main reserve pit. Three samples were taken for the outer reserve pit. On September 31, 2009 a confirmation sampling event was conducted consisting of the collection of eight (8) samples from 6 to 12 inches in depth. The confirmation samples were analyzed for TPH using Method SW-846 8015M and BTEX, EPA method SW-846 8021, and Chlorides using EPA 4500-Cl-B to confirm remediation levels. Confirmation sampling locations are depicted in Attachment 2, Figure 2.

Three (3) of the eight (8) confirmation samples collected (SW#1, SE#2, and NE#3) demonstrated Chloride concentrations below OCD regulatory limits (<500ppm), ranging

SS#3. Also, BTEX and TPH concentrations in all samples were below OCD standards of <1,000 mg/kg TPH, and Benzene <50.0 mg/kg. Laboratory data is included in Attachment 1, Table 1 and Attachment 5, Laboratory Analysis.

On September 22, 2009 an additional confirmation sampling event was conducted consisting of the collection of five (5) samples (following additional remediation). The confirmation samples (NW#4, CENTER#5, SS#1, SS#2, and SS#3) were analyzed for Chlorides using EPA 4500-Cl-B. Confirmation sampling locations are depicted in Attachment 2, Figure 2.

On October 19, 2009 an additional confirmation sampling event was conducted consisting of the collection of three (3) samples (following additional remediation). The confirmation samples (SS#1, SS#2, and SS#3) were analyzed for Chlorides using EPA 4500-Cl-B. Confirmation sampling locations are depicted in Attachment 2, Figure 2.

The final confirmation sample (SS#2) was collected on November 2, 2009, following additional remediation. Sample SS#2 demonstrated a Chloride concentration of <16 mg/kg, respectively, well below OCD regulatory limits (<500 mg/kg). Laboratory data is included in Attachment 1, Table 1, and Attachment 5, Laboratory analysis reports.

4.0 DISPOSAL FACILITY NAME AND PERMIT NUMBER

Controlled Recover, Inc. Disposal, Permit #: NM R-9166

5.0 SOIL BACKFILL AND COVER DESIGN SPECIFICATIONS

Please see attached figures for design and specifications. As illustrated, the soil cover is an adequate backfill material, compacted and non-waste containing, from top to cap (<4' below surface ground) to >1' below ground surface and topsoil to surface grade.

6.0 RE-VEGETATION

The attached Figure 5 & 6 of Attachment 4 shows the re-vegetation plan. As illustrated, the re-vegetation took place with a minimum of 70% native perennial vegetative cover consisted of at least 3 native plant species, including at least one grass and no noxious weeds. Cover will be maintained through 2 successive growing seasons.

7.0 RECOMMENDATIONS

Based on the findings and results of the remedial actions described herewith, South Environmental request the OCD's concurrence that the site meets the conditions for final site closure, thus requiring no further corrective action by EAGLE ROCK. Upon OCD approval, the site will be restored as near as possible to the original site conditions as set out below.

- The former pit area will be backfilled with native soils to the original elevation and contours of the surrounding land.

8.0 QA/QC PROCEDURES

8.1 Soil Sampling

Samples of subsurface soils were obtained utilizing proper EPA protocols and/or standards. Representative soil samples were collected using clean, disposable gloves and clean sampling tools. The soil sample was then placed in a sterile glass container equipped with a Teflon-lined lid furnished by the analytical laboratory. The container was filled to capacity to limit the amount of head-space present. Each container was labeled and placed on ice in an insulated cooler. Upon selection of samples for analysis, the cooler will be sealed for shipment to the laboratory. Proper chain-of-custody documentation will be maintained throughout the sampling and transportation process.

Soil samples were delivered to Cardinal Laboratories in Hobbs, NM for TPH, BTEX, and Chloride analyses using the methods described below. Soil samples were analyzed for BTEX, TPH, and Chloride within fourteen days following the collection date.

The soil samples were analyzed as follows:

1. BTEX concentrations in accordance with EPA Method SW-846 8021.
2. TPH concentrations in accordance with modified Method SW-846 8015 M.
3. Chloride concentrations in accordance with Method 4500-Cl-B.

8.2 Laboratory Protocol

The laboratory will be responsible for proper QA/QC procedures. These procedures will either be transmitted with the laboratory reports or on file at the laboratory.

9.0 LIMITATIONS

South Environmental Services, Inc. has prepared this Pit Remediation and Closure Report to the best of its ability. No other warranty, expressed or implied, is made or intended.

South Environmental Services, Inc. has examined and relied upon documents referenced in the report and has relied on oral statements made by certain individuals. South Environmental Services, Inc. has not conducted an independent examination of the facts contained in referenced materials and statements. We have presumed the genuineness of the documents and that the information provided in documents or statements is true and accurate. South Environmental Services, Inc. has prepared this report in a professional manner, using the degree of skill and care exercised by similar environmental consultants. South Environmental Services, Inc. also notes that the facts and conditions referenced in this report may change over time and the conclusions and recommendations set forth herein are applicable only to the facts and conditions as described at the time of this report.

This report has been prepared for the benefit of EAGLE ROCK Energy, LLC. The information contained in this report including all exhibits and attachments, may not be used by any other party without the express consent of South Environmental Services, Inc. and/or EAGLE ROCK Energy, LLC.

Thank you for the assistance in this matter. If you have any questions or require additional information, please contact me at 432-425-8454.

Sincerely,
SOUTH ENVIRONMENTAL SERVICES, INC.

Ronnie W. Nickell
Sr. Project Manager

Cc: Eagle Rock Energy, LLC, Midland, Texas

ATTACHMENTS

ATTACHMENT 1

LABORATORY ANALYSIS TABLE

Table 1
CONCENTRATIONS OF TPH, BTEX, & CHLORIDES SOIL
Berry Hobbs Unit 17 Well#1
Eagle Rock Energy, LLC.

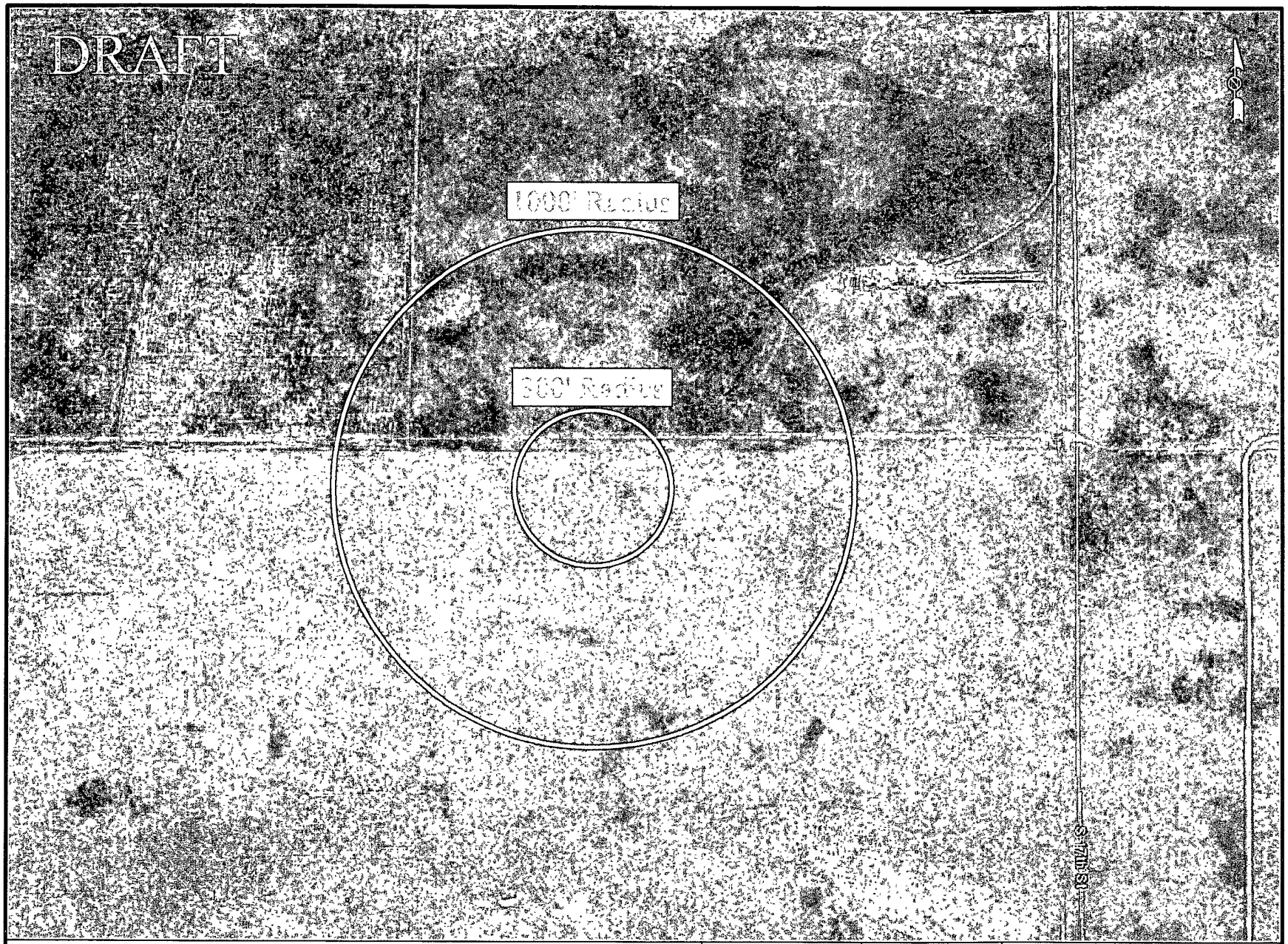
Lea County, NM

All concentrations are in mg/kg

SAMPLE DATE	SAMPLE LOCATION	SW 8260B					SW 846 8015M		418.1	4500-Cl-B
		BENZENE	TOLUENE	ETHYL-BENZENE	TOTAL XYLENE	BTEX	TPH C_6-C_{12}	TPH C_{12}-C_{28}	TOTAL TPH	CHLORIDES
8/31/2009	SW#1	ND	0.0540	ND	ND	**0.0540**	ND	ND	**ND**	**80**
	SE#2	ND	ND	ND	ND	**ND**	ND	ND	**ND**	**208**
	NE#3	ND	ND	ND	ND	**ND**	ND	75	**245**	**480**
	NW#4	ND	ND	ND	ND	**ND**	ND	ND	**ND**	**688**
	CENTER#5	ND	ND	ND	ND	**ND**	ND	ND	**ND**	**912**
	SS#1	ND	ND	ND	ND	**ND**	ND	ND	**ND**	**688**
	SS#2	ND	ND	ND	ND	**ND**	ND	ND	**ND**	**1500**
	SS#3	ND	ND	ND	ND	**ND**	ND	ND	**ND**	**3600**
9/22/2009	CENTER	ND	ND	ND	ND	**ND**	ND	ND	ND	**48**
	NORTH WEST	ND	ND	ND	ND	**ND**	ND	ND	ND	**16**
	NORTH EAST	ND	ND	ND	ND	**ND**	NN	ND	ND	**32**
	SS#1	ND	ND	ND	ND	**ND**	ND	ND	ND	**4,160**
	SS#2	ND	ND	ND	ND	**ND**	ND	ND	ND	**2,800**
	SS#3	ND	ND	ND	ND	**ND**	ND	ND	ND	**3,520**
10/19/2009	SS#1									**32**
	SS#2									**688**
	SS#3									**80**
11/2/2009	SS#2									**<16**

