

State of Colorado

Energy & Carbon Management Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203

Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

403621937

Date Received:

12/12/2023

Spill report taken by:

Waggoner, Kyle

Spill/Release Point ID:

485690

SPILL/RELEASE REPORT (SUPPLEMENTAL)

This form is to be submitted by the party responsible for the oil and gas spill or release. Refer to COGCC Rule 912.b. for reporting requirements of spills or releases of E&P Waste, produced Fluids, or unauthorized Releases of natural gas. Submit a Site Investigation and Remediation Workplan (Form 27) if Rule 913.c. applies.

OPERATOR INFORMATION

Name of Operator: DESERT EAGLE OPERATING LLC	Operator No: 10797	Phone Numbers
Address: 17101 PRESTON RD SUITE 105		Phone: (214) 886-5098
City: DALLAS State: TX Zip: 75248		Mobile: ()
Contact Person: Wesley Marshall		Email: wmarshall@prohelium.com

☐ Transfer of Operatorship: Pursuant to Rule 912.f, this Supplemental Form 19 is being submitted to designate the Buying Operator as the responsible Operator for this Spill and Release.

INITIAL SPILL/RELEASE REPORT

Initial Spill/Release Report Doc# 403611848

Initial Report Date: 12/01/2023 Date of Discovery: 11/29/2023 Spill Type: Recent Spill

Spill/Release Point Location:

QTRQTR SENW SEC 35 TWP 29S RNG 55W MERIDIAN 6

Latitude: 37.475338 Longitude: -103.547100

Municipality (if within municipal boundaries): County: LAS ANIMAS

Enter Lat./long measurement of the actual Spill/Release Point. Lat./Long. Data shall meet standards of Rule 216.

Reference Location:

Facility Type: WELL SITE

☒ Facility/Location ID No 484360

Spill/Release Point Name: Red Rocks 35-11

☐ Well API No. (Only if the reference facility is well) 05- -☐ No Existing Facility or Location ID No.

Estimated Total Spill Volume: use same ranges as others for values

Estimated Oil Spill Volume(bbl): 0

Estimated Condensate Spill Volume(bbl): 0

Estimated Flow Back Fluid Spill Volume(bbl): 0

Estimated Produced Water Spill Volume(bbl): 0

Estimated Other E&P Waste Spill Volume(bbl): Unknown

Estimated Drilling Fluid Spill Volume(bbl): 0

Specify:

Has the subject Spill/Release been controlled at the time of reporting? No

Land Use:

Current Land Use: NON-CROP LAND

Other(Specify): Rangeland

Weather Condition: windy, dry, cold

Surface Owner: FEE

Other(Specify):

Describe what is known about the spill/release event (what happened -- including how it was stopped, contained, and recovered):

This well was air drilled and had no drilling mud, hydraulic fracturing, stimulation, or flowback. Wind blew some dry drill cuttings from the drill cuttings pile and out of the lined, bermed containment area on location. The only fluid used in drilling operations at the Red Rocks 35-11 well was fresh water for dust suppression and mixing cement. The operator has placed the drill cuttings observed outside the containment area back onto the containment area and will dispose of them in compliance with Rule 905.e.1 (A). Corrective Action will be taken for the unidentified white substance in compliance with Rule 905.

List of Agencies and Other Parties Notified Pursuant to Rule 912.b.(7)-(11):

OTHER NOTIFICATIONS

<u>Date</u>	<u>Agency/Party</u>	<u>Contact</u>	<u>Phone</u>	<u>Response</u>
12/1/2023	ECMC	Director	-	
12/1/2023	Las Animas County	Mr. Robert Lucero	719-845-2577	
12/1/2023	Land Owner	Mr. Tom Dahlberg	-	

REPORT CRITERIA

Rule 912.b.(1) Report to the Director (select all criteria that apply):

No Rule 912.b.(1).A: A Spill or Release of any size that impacts or threatens to impact any Waters of the State, Public Water System, residence or occupied structure, livestock, wildlife, or publicly-maintained road.