ATTACHMENT 2

SITE FIGURES

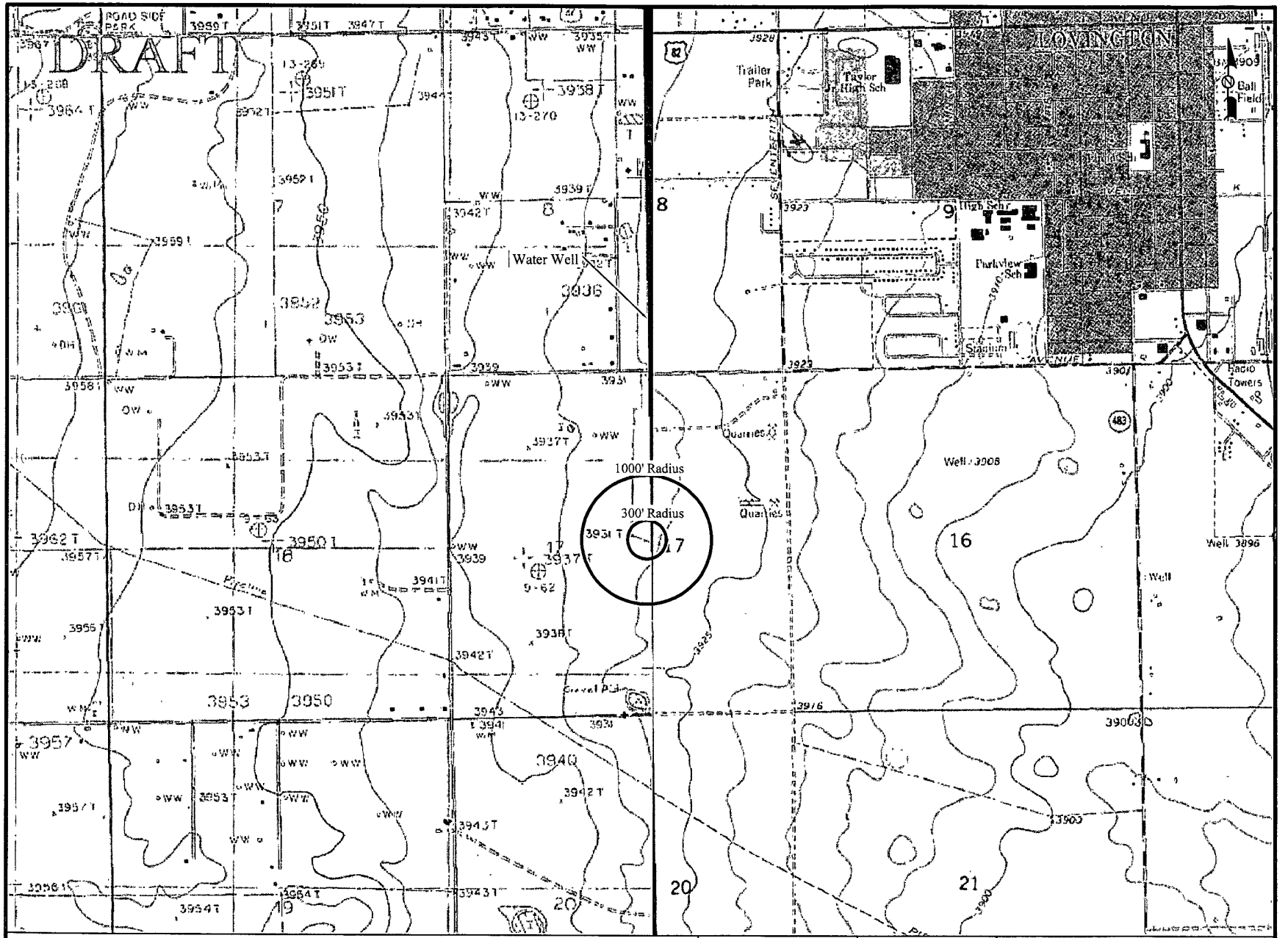


500 250 0 250 500
Distance in Feet

Berry Hobbs Unit 17 #1	API Well # 30-025-36657
Lat 32 92168885734° N	Sec 17, T-16-S, R-36-E
Long -103 374445001° W	Lea County, NM
Drawn By JDJ	Rev A-2
August 3, 2009	Scale 1" = 500'

Figure 1
Aerial Photograph

South Environmental Services, Inc.



Berry Hobbs Unit 17 #1	API Well # 30-025-36657
Lat 32 92168885734° N	Sec 17, T-16-S, R-36-E
Long -103 374445001° W	Lea County, NM
Drawn By JDJ	Rev. A-2
August 3, 2009	Scale 1" = 2000'

Figure 2
USGS Topographic Map

South Environmental Services, Inc.

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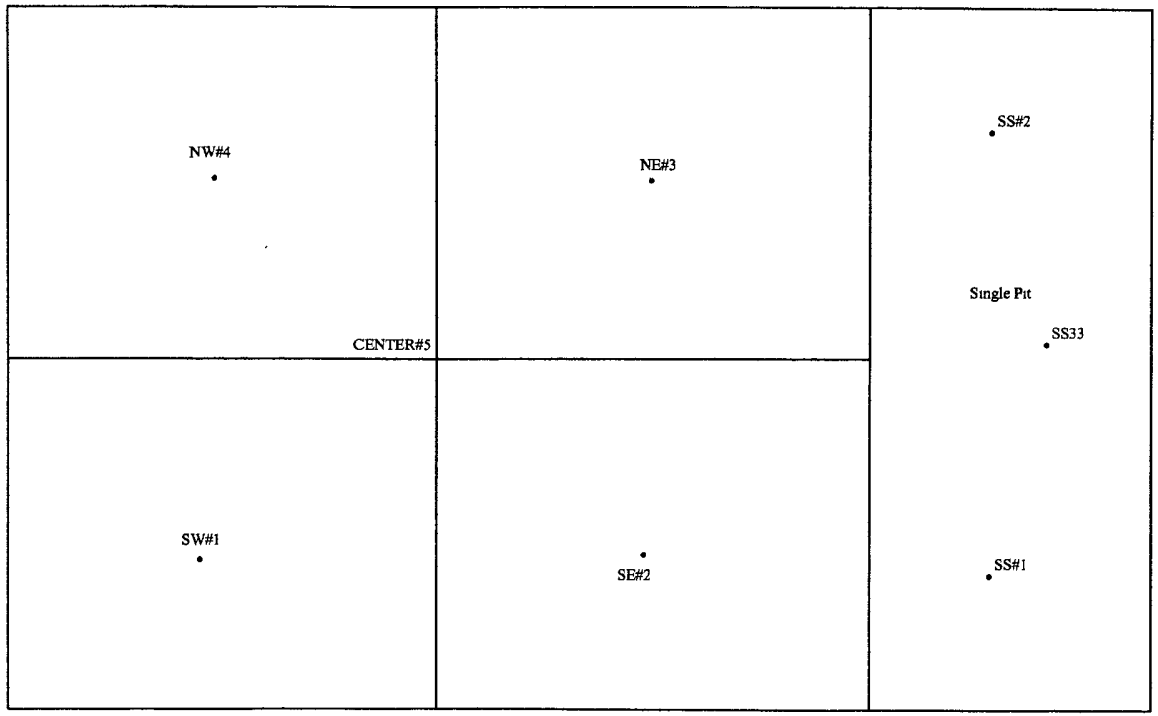


Legend.
- Composite Sample

20 10 0 10 20
Distance in Feet

Berry Hobbs Unit 17 Well #1	Eagle Rock Energy
Ward County, TX	
Drawn By JDJ	Project Manager RN
May 1, 2009	Scale 1" = 20'

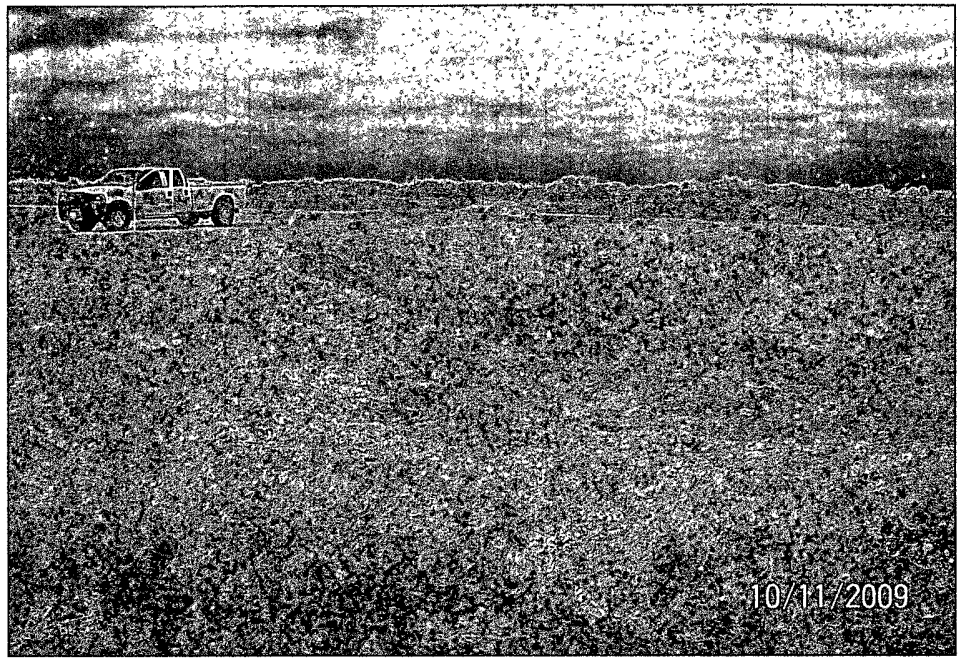
Site Map

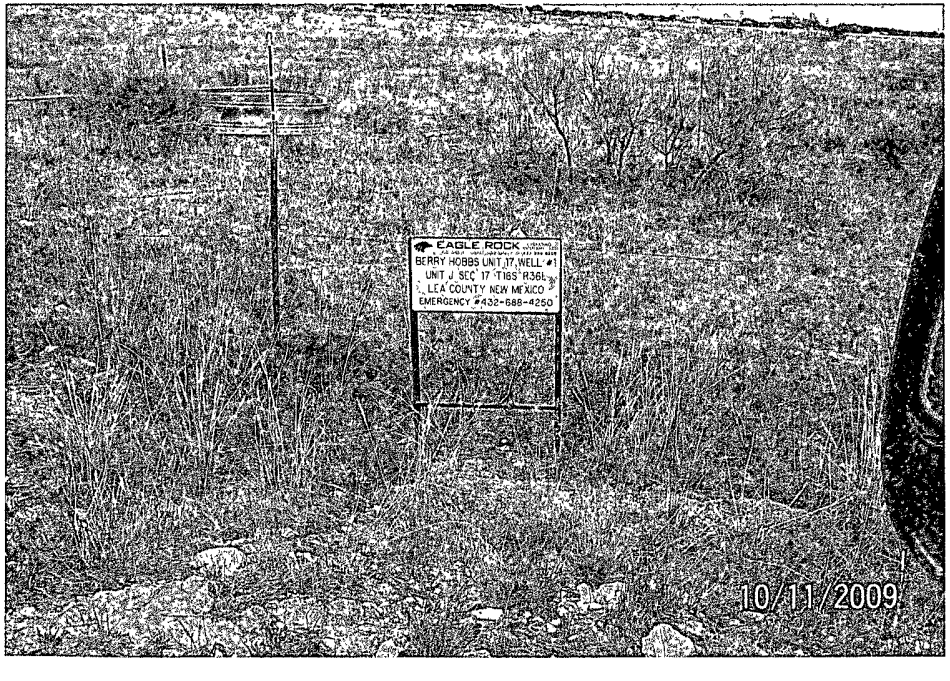
South Environmental Services, Inc.

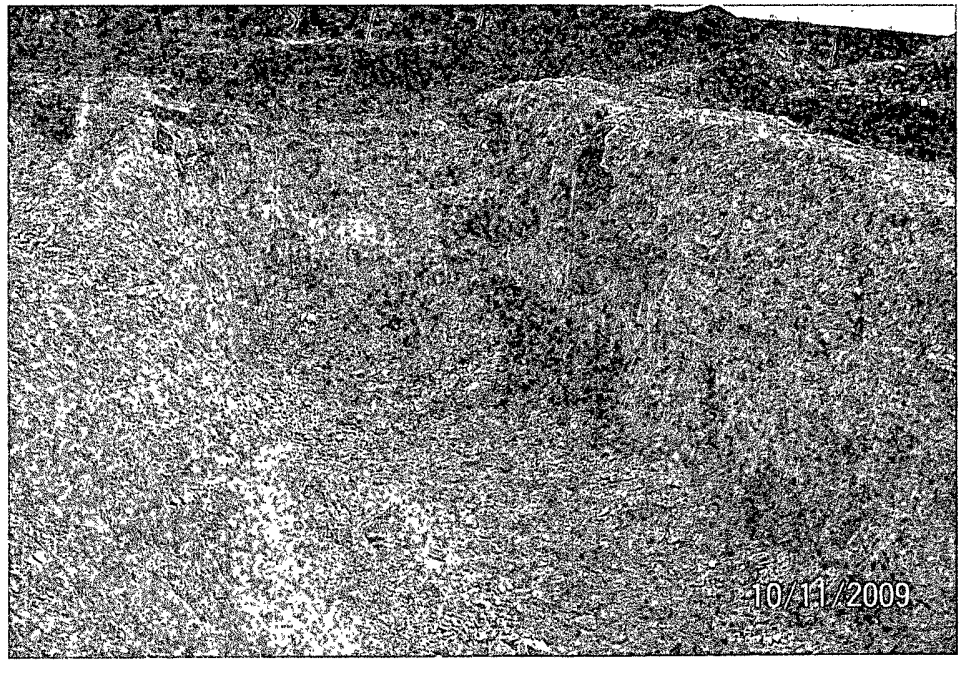
ATTACHMENT 3

SITE PHOTOGRAPHS


10/11/2009


10/11/2009


EAGLE ROCK
BERRY HOBBS UNIT,17,WELL #1
UNIT J SEC 17 T16S R36E
LEA COUNTY NEW MEXICO
EMERGENCY #432-688-4250
10/11/2009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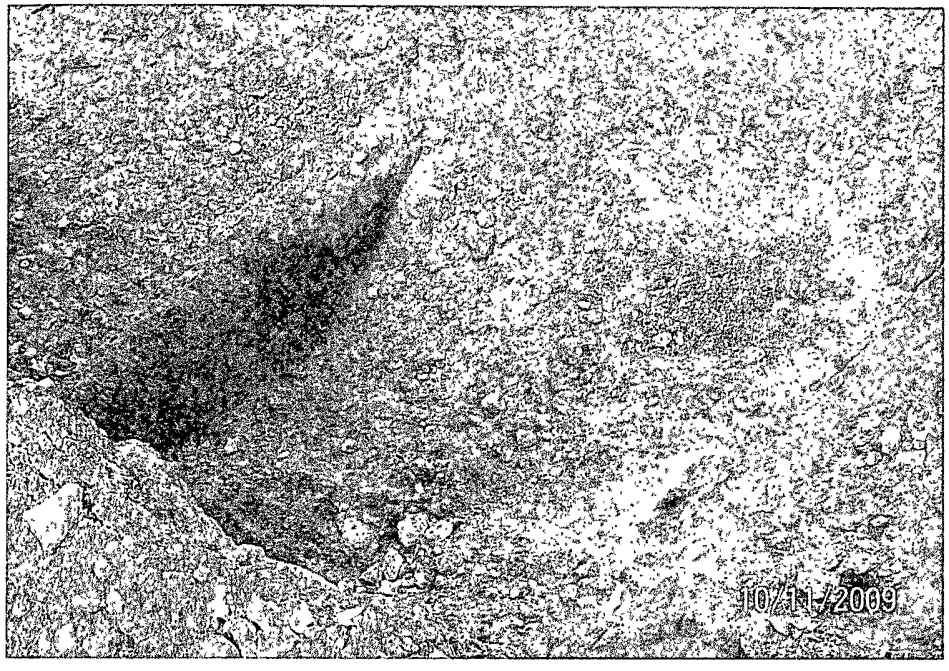
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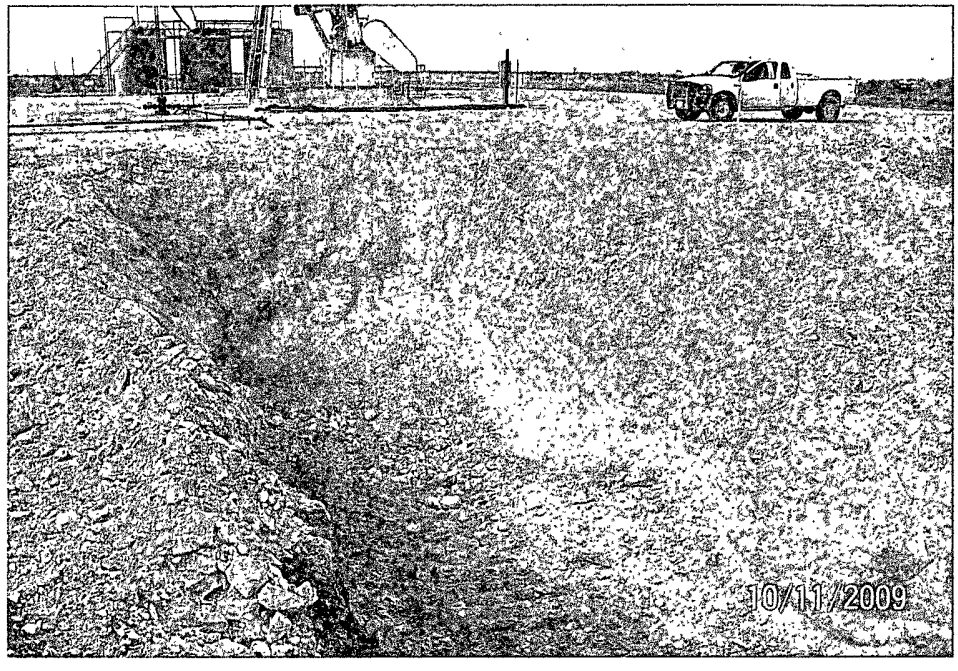
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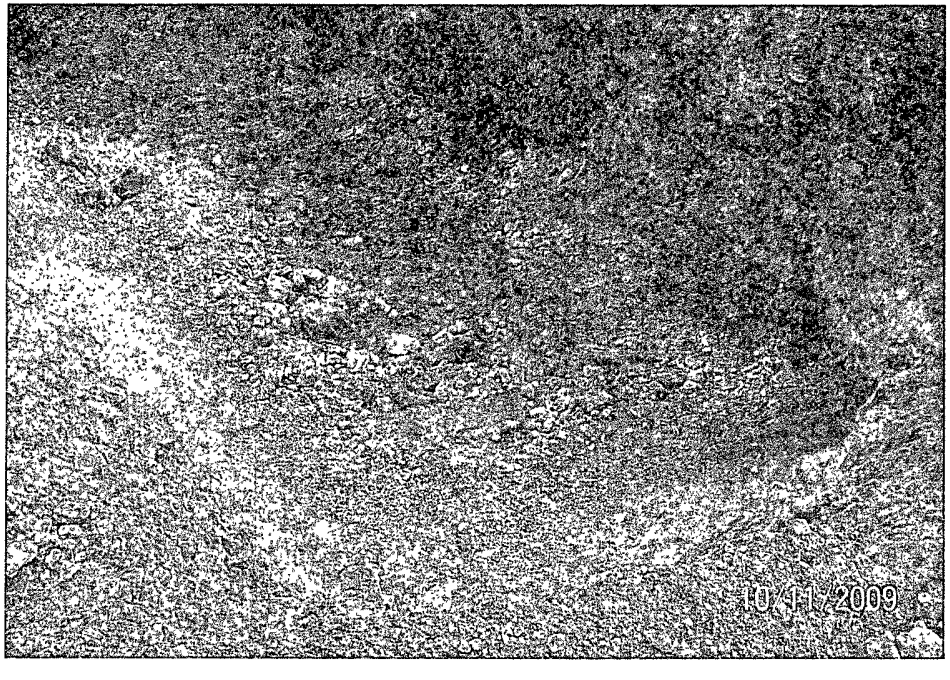
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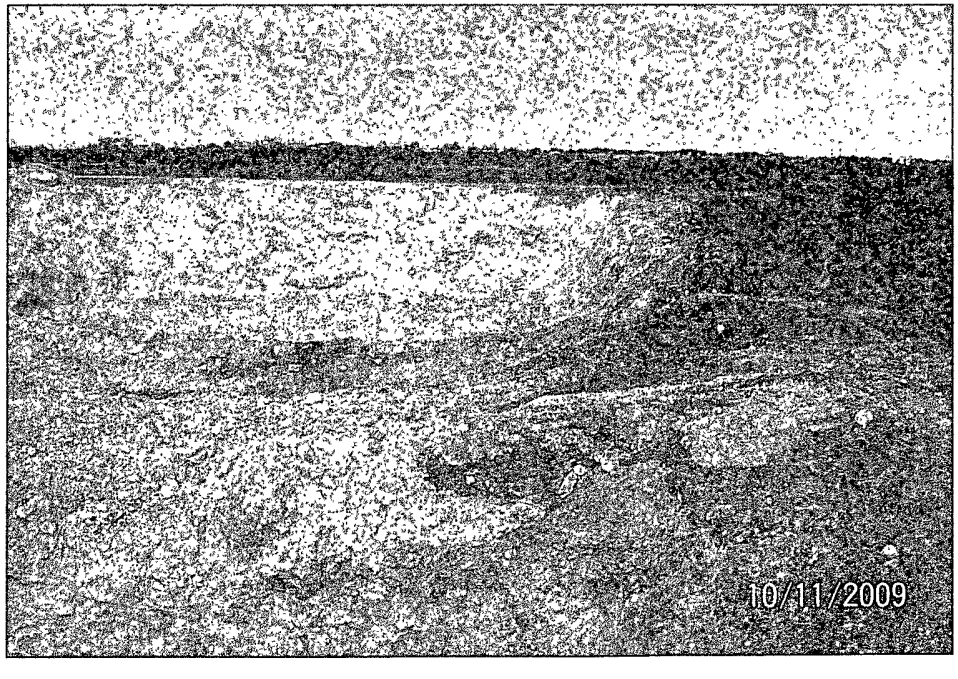
10/11/2009