Waters of the State: _____ Public Water System: _____

Residence or Occupied Structure: _____ Livestock: _____

Wildlife: _____ Publicly-Maintained Road: _____

Yes Rule 912.b.(1).B: A Spill or Release in which 1 barrel or more of E&P Waste or produced fluids is spilled or released outside of berms or other secondary containment.

No Rule 912.b.(1).C: A Spill or Release of 5 barrels or more of E&P Waste or produced Fluids regardless of whether the Spill or Release is completely contained within berms or other secondary containment.

No Rule 912.b.(1).D: Within 6 hours of discovery, a Grade 1 Gas Leak. For a Grade 1 Gas Leak from a Flowline, the Operator also must submit the Form 19 – Initial, document number on a Form 44, Flowline Report, for the Grade 1 Gas Leak

Enter the approximate time of discovery _____ (HH:MM)

Enter the Document Number of the Grade 1 Gas Leak Report, Form 44 _____

Was there a reportable accident associated with either a Grade 1 Gas Leak or an E&P waste spill or release? _____

Enter the Document Number of the Initial Accident Report, Form 22 _____

Was there damage during excavation? _____

Was CO 811 notified prior to excavation? _____

No Rule 912.b.(1).E: The discovery of 10 cubic yards or more of impacted material resulting from a current or historic Spill or Release. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards.

Estimated Volume of Impacted Solids (cu. yd.): _____

No Rule 912.b.(1).F: The discovery of impacted Waters of the State, including Groundwater. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards. The presence of free product or hydrocarbon sheen on Groundwater or surface water is reportable. The presence of contaminated soil in contact with Groundwater or surface water is reportable. Check all that apply:

☐ The presence of free product or hydrocarbon sheen Surface Water

☐ The presence of free product or hydrocarbon sheen on Groundwater

☐ The presence of contaminated soil in contact with Groundwater

☐ The presence of contaminated soil in contact with Surface water

Yes	Rule 912.b.(1).G: A suspected or actual Spill or Release of any volume where the volume cannot be immediately determined, including a spill or release of any volume that daylights from the subsurface.
No	Rule 912.b.(1).H: Spill or Release resulting in vaporized hydrocarbon mists that leave the Oil and Gas Location or Off-Location Flowline right of way from an Oil and Gas Location and impacts or threatens to impact off-location property.
	<input type="checkbox"/> Areas offsite of Oil & Gas Location <input type="checkbox"/> Off-Location Flowline right of way
No	Rule 912.b.(1).I: A Release of natural gas that results in an accumulation of soil gas or gas seeps.
No	Rule 912.b.(1).J: A Release that results in natural gas in Groundwater.

CORRECTIVE ACTIONS

#1	Supplemental Report Date: <u>12/12/2023</u>
Root Cause of Spill/Release <u>Natural Force Damage</u>	
Other (specify) _____	
Type of Equipment at Point of Spill/Release: <u>Other</u>	
If "Other" selected above, specify or describe here:	
impermeable liner	
Describe Incident & Root Cause (include specific equipment and point of failure)	
Wind caused dry drill cuttings from the drill cuttings pile to migrate off of the bermed and lined drill cuttings area. Root cause: the berm was not sufficient to contain the cuttings. The unidentified white powder was effluence from cementing operations that was not contained.	
Describe measures taken to prevent the problem(s) from reoccurring:	
To prevent the wind from causing dry drill cuttings to release from the drill cuttings area at this location, the drill cuttings were removed and taken to an approved land fill that accepts E&P waste. To prevent this from occurring at other sites with drill cuttings areas, higher berms can be implemented for future operations. The operator is also investigating containment of drill cuttings during drilling operations by containing them directly into a closed tank. This will reduce dust, protect the soil from potential contamination, and facilitate disposal. Site personnel have been trained in detecting and addressing spills or releases that may occur at the site. Absorbent materials and portable berms will be availed to address inadvertent spills or releases.	
Volume of Soil Excavated (cubic yards): _____	
Disposition of Excavated Soil (attach documentation) <input checked="" type="checkbox"/> Offsite Disposal Onsite Treatment	
<input type="checkbox"/> Other (specify) _____	
Volume of Impacted Ground Water Removed (bbls): <u>0</u>	
Volume of Impacted Surface Water Removed (bbls): <u>0</u>	

REQUEST FOR CLOSURE

Spill/Release Reports should be closed when impacts have been remediated or when further investigation and corrective actions will take place under an approved Form 27.