ATTACHMENT 4

SITE DRAFTS

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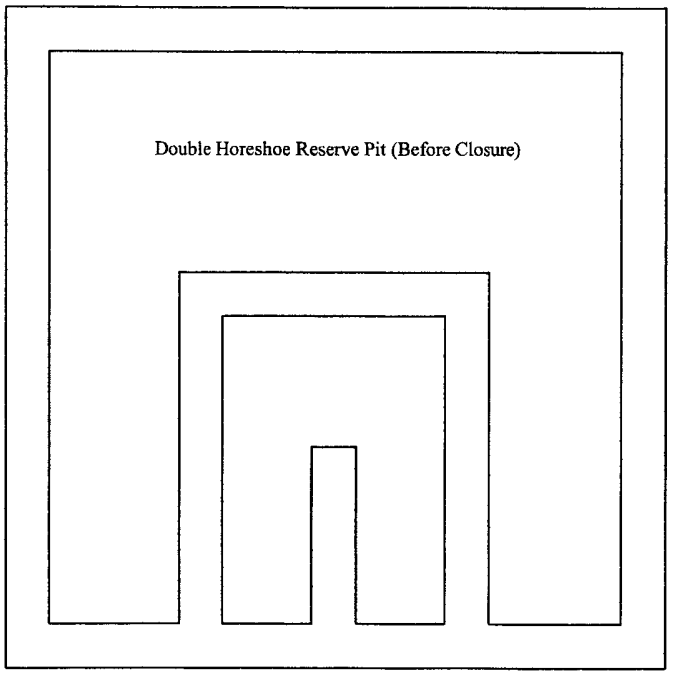

40 20 0 20 40
Distance in Feet

Berry Hobbs Unit 17 #1	API Well # 30-025-36657
Lat. 32 92168885734° N	Sec. 17, T-16-S, R-36-E
Long -103 374445001° W	Lea County, NM
Drawn By JDJ	Rev: A-2
August 3, 2009	Scale: 1" = 40'

Figure 3
Previous Pit Design

South Environmental Services, Inc.

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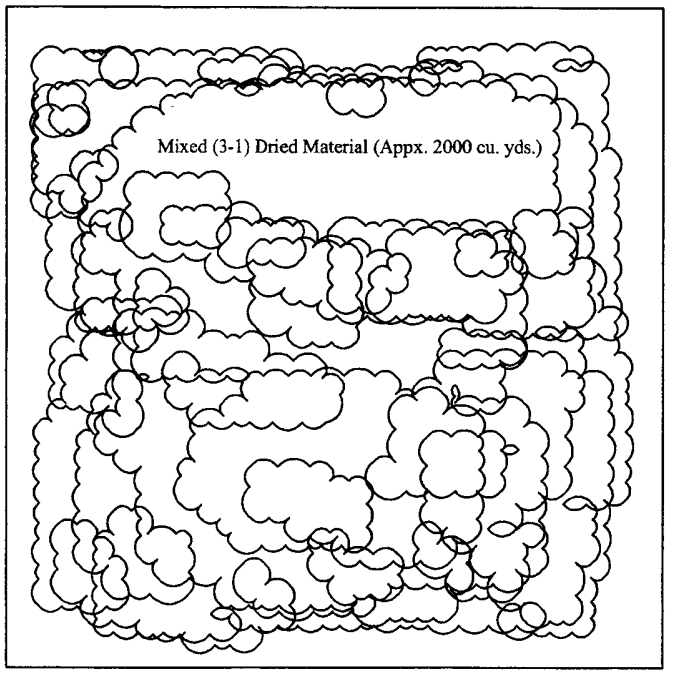

40 20 0 20 40
Distance in Feet

Berry Hobbs Unit 17 #1	API Well # 30-025-36657	Figure 4 Mixing and Drying Procedures
Lat 32.92168885734° N	Sec 17, T-16-S, R-36-E	
Long -103 374445001° W	Lea County, NM	South Environmental Services, Inc.
Drawn By: JDJ	Rev A-2	
August 3, 2009	Scale: 1" = 40'	

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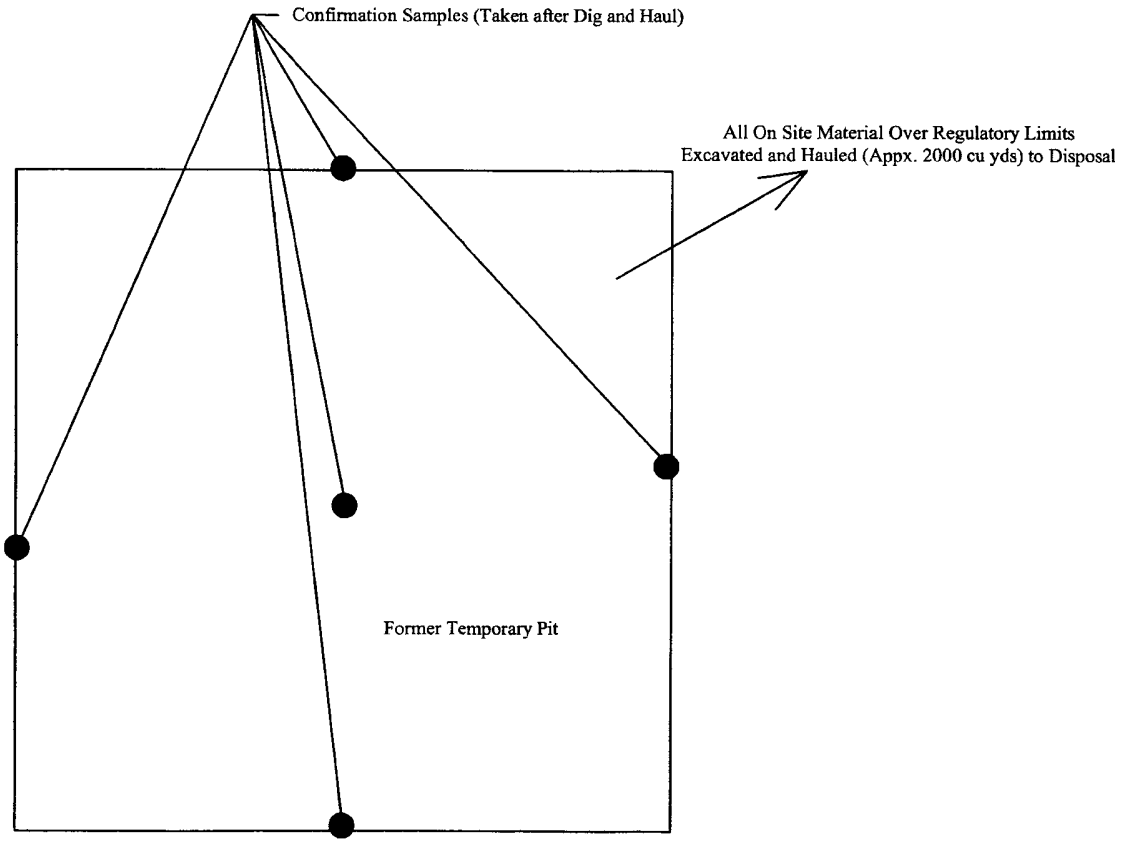

40 20 0 20 40
Distance in Feet

Berry Hobbs Unit 17 #1	API Well # 30-025-36657
Lat 32 92168885734° N	Sec. 17, T-16-S, R-36-E
Long. -103 374445001° W	Lea County, NM
Drawn By JDJ	Rev A-2
August 3, 2009	Scale: 1" = 40'

Figure 5
Sample Locations and Material Removal

South Environmental Services, Inc.

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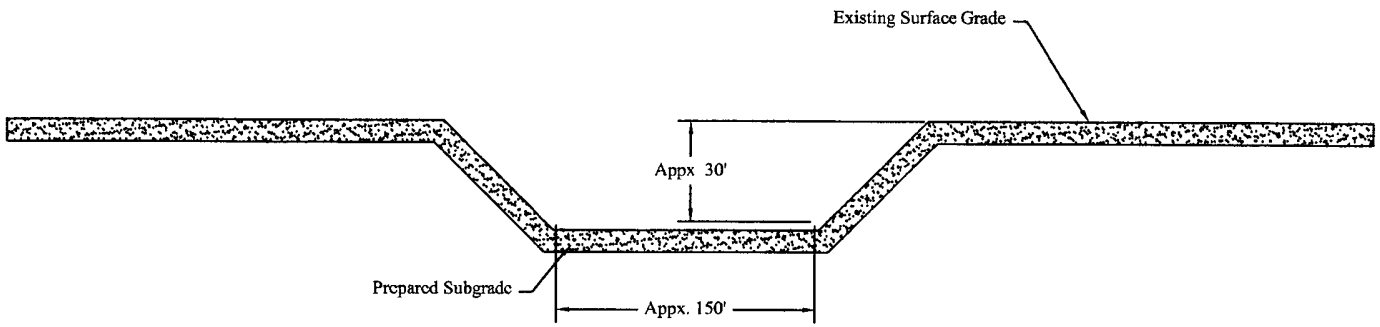

40 20 0 20 40
Distance in Feet

Berry Hobbs Unit 17 #1	API Well # 30-025-36657	Figure 6 Cross Section Backfill Procedures
Lat 32 92168885734° N	Sec 17, T-16-S, R-36-E	
Long -103.374445001° W	Lea County, NM	South Environmental Services, Inc.
Drawn By JDJ	Rev A-2	
August 3, 2009	Scale: 1" = 40'	

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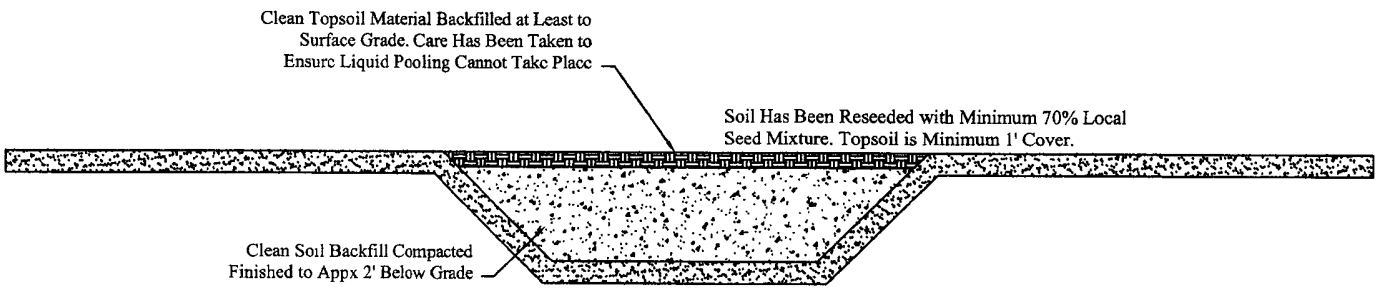

40 20 0 20 40
Distance in Feet

Berry Hobbs Unit 17 #1	API Well # 30-025-36657
Lat 32 92168885734° N	Sec 17, T-16-S, R-36-E
Long -103 374445001° W	Lea County, NM
Drawn By: JDJ	Rev: A-2
August 3, 2009	Scale 1" = 40'

Figure 7 Cross Section
Backfill and Re-Vegetation Procedures

South Environmental Services, Inc.

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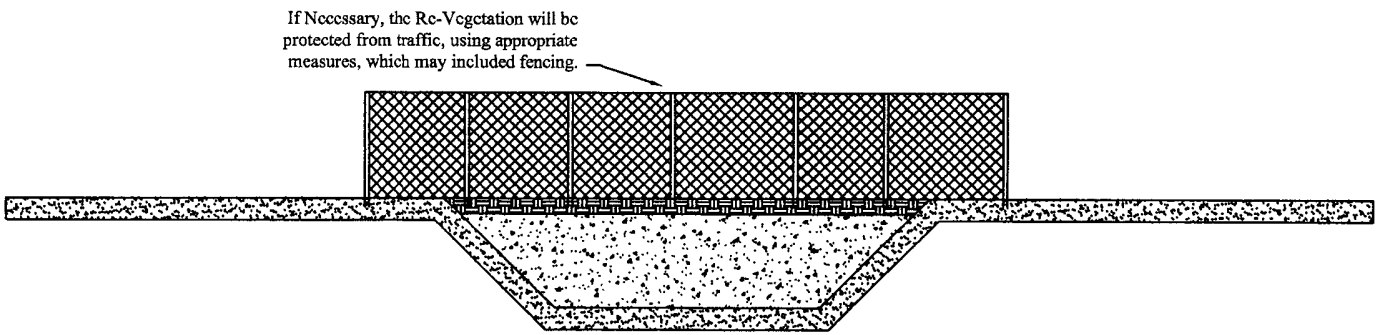

40 20 0 20 40
Distance in Feet

Berry Hobbs Unit 17 #1	API Well # 30-025-36657	Figure 8 Cross Section Site Re-Vegetation and Reclamation
Lat 32 92168885734° N	Sec. 17, T-16-S, R-36-E	
Long -103.374445001° W	Lea County, NM	South Environmental Services, Inc.
Drawn By. JDJ	Rev. A-2	
August 3, 2009	Scale: 1" = 40'	

ATTACHMENT 5

WATER COLUMN/AVERAGE DEPTH OF WATER TABLE

New Mexico Office of the State Engineer
Water Column/Average Depth to Water

(quarters are 1=NW 2=NE 3=SW 4=SE)
(quarters are smallest to largest) (NAD83 UTM in meters) (In feet)

POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 07649		PRO	LE				17	16S	36E	651767	3643800*	0	140		
L 00209 B		IRR	LE	3	2	3	17	16S	36E	651460	3643506*	425	127		
L 04437		DOM	LE			3	17	16S	36E	651365	3643398*	568	120	95	25
L 04437 APPRO		DOM	LE			3	17	16S	36E	651365	3643398*	568	120	95	25
L 00209 C		IRR	LE		3	4	17	16S	36E	651972	3643212*	622	128		
L 07757		DOM	LE	1	1	2	17	16S	36E	651851	3644520*	724	72		
L 02056		PRO	LE		1	1	17	16S	36E	651144	3644406*	869	130	60	70
L 02056 APPRO		PRO	LE		1	1	17	16S	36E	651144	3644406*	869	130	60	70
L 01457 APPRO		DOM	LE	4	4	3	08	16S	36E	651641	3644715*	923	85	60	25
L 03298		DOM	LE	4	4	3	08	16S	36E	651641	3644715*	923	90	65	25
L 03298 APPRO		DOM	LE	4	4	3	08	16S	36E	651641	3644715*	923	90	65	25
L 03373		DOM	LE	4	4	3	08	16S	36E	651641	3644715*	923	97	72	25
L 03373 APPRO		DOM	LE	4	4	3	08	16S	36E	651641	3644715*	923	97	72	25
L 05380		DOM	LE	4	4	3	08	16S	36E	651641	3644715*	923	100	64	36
L 11796		DOM	LE	4	3	4	08	16S	36E	652045	3644723*	963	120	61	59
L 01070 APPRO		DOM	LE	3	4	3	08	16S	36E	651441	3644715*	971	75	55	20
L 08189		DOM	LE	3	4	3	08	16S	36E	651441	3644715*	971	120	70	50
L 11841		DOM	LE	1	1	1	17	16S	36E	651043	3644505*	1010	120		
L 11841 POD1		DOM	LE	1	1	1	17	16S	36E	651043	3644505*	1010	116	65	51
L 10572		OIL	LE	1	2	2	20	16S	36E	652282	3642915*	1023	150	70	80
L 10572		PRO	LE	1	2	2	20	16S	36E	652282	3642915*	1023	150	70	80
L 04598		DOM	LE		2	4	18	16S	36E	650755	3643593*	1032	136	75	61
L 04598 APPRO		DOM	LE		2	4	18	16S	36E	650755	3643593*	1032	136	75	61
L 06132		DOM	LE		2	4	18	16S	36E	650755	3643593*	1032	95	70	25
L 10712		PRO	LE		2	4	18	16S	36E	650755	3643593*	1032	165	60	105
L 07063		DOM	LE	2	4	4	18	16S	36E	650861	3643289*	1040	120	80	40
L 07845		DOM	LE		4	3	08	16S	36E	651542	3644816*	1040	110	73	37
L 00247 BA		IRR	LE	4	3	3	08	16S	36E	651236	3644708*	1051	123		
L 09307		DOM	LE	4	3	3	08	16S	36E	651236	3644708*	1051	135	60	75

***UTM location was derived from PLSS - see Help**

(quarters are 1=NW 2=NE 3=SW 4=SE)

(quarters are smallest to largest) (NAD83 UTM in meters) (In feet)

POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 06934		DOM	LE	1	2	4	18	16S	36E	650654	3643692*	1118	118	68	50
L 10880		DOM	LE	2	4	3	08	16S	36E	651641	3644915*	1122	150	70	80
L 06963		DOM	LE	4	4	4	18	16S	36E	650861	3643089*	1151	120	80	40
L 06982		DOM	LE	4	4	4	18	16S	36E	650861	3643089*	1151	120	72	48
L 01378 APPRO		DOM	LE	3	3	3	08	16S	36E	651036	3644708*	1165	76	51	25
L 01581 APPRO		DOM	LE	3	3	3	08	16S	36E	651036	3644708*	1165	89		
L 05218		DOM	LE	3	3	3	08	16S	36E	651036	3644708*	1165	120	90	30
L 01086		DOM	LE		2	2	18	16S	36E	650742	3644399*	1187	75		
L 01087 APPRO		DOM	LE		2	2	18	16S	36E	650742	3644399*	1187	75		
L 04939		DOM	LE		3	3	08	16S	36E	651137	3644809*	1189	100	75	25
L 09466		DOM	LE		3	3	08	16S	36E	651137	3644809*	1189	135	60	75
L 08898		PRO	LE	4	1	1	20	16S	36E	651269	3642693*	1213	147	70	77
L 09913		IRR	LE			3	08	16S	36E	651338	3645010*	1283	140	60	80
L 09913		STK	LE			3	08	16S	36E	651338	3645010*	1283	140	60	80
L 03236		DOM	LE	4	2	3	08	16S	36E	651634	3645118*	1324	96	55	41
L 03236 APPRO		DOM	LE	4	2	3	08	16S	36E	651634	3645118*	1324	96		
L 11253		DOM	LE	4	2	3	08	16S	36E	651634	3645118*	1324	140	86	54
L 12023 POD1		DOM	LE	4	1	4	08	16S	36E	652038	3645126*	1353	110	60	50
L 06937		DOM	LE	4	2	2	19	16S	36E	650867	3642686*	1432	110	69	41
L 01508		STK	LE		3	3	09	16S	36E	652754	3644838*	1432	95	55	40
L 03550		DOM	LE		2	3	08	16S	36E	651535	3645219*	1437	87	70	17
L 10103		DOM	LE		2	3	08	16S	36E	651535	3645219*	1437	123		
L 03596		DOM	LE	2	2	3	08	16S	36E	651634	3645318*	1523	88	70	18
L 03596 APPRO		DOM	LE	2	2	3	08	16S	36E	651634	3645318*	1523	88	70	18
L 07445		STK	LE	2	2	3	08	16S	36E	651634	3645318*	1523	100	68	32
L 11133		DOM	LE	2	2	3	08	16S	36E	651634	3645318*	1523	120		
L 06053		DOM	LE		2	4	08	16S	36E	652343	3645234*	1545	83	69	14
L 03727		DOM	LE				08	16S	36E	651740	3645412*	1612	100	60	40
L 03727 APPRO		DOM	LE				08	16S	36E	651740	3645412*	1612	100	60	40
L 03728		DOM	LE				08	16S	36E	651740	3645412*	1612	100	65	35
L 03728 APPRO		DOM	LE				08	16S	36E	651740	3645412*	1612	100	65	35
L 04651		DOM	LE				08	16S	36E	651740	3645412*	1612	97	85	12

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(quarters are smallest to largest) (NAD83 UTM in meters) (In feet)

POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 04651 APRO		DOM	LE				08	16S	36E	651740	3645412*	1612	97	85	12
L 07510		DOM	LE	3	3	2	08	16S	36E	651831	3645528*	1729	120	70	50
L 08113		DOM	LE	3	3	2	08	16S	36E	651831	3645528*	1729	104	61	43
L 08113 POD2		DOM	LE	3	3	2	08	16S	36E	651831	3645528*	1729	155		
L 08208		DOM	LE	3	3	2	08	16S	36E	651831	3645528*	1729			
L 00409		PRO	LE	1	3	2	16	16S	36E	653475	3644147*	1742	193		
L 05909		DOM	LE	4	3	2	08	16S	36E	652031	3645528*	1748	96	81	15
L 05910		DOM	LE	4	3	2	08	16S	36E	652031	3645528*	1748	93	70	23
L 05964		DOM	LE	4	3	2	08	16S	36E	652031	3645528*	1748	93	70	23
L 07587		DOM	LE	4	3	2	08	16S	36E	652031	3645528*	1748	110	72	38
L 10255		STK	LE	4	3	2	08	16S	36E	652031	3645528*	1748	150	70	80
L 00150		PRO	LE	1	1	2	19	16S	36E	650265	3642879*	1761	125		
L 05564		DOM	LE	3	4	2	08	16S	36E	652236	3645536*	1798	100	68	32
L 07663		DOM	LE	3	4	2	08	16S	36E	652236	3645536*	1798	110	72	38
L 08841		DOM	LE	3	4	2	08	16S	36E	652236	3645536*	1798	123	53	70
L 09733		DOM	LE		3	2	08	16S	36E	651932	3645629*	1836	120	78	42
L 06943		DOM	LE	4	4	2	08	16S	36E	652436	3645536*	1860	116	70	46
L 07719		DOM	LE	4	4	2	08	16S	36E	652436	3645536*	1860	120	70	50
L 07821		DOM	LE	4	4	2	08	16S	36E	652436	3645536*	1860	160	87	73
L 12004 POD1		DOM	LE	4	4	2	08	16S	36E	652436	3645536*	1860	120	63	57
L 00150 ENLGD.-S		PRO	LE	3	1	2	19	16S	36E	650265	3642679*	1874	80		
L 10924		DOM	LE		4	2	08	16S	36E	652337	3645637*	1923	150		
L 00196 D		IRR	LE	1	3	2	08	16S	36E	651831	3645728*	1929	120		
L 10209		DOM	LE	2	2	1	19	16S	36E	650063	3642872*	1940	128	94	34
L 07444 EXPL-1		EXP	LE	1	3	2	19	16S	36E	650271	3642476*	1997	130		
L 07444 EXPL-2		EXP	LE	1	3	2	19	16S	36E	650271	3642476*	1997	140		
L 07444 EXPL-3		EXP	LE	1	3	2	19	16S	36E	650271	3642476*	1997	178	120	58
L 01527 APPRO		DOM	LE		2	3	09	16S	36E	653152	3645250*	2005	85	60	25
L 07677		DOM	LE	1	2	3	09	16S	36E	653051	3645349*	2011	120	70	50
L 05856		STK	LE			4	20	16S	36E	652200	3641800*	2046	106	70	36
L 10606		PRO	LE	3	4	2	07	16S	36E	650620	3645506*	2055	160	55	105
L 04895		DOM	LE		2	1	19	16S	36E	649964	3642773*	2074	100		