- Basis for Closure:
- ☐ Corrective Actions Completed (documentation attached, check all that apply)
 - ☐ Horizontal and Vertical extents of impacts have been delineated.
 - ☐ Documentation of compliance with Table 915-1 is attached.
 - ☐ All E&P Waste has been properly treated or disposed.
 - ☐ Work proceeding under an approved Form 27 (Rule 912.c).
 - Form 27 Remediation Project No: _____
 - ☐ SUSPECTED Spill/Release did not occur or was below Rule 912.a.(5) reporting thresholds.

OPERATOR COMMENTS:

This Form 19 is submitted in compliance with Rule 912.b.(4). Attached is a topographic map showing the governmental section and location of the spill, see Attachment Red Rocks 35-11 Location Map.pdf. Desert Eagle Operating (DEO) quickly responded to the spill

notification. In compliance with Rule 915.e.(2), drill cuttings soil samples were taken and sent to a lab for analysis on November 14th. To date, the lab has not returned the results. Based on lab results from the Red Rocks 35-08, 1-14, and 1-16 wells it is anticipated the RR 35-11 lab results will be similar and there may be several components that may exceed Table 915-1. Although these are naturally occurring levels to the area, in order to expedite the management of the drill cuttings and prevent any further releases, in compliance with Rule 905.b.(1) and (3), Rule 905.g.(1).c., and Rule 905.e.(1) a., the drill cuttings have been managed as Oily Waste and have been removed from the location and disposed at an approved facility. Attached are the manifestos and required receipts, Manifesto and Land Fill Receipt for 35-11. The soil impacted with cement effluence has been cleaned up and properly disposed.

I hereby certify all statements made in this form are to the best of my knowledge true, correct, and complete.

Signed: _____ Print Name: Cathy Bulf
 Title: Manager Date: 12/12/2023 Email: Cathybulf@gmail.com

<u>COA Type</u>	<u>Description</u>
	The waste manifest provided for the disposal of E&P waste is not acceptable. Operator shall provide proper waste manifests documenting the final disposition of the E&P waste and shall assure compliance with Rule 905.e.(1)A
	There was pertinent information missing from this Form 19 Supplemental. In 7 Days from receipt of this approved Form 19 Supplemental, the Operator shall supply the following. Per Rule 912.b(4) Photo documentation showing the source of the Spill or Release, the impacted area, and initial cleanup activity. The operator did not supply a sufficient map outlining the area impacted by the Spill/Release. The Operator shall supply a map identifying the areas impacted by the Spill/Release along with appropriate coordinates documenting the location of the spill or release.
	Operator shall provide the Waste Acceptance Letter from the Trinidad Landfill along with any additional waste manifest for E&P Waste hauled from the location.
	Operator shall collect confirmation soil samples as described in the Rule 915.e.(2) Guidance Document. For the areas impacted by Drill Cuttings and the Drilling/Cementing fluids.
	The Operator shall provide a detailed sampling plan and map for the delineation of the areas within the spill or release footprint impacted by Drill Cuttings and the White Drilling/Cementing fluids.
	On the next supplemental Form 19, the Operator shall fill in the Supplemental Report Tab under Spill/Release Detailed Repot.
6 COAs	

Attachment List

<u>Att Doc Num</u>	<u>Name</u>
403621937	SPILL/RELEASE REPORT(SUPPLEMENTAL)
403622205	DISPOSAL MANIFEST
403622307	MAP
403626610	FORM 19 SUBMITTED

Total Attach: 4 Files

General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
		Stamp Upon Approval

Total: 0 comment(s)