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POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 04176		DOM	LE	3	1	2	08	16S	36E	651824	3645931*	2131	105	82	23
L 04176 APPRO		DOM	LE	3	1	2	08	16S	36E	651824	3645931*	2131	105	82	23
L 02783		DOM	LE	2	4	1	19	16S	36E	650069	3642469*	2157	80	50	30
L 02783 APPRO		DOM	LE	2	4	1	19	16S	36E	650069	3642469*	2157	80	50	30
L 11489		DOM	LE	3	4	1	09	16S	36E	653044	3645552*	2168	130		
L 08296		DOM	LE		1	2	08	16S	36E	651925	3646032*	2237	150	70	80
L 09562		DOM	LE		2	1	08	16S	36E	651521	3646025*	2238	100	70	30
L 01244 REPAR		DOM	LE				09	16S	36E	653357	3645441*	2284	90		
L 11037		DOM	LE		2	2	08	16S	36E	652330	3646040*	2309	100	65	35
L 01423 APPRO		DOM	LE		1	1	08	16S	36E	651117	3646017*	2310	90	60	30
L 09784		DOM	LE		1	1	08	16S	36E	651117	3646017*	2310	100	65	35
L 01156		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	76	54	22
L 02336		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	100	63	37
L 02336 APPRO		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	100	62	38
L 03826		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	100	66	34
L 03826 APPRO		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	100	66	34
L 04572		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	100	66	34
L 04572 APPRO		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	100	66	34
L 05282		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	92	70	22
L 05944		DOM	LE	3	1	1	09	16S	36E	652633	3645946*	2314	100	68	32
L 03501		DOM	LE	1	4	1	09	16S	36E	653044	3645752*	2332	125	70	55
L 03501 APPRO		DOM	LE	1	4	1	09	16S	36E	653044	3645752*	2332	125	70	55
L 11480		STK	LE	2	1	2	08	16S	36E	652024	3646131*	2345	100		
L 01011 APPRO		DOM	LE	2	1	1	08	16S	36E	651216	3646116*	2380	75		
L 11488		DOM	LE	2	1	1	08	16S	36E	651216	3646116*	2380	150		
L 04487 APPRO		DOM	LE	2	2	2	16	16S	36E	654073	3644559*	2427	110	82	28
L 11436		DOM	LE	3	3	2	09	16S	36E	653449	3645560*	2434	160		
L 11437		DOM	LE	3	3	2	09	16S	36E	653449	3645560*	2434	160		
L 01124		DOM	LE	2	4	1	09	16S	36E	653244	3645752*	2447	85		
L 01124 APPRO		DOM	LE	2	4	1	09	16S	36E	653244	3645752*	2447	85		
L 02266		DOM	LE	2	4	1	09	16S	36E	653244	3645752*	2447	90	60	30
L 02266 APPRO		DOM	LE	2	4	1	09	16S	36E	653244	3645752*	2447	90	60	30

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(quarters are smallest to largest) (NAD83 UTM in meters) (In feet)

POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 03549		DOM	LE	2	4	1	09	16S	36E	653244	3645752*	2447	123	70	53
L 03549 APPRO		DOM	LE	2	4	1	09	16S	36E	653244	3645752*	2447	123	70	53
L 02338		DOM	LE	4	4	4	09	16S	36E	654066	3644762*	2492	90	60	30
L 02338 APPRO		DOM	LE	4	4	4	09	16S	36E	654066	3644762*	2492	90	60	30
L 04154		DOM	LE	2	2	2	07	16S	36E	650813	3646109*	2498	102	65	37
L 04154 APPRO		DOM	LE	2	2	2	07	16S	36E	650813	3646109*	2498	102	65	37
L 03304		DOM	LE	3	2	4	09	16S	36E	653860	3645166*	2499	96	69	27
L 03304 APPRO		DOM	LE	3	2	4	09	16S	36E	653860	3645166*	2499	96	69	27
L 00968		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	78		
L 00968 APPRO		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500			
L 00982		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	85	55	30
L 00982 APPRO		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	85	55	30
L 01329 APPRO		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	71	55	16
L 03205		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	90	60	30
L 03205 APPRO		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	90	60	30
L 03448		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	85	65	20
L 03448 APPRO		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	85	65	20
L 06061		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	90	71	19
L 06119		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	180	68	112
L 07345		DOM	LE	1	1	1	09	16S	36E	652633	3646146*	2500	100	70	30
L 03110		DOM	LE	4	4	3	05	16S	36E	651613	3646327*	2531	100	65	35
L 03310 APPRO		DOM	LE	4	4	3	05	16S	36E	651613	3646327*	2531	100	65	35
L 07182		DOM	LE	4	4	3	05	16S	36E	651613	3646327*	2531	138	68	70
L 00245		IRR	LE	3	1	3	15	16S	36E	654290	3643560*	2534	95		
L 04659		DOM	LE	3	3	4	05	16S	36E	651818	3646334*	2534	110	85	25
L 04659 APPRO		DOM	LE	3	3	4	05	16S	36E	651818	3646334*	2534	110	85	25
L 04249 APPRO		DOM	LE	1	3	1	15	16S	36E	654284	3644164*	2543	96	74	22
L 08676		DOM	LE	4	3	4	05	16S	36E	652018	3646334*	2546	127	70	57
L 11204		DOM	LE	4	3	4	05	16S	36E	652018	3646334*	2546	100	62	38
L 03966 APPRO		DOM	LE	4	2	2	21	16S	36E	654099	3642745*	2559	95	60	35
L 05269		DOM	LE	4	2	2	21	16S	36E	654099	3642745*	2559	110	90	20
L 01380 APPRO		DOM	LE	2	1	1	09	16S	36E	652833	3646146*	2576	74	53	21

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POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 01527		DOM	LE		3	2	09	16S	36E	653550	3645661*	2577	85	60	25
L 02809		DOM	LE	4	3	3	05	16S	36E	651209	3646319*	2580	100	64	36
L 05835		DOM	LE	3	4	4	05	16S	36E	652222	3646342*	2582	96	72	24
L 02267		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	90	60	30
L 02267 APPRO		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	90	60	30
L 02392		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	100	62	38
L 02392 APPRO		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	100	62	38
L 02396		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	85	60	25
L 02396 APPRO		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	85	60	25
L 02543		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	115	62	53
L 02543 APPRO		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	115	62	53
L 02916		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	92	65	27
L 02916 APPRO		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	92	65	27
L 05496		DOM	LE	1	3	2	09	16S	36E	653449	3645760*	2582	139	79	60
L 01033 APPRO		DOM	LE	4	4	4	13	16S	35E	649286	3643062*	2588	70	50	20
L 01054 APPRO		DOM	LE		3	1	19	16S	36E	649601	3642364*	2598	76	45	31
L 02486		DOM	LE	1	2	4	09	16S	36E	653860	3645366*	2614	90	60	30
L 02486 APPRO		DOM	LE	1	2	4	09	16S	36E	653860	3645366*	2614		60	
L 03109		DOM	LE	4	4	4	05	16S	36E	652422	3646342*	2625	85	60	25
L 03109 APPRO		DOM	LE	4	4	4	05	16S	36E	652422	3646342*	2625	85	60	25
L 05140		DOM	LE		1	3	15	16S	36E	654391	3643661*	2627	110	90	20
L 00967		DOM	LE	3	3	3	05	16S	36E	651009	3646319*	2630	75		
L 01319 APPRO		DOM	LE	3	3	3	05	16S	36E	651009	3646319*	2630	103	65	38
L 02465 APPRO		DOM	LE	3	3	3	05	16S	36E	651009	3646319*	2630	100	65	35
L 02465 CLW		PRO	LE	3	3	3	05	16S	36E	651009	3646319*	2630	145	120	25
L 02910		DOM	LE	3	3	3	05	16S	36E	651009	3646319*	2630	120	63	57
L 02910 APPRO		DOM	LE	3	3	3	05	16S	36E	651009	3646319*	2630	76	68	8
L 06130		DOM	LE		3	1	15	16S	36E	654385	3644065*	2631	85	70	15
L 00984		DOM	LE	2	2	2	24	16S	35E	649292	3642860*	2647	60		
L 00985		DOM	LE	2	2	2	24	16S	35E	649292	3642860*	2647	60		
L 01007 APPRO		DOM	LE	3	3	3	10	16S	36E	654271	3644771*	2685	84	47	37
L 02179		DOM	LE		3	3	15	16S	36E	654398	3643257*	2686	85	57	28

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POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 02179 APPRO		DOM	LE		3	3	15	16S	36E	654398	3643257*	2686	85	57	28
L 04379		DOM	LE		3	3	15	16S	36E	654398	3643257*	2686	112	70	42
L 04379 APPRO		DOM	LE		3	3	15	16S	36E	654398	3643257*	2686	112	70	42
L 03184		DOM	LE		4	4	05	16S	36E	652323	3646443*	2700	100	58	42
L 03184 APPRO		DOM	LE		4	4	05	16S	36E	652323	3646443*	2700	100	58	42
L 02465		DOM	LE		3	3	05	16S	36E	651110	3646420*	2701	145	120	25
L 08852		DOM	LE		3	3	05	16S	36E	651110	3646420*	2701	110	70	40
L 00057 A		IRR	LE	2	4	3	05	16S	36E	651613	3646527*	2731	110		
L 02422 APPRO		DOM	LE	3	1	2	09	16S	36E	653442	3645964*	2736			
L 03966		DOM	LE	4	4	2	21	16S	36E	654106	3642342*	2756	95	60	35
L 01608 APPRO		PRO	LE		2	2	30	16S	36E	650795	3641175*	2799	145	80	65
L 03385		DOM	LE	1	3	3	05	16S	36E	651009	3646519*	2822	100	55	45
L 09346		DOM	LE	1	3	3	05	16S	36E	651009	3646519*	2822	126	70	56
L 00245 S2		IRR	LE			3	15	16S	36E	654599	3643458*	2852	137	65	72
L 11673		SAN	LE	3	4	3	04	16S	36E	653031	3646358*	2853	120	62	58
L 00971		DOM	LE			3	05	16S	36E	651311	3646621*	2857	70		
L 03700 APPRO		DOM	LE			3	05	16S	36E	651311	3646621*	2857	100		
L 10603		DOM	LE			3	05	16S	36E	651311	3646621*	2857	158	60	98
L 03911		DOM	LE			4	05	16S	36E	652120	3646636*	2857	85	65	20
L 03911 APPRO		DOM	LE			4	05	16S	36E	652120	3646636*	2857	85	65	20
L 04902		DOM	LE			4	05	16S	36E	652120	3646636*	2857	110	65	45
L 04903		DOM	LE			4	05	16S	36E	652120	3646636*	2857	100	80	20
L 05962		DOM	LE			4	05	16S	36E	652120	3646636*	2857	125	70	55
L 06590		DOM	LE			4	05	16S	36E	652120	3646636*	2857	100	65	35
L 06804		DOM	LE			4	05	16S	36E	652120	3646636*	2857	74	60	14
L 08218		DOM	LE			4	05	16S	36E	652120	3646636*	2857	120		
L 08274		DOM	LE			4	05	16S	36E	652120	3646636*	2857	120	68	52
L 08705		DOM	LE			4	05	16S	36E	652120	3646636*	2857	102	65	37
L 05706		DOM	LE	3	2	1	07	16S	36E	649808	3645894*	2867	74	60	14
L 01709		DOM	LE	4	3	3	10	16S	36E	654471	3644771*	2873	100	60	40
L 01709 APPRO		DOM	LE	4	3	3	10	16S	36E	654471	3644771*	2873	100	60	40
L 05561		DOM	LE		4	2	09	16S	36E	653954	3645670*	2877	100	75	25

***UTM location was derived from PLSS - see Help**

(quarters are 1=NW 2=NE 3=SW 4=SE)

(quarters are smallest to largest) (NAD83 UTM in meters) (In feet)

POD Number	Sub basin	Use	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
L 05247 REPAR		DOM	LE		1	2	09	16S	36E	653543	3646065*	2878	109	77	32
L 01180 APPRO		DOM	LE	1	1	2	09	16S	36E	653442	3646164*	2897	78	60	18
L 00153 ENLGD-S		PRO	LE	2	2	4	12	16S	35E	649254	3645276*	2914	98		
L 00245 -S-		IRR	LE	1	2	3	15	16S	36E	654693	3643767*	2926	95		
L 01484 APPRO		DOM	LE	3	3	1	22	16S	36E	654310	3642350*	2927	88	55	33
L 07514		DOM	LE	4	2	3	05	16S	36E	651606	3646729*	2933	115	56	59
L 01401 APPRO		DOM	LE	3	1	4	05	16S	36E	651811	3646737*	2937	80		
L 04249		DOM	LE	1	4	1	15	16S	36E	654686	3644171*	2942	96	74	22
L 10244		DOM	LE	4	1	4	05	16S	36E	652011	3646737*	2947	120	67	53
L 10413		DOM	LE	4	1	4	05	16S	36E	652011	3646737*	2947	110	76	34
L 03212		DOM	LE	3	2	4	05	16S	36E	652216	3646744*	2978	95	65	30
L 03212 APPRO		DOM	LE	3	2	4	05	16S	36E	652216	3646744*	2978	95	65	30
L 03212 REPAR		DOM	LE	3	2	4	05	16S	36E	652216	3646744*	2978	85	65	20
L 10469		DOM	LE	3	2	4	05	16S	36E	652216	3646744*	2978	120	120	0

Average Depth to Water: **67 feet**

Minimum Depth: **45 feet**

Maximum Depth: **120 feet**

Record Count: 235

UTMNAD83 Radius Search (in meters):

Easting (X): 651767 **Northing (Y):** 3643800 **Radius:** 3000

***UTM location was derived from PLSS - see Help**

ATTACHMENT 6

LABORATORY ANALYSIS REPORTS

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

September 1, 2009

Libby Einhorn
Eagle Rock Resources
P.O. Box 690
Monahans, TX 79756

Re: Berry Hobbs

Enclosed are the results of analyses for sample number H18133, received by the laboratory on 08/31/09 at 11:48 am.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accredited though the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report: 4 (includes Chain of Custody)

Sincerely,

Celey D. Keene
Laboratory Director

This report conforms with NELAP requirements.

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
EAGLE ROCK RESOURCES
ATTN: LIBBY EINHORN
P.O. BOX 690
MONAHANS, TX 79756
FAX TO: (432) 943-3827, (432) 682-4182 &
(575) 746-6534

Receiving Date: 08/31/09
Reporting Date: 09/01/09
Project Number: UNIT 17 WELL #1
Project Name: BERRY HOBBS
Project Location: LEA, NM; UNIT J SEC. 17 T16S R36E

Sampling Date: 08/31/09
Sample Type: SOIL
Sample Condition: INTACT** @ 24.5°C
Sample Received By: ML
Analyzed By: AB/HM

LAB NUMBER	SAMPLE ID	GRO (C_6-C_{10}) (mg/kg)	DRO (>C_{10}-C_{28}) (mg/kg)	418.1 TOTAL TPH (mg/kg)	Cl* (mg/kg)
ANALYSIS DATE		08/31/09	08/31/09	08/31/09	09/01/09
H18133-1	SW#1	<10.0	<10.0	<100	80
H18133-2	SE#2	<10.0	<10.0	<100	208
H18133-3	NE#3	<10.0	75.0	245	480
H18133-4	NW#4	<10.0	<10.0	<100	688
H18133-5	CENTER#5	<10.0	<10.0	<100	912
H18133-6	SS#1	<10.0	<10.0	<100	688
H18133-7	SS#2	<10.0	<10.0	<100	1,500
H18133-8	SS#3	<10.0	<10.0	<100	3,600
Quality Control		556	506	337	500
True Value QC		500	500	300	500
% Recovery		111	101	112	100
Relative Percent Difference		4.8	5.9	3.2	2.0

METHODS: TPH GRO & DRO: EPA SW-846 8015 M; EPA 418.1; Cl-: Std. Methods 4500-Cl-B
*Analyses performed on 1:4 w:v aqueous extracts. Reported on wet weight.
**H18133-5 was not INTACT.
Not accredited for GRO/DRO, TPH 418.1, and Chloride.

Chemist

9/01/09
Date

H18133 TPH2CL ERR

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
EAGLE ROCK RESOURCES
ATTN: LIBBY EINHORN
P.O. BOX 690
MONAHANS, TX 79756
FAX TO: (432) 943-3827, (432) 682-4182, & (575) 746-6534

Receiving Date: 08/31/09
Reporting Date: 09/01/09
Project Number: UNIT 17 WELL #1
Project Name: BERRY HOBBS
Project Location: LEA, NM; UNIT J SEC. 17 T16S R36E

Sampling Date: 08/31/09
Sample Type: SOIL
Sample Condition: INTACT** @ 24.5°C
Sample Received By: ML
Analyzed By: ZL

LAB NUMBER	SAMPLE ID	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
ANALYSIS DATE		08/31/09	08/31/09	08/31/09	08/31/09
H18133-1	SW#1	<0.050	0.054	<0.050	<0.300
H18133-2	SE#2	<0.050	<0.050	<0.050	<0.300
H18133-3	NE#3	<0.050	<0.050	<0.050	<0.300
H18133-4	NW#4	<0.050	<0.050	<0.050	<0.300
H18133-5	CENTER#5	<0.050	<0.050	<0.050	<0.300
H18133-6	SS#1	<0.050	<0.050	<0.050	<0.300
H18133-7	SS#2	<0.050	<0.050	<0.050	<0.300
H18133-8	SS#3	<0.050	<0.050	<0.050	<0.300
Quality Control		0.017	0.022	0.017	0.051
True Value QC		0.020	0.020	0.020	0.060
% Recovery		85.0	110	85.0	85.0
Relative Percent Difference		3.4	5.1	3.6	2.4

METHODS: EPA SW-846 8021
**H18133-5 was not INTACT.
TEXAS NELAP ACCREDITATION T104704398-08-TX FOR BENZENE, TOLUENE, ETHYL BENZENE, AND TOTAL XYLENES.

Chemist

09/01/09
Date

H18133 BTEX ERR

CARDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240
(575) 393-2326 Fax (575) 393-2476

Page____ of____

Company Name:	EAGle Rock	**BILL TO**	
Project Manager:	Libby Barnard	P.O. #:	
Address:	Unit J Sec 17 T16S R36E	Company:	South Wall Lab
City:	State: Zip:	Attn:	Environmentalist
Phone #:	Fax #:	Address:	Services
Project #:	UNIT #well #1	Project Owner:	EAGLE Rock
Project Name:	Berry Hobbs	City:	
Project Location:	Lea, NM	State: Zip:	
Sampler Name:	FELIX Moreno	Phone #:	
		Fax #:	

FOR LAB USE ONLY				MATRIX						PRESERV.			SAMPLING		ANALYSIS REQUEST										
Lab I.D.	Sample I.D.	(G)RAB OR (C)OMP	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER:	ACID/BASE	ICE / COOL	OTHER:	DATE	TIME	Chlorides	Combined BTEX - DRO	TPH	B - TEX	Benzene	GW - Depth	FT. BGS				
H18133-1	SW#1	X				X							8/31/09	11AM											
-2	SE#2	X				X							8-31-09	11 05											
-3	NE#3	X				X							8-31-09	11 10											
-4	NW#4	X				X							8-31-09	11:15											
-5*	Center #5	X				X							8-31-09	11:20											
-6	SS#1	X				X							8-31-09	11:25											
-7	SS#2	X				X							8-31-09	11:30											
-8	SS#3	X				X							8-31-09	11:35											

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, *including without limitation*, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

Sampler Relinquished:	Date: 8.31.09	Received By:	Phone Result:	☒ Yes ☐ No	Add'l Phone #:
	Time: 11:48		Fax Result:	☒ Yes ☐ No	Add'l Fax #:
Relinquished By:	Date:	Received By:	REMARKS:		
	Time:				

Delivered By: (Circle One)
Sampler - UPS - Bus - Other:

Temp. 24.5°C

Sample Condition: Cool ☐ Yes ☐ No; Intact ☑ Yes ☐ No

CHECKED BY: (Initials) MAB

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

Call Bill Box - 575 910-6120) 432-(425-8454)
FAX - 575 746-6534
Fax - 432-682-4182
Email Ronnie@SouthEnv.com

#H18133-5 - Not intact
#8 8/31/09
#24
* plastic bags

RUSH!!

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

September 28, 2009

Libby Einhorn
Eagle Rock Resources
P.O. Box 690
Monahans, TX 79756

Re: Berry Hobbs

Enclosed are the results of analyses for sample number H18286, received by the laboratory on 09/22/09 at 10:40 am.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accredited though the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report: 3 (includes Chain of Custody)

Sincerely,

Celey D. Keene
Laboratory Director

This report conforms with NELAP requirements.

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
EAGLE ROCK RESOURCES
ATTN: LIBBY EINHORN
P.O. BOX 690
MONAHANS, TX 79756
FAX TO: (575) 746-6534 & (432) 682-4182

Receiving Date: 09/22/09
Reporting Date: 09/24/09
Project Number: 17 #1
Project Name: BERRY HOBBS
Project Location: LEA CO., NM

Sampling Date: 09/22/09
Sample Type: SOIL
Sample Condition: COOL & INTACT @ 1.0°C
Sample Received By: CK
Analyzed By: AB/ZL/HM

LAB NO. SAMPLE ID	GRO (C_6-C_{10}) (mg/kg)	DRO (>C_{10}-C_{28}) (mg/kg)	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)	Cl* (mg/kg)
ANALYSIS DATE:	09/23/09	09/23/09	09/23/09	09/23/09	09/23/09	09/23/09	09/22/09
H18286-1 CENTER	<10.0	<10.0	<0.050	<0 050	<0.050	<0.300	48
H18286-2 NORTH WEST	<10.0	<10.0	<0.050	<0 050	<0.050	<0.300	16
H18286-3 NORTH EAST	<10.0	<10.0	<0.050	<0 050	<0.050	<0.300	32
H18286-4 SS#1	<10.0	<10.0	<0.050	<0.050	<0.050	<0.300	4,160
H18286-5 SS#2	<10.0	<10.0	<0.050	<0.050	<0.050	<0.300	2,800
H18286-6 SS#3	<10.0	<10.0	<0.050	<0.050	<0.050	<0.300	3,520
Quality Control	474	482	0.060	0.058	0.057	0.167	500
True Value QC	500	500	0.050	0.050	0.050	0.150	500
% Recovery	94.8	96.4	120	116	114	111	100
Relative Percent Difference	3.0	5.2	3.8	3.9	3.9	2.7	<0.1

METHODS: TPH GRO & DRO - EPA SW-846 8015 M; BTEX - SW-846 8021B; Cl-: Std. Methods 4500-Cl-B
*Analyses performed on 1:4 w:v aqueous extracts. Reported on wet weight.
Not accredited for Chloride and GRO/DRO.

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

Lab Director

09/28/09
Date

H18286 TBCL ERR

CARDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240
(575) 393-2326 Fax (575) 393-2476

Page____ of____

Company Name:	Eagle Rock	**BILL TO**	
Project Manager:	Libby Einhorn	P.O. #:	
Address:		Company:	Eagle Rock
City:	State: Zip:	Attn:	
Phone #:	Fax #:	Address:	
Project #:	17#1 Project Owner: Eagle Rock	City:	
Project Name:	Berry Hobbs	State: Zip:	
Project Location:	Lea, NM	Phone #:	
Sampler Name:	[redacted] Julian Ibarra	Fax #:	

ANALYSIS REQUEST: Chlorides; TPH; BeTex

FOR LAB USE ONLY Lab I.D.	Sample I.D.	(G)RAB OR (C)OMP.	# CONTAINERS	MATRIX: GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER:	PRESERV.: ACID/BASE:	ICE / COOL	OTHER:	SAMPLING: DATE	TIME
H18886-1	Center	X				X					X		9/22/09	7 AM
2	North West	X				X					X			9:05
3	North East	X				X					X			9:10
4	SS # 1	X				X					X			9:15
5	SS # 2	X				X					X			9:20
6	SS # 3	X				X					X			

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

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

Sampler Relinquished:	Date:	Received By:	
	Time:		
Relinquished By:	Date: 9/22/09	Received By:	
	Time: 10:40		
Delivered By: (Circle One) Sampler - UPS - Bus - Other:	Temp. 1.0°C	Sample Condition: Cool Yes / No; Intact Yes / No	CHECKED BY: (Initials)

Phone Result: X No Add'l Phone #:
Fax Result: X No Add'l Fax #:

REMARKS:

Call Bill Bob 575 910 6120
FAX 575 746 6534
432 682 4152
Email Ronnie@SouthEnv.com

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

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

October 19, 2009

Libby Einhorn
Eagle Rock Resources
P.O. Box 690
Monahans, TX 79756

Re: Berry Hobbs

Enclosed are the results of analyses for sample number H18526, received by the laboratory on 10/19/09 at 10:17 am.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accredited though the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report: 3 (includes Chain of Custody)

Sincerely,

Celey D. Keene
Laboratory Director

This report conforms with NELAP requirements.

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
EAGLE ROCK RESOURCES
ATTN: LIBBY EINHORN
P.O. BOX 690
MONAHANS, TX 79756
FAX TO: (575) 746-6534 & (432) 682-4182

Receiving Date: 10/19/09
Reporting Date: 10/19/09
Project Number: 17 #1
Project Name: BERRY HOBBS
Project Location: LEA COUNTY, NM

Analysis Date: 10/19/09
Sampling Date: NOT GIVEN
Sample Type: SOIL
Sample Condition: INTACT @ 23.5°C
Sample Received By: ML
Analyzed By: HM

LAB NO.	SAMPLE ID	Cl^- (mg/kg)
H18526-1	SS #1	32
H18526-2	SS #2	688
H18526-3	SS #3	80
Quality Control		500
True Value QC		500
% Recovery		100
Relative Percent Difference		< 0.1

METHOD: Standard Methods	4500-Cl^-B

Note: Analyses performed on 1:4 w:v aqueous extracts.

Chemist

Date 10/19/09

H18526 Eagle Rock

CARDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240
(575) 393-2326 Fax (575) 393-2476

Page_____ of_____

Company Name: Eagle Rock Resources	**BILL TO**
Project Manager: Libby Eidthorn	P.O. #:
Address:	Company:
City: State: Zip:	Attn:
Phone #: Fax #:	Address:
Project #: 174 Project Owner: Eagle Rock	City:
Project Name: Berry Hobbs	State: Zip:
Project Location: Lea County NM	Phone #:
Sampler Name: Bill Box	Fax #:

ANALYSIS REQUEST

Chlorides

FOR LAB USE ONLY				MATRIX						PRESERV			SAMPLING	
Lab I.D.	Sample I.D.	(G)RAB OR (C)OMP.	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER:	ACID/BASE:	ICE / COOL	OTHER:	DATE	TIME
H18526-1	SS#1					X								
-2	SS#2					X								
-3	SS#3					X								

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

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

Sampler Relinquished:	Date: 10-16-09	Received By:	
	Time: 10:17a		
Relinquished By:	Date:	Received By:	
	Time:		

Delivered By: (Circle One)
Sampler - UPS - Bus - Other:

Temp.	Sample Condition Cool	Sample Condition Intact	CHECKED BY: (Initials)
23.5°C #1a	☐ Yes ☑ No	☑ Yes ☐ No	MAB

Phone Result: ☐ No Add'l Phone #:
Fax Result: ☐ No Add'l Fax #:

REMARKS:
Call Bill Box 575-910-6120
Fax 575-746-6534
432-682-4182
Email - Ronnie@SouthENV.com

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

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

November 3, 2009

Libby Einhorn
Eagle Rock Resources
P.O. Box 690
Monahans, TX 79756

Re: Berry Hobbs Unit

Enclosed are the results of analyses for sample number H18625, received by the laboratory on 11/02/09 at 2:59 pm.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accredited though the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report: 3 (includes Chain of Custody)

Sincerely,

Celey D. Keene
Laboratory Director

This report conforms with NELAP requirements.

CARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
EAGLE ROCK RESOURCES
ATTN: LIBBY EINHORN
P.O. BOX 690
MONAHANS, TX 79756
FAX TO: (575) 746-6534 & (432) 682-4182

Receiving Date: 11/02/09
Reporting Date: 11/03/09
Project Number: UNIT 17 WELL #1
Project Name: BERRY HOBBS UNIT
Project Location: LEA COUNTY, NM

Sampling Date: NOT GIVEN
Sample Type: SOIL
Sample Condition: INTACT @ 24^{0}C
Sample Received By: ML
Analyzed By: AB

LAB NUMBER	SAMPLE ID	Cl* (mg/kg)
ANALYSIS DATE		11/03/09
H18625-1	# 1	<16
Quality Control		500
True Value QC		500
% Recovery		100
Relative Percent Difference		<0.1

METHODS: Cl: Std. Methods 4500-Cl B. Not accredited for Chloride.
*Analysis performed on a 1:4 w:v aqueous extract.

Lab Director

11/03/09
Date

H18625 CL ERR

CARDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240
(575) 393-2326 Fax (575) 393-2476

Page____ of____

Company Name:	Eagle Rock Operating
Project Manager:	Libby Erickson
Address:	
City:	State: Zip:
Phone #:	Fax #:
Project #:	Unit 17 Well #1 — Project Owner: Eagle Rock
Project Name:	BERRY Hobbs Unit
Project Location:	Lea County NM
Sampler Name:	Bill Box

BILL TO

P.O. #:	
Company:	Eagle Rock Operating
Attn:	
Address:	
City:	
State: Zip:	
Phone #:	
Fax #:	

ANALYSIS REQUEST

Chlorides

FOR LAB USE ONLY				MATRIX							PRESERV.			SAMPLING	
Lab I.D.	Sample I.D.	(G)RAB OR (C)OMP	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER:		ACID/BASE:	ICE / COOL	OTHER:	DATE	TIME
#1	H186251														

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort shall be limited to the amount paid by the client for the analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

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

Sampler Relinquished:	Date: 11-2-09	Received By:	
	Time: 2:59		
Relinquished By:	Date:	Received By:	
	Time:		

Delivered By: (Circle One)
Sampler - UPS - Bus - Other:

Temp. 24°C #76

Sample Condition: Cool ☐ Yes ☑ No — Intact ☑ Yes ☐ No

CHECKED BY: (Initials)

Phone Result: ☐ No Add'l Phone #:
Fax Result: ☐ No Add'l Fax #:

REMARKS.

Call Bill Box 575-910-6120
Ronnie Nichols 432-425-8454
Fax 575-746-6534
E-Mail- Ronnie@Southernu.com

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

ATTACHMENT 7

PREVIOUS CLOSURE PLAN APPLICATION C-144

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

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

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: Eagle Rock Operating Company, LLC OGRID #: 259978
Address: PO Box 1311 Midland, TX 79702
Facility or well name: Berry Hobbs unit 17 #1
API Number: 30-025-36657 OCD Permit Number: P1-01266
U/L or Qtr/Qtr J Section 17 Township 16S Range 36E County: Lea
Center of Proposed Design: Latitude 32.921688857 ° Longitude -103.92168886° 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 20 mil ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other
☒ String-Reinforced
Liner Seams: ☐ Welded ☒ Factory ☐ Other Volume: 5000 bbl Dimensions: L 150 x W 150 x D 30

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): Elizabeth Einhorn Title: Permian Production Manager

Signature: E.R. Einhorn Date: 8/5/09

e-mail address: l.einhorn@eagleRockenergy.com Telephone: 432 688 4299

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

OCD Representative Signature: Geoffrey Leking **Approval Date:** 08/06/09

Title: Environmental Engineer **OCD Permit Number:** P1-01266

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:** 10/31/08

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): _____ Title: _____

Signature: _____ Date: _____

e-mail address: _____ Telephone: _____

ATTACHMENT 8

CLOSURE PLAN APPLICATION C-144

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

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

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: Eagle Rock Operating Company, LLC OGRID #: 259978
Address: PO Box 1311 Midland, TX 79702
Facility or well name: Berry Hobbs unit 17 #1
API Number: 30-025-36657 OCD Permit Number: P1-012606
U/L or Qtr/Qtr J Section 17 Township 16S Range 36E County: Lea
Center of Proposed Design: Latitude 32.921688857 ° Longitude -103.92168886° 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 20 mil ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other
☒ String-Reinforced
Liner Seams: ☐ Welded ☒ Factory ☐ Other Volume: 5000 bbl Dimensions: L 150 x W 150 x D 30

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

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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): Hollie Lamb Title: Reservoir Engineer

Signature: [signature] Date: 11/9/09

e-mail address: h.lamb@EagleRockEnergy.com Telephone: 432-688-4286

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

OCD Representative Signature: [signature] **Approval Date:** 11/12/09

Title: ENVIRONMENTAL ENGINEER **OCD Permit Number:** P1-01266

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: 11/9/09**

22.
Closure Method:

☒ Waste Excavation and Removal ☐ On-Site Closure Method ☐ Alternative Closure Method ☐ Waste Removal (Closed-loop systems only)

☐ If different from approved plan, please explain.

23.
Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:

Instructions: Please 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): Hollie Lamb Title: Reservoir Engineer

Signature: [signature] Date: 11/09/09

e-mail address: h.lamb@EagleRockEnergy.com Telephone: 432-688-4286