

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 S. First St., 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-141  
Revised August 24, 2018  
Submit to appropriate OCD District office

Incident ID	
District RP	
Facility ID	
Application ID	

## Release Notification

### Responsible Party

Responsible Party Epic Energy LLC	OGRID 372834
Contact Name Shawna Martinez	Contact Telephone 505-327-4892
Contact email Shawna@walsheng.net	Incident # (assigned by OCD)
Contact mailing address 332 Road 3100, Aztec, NM 87410	

### Location of Release Source

Latitude 36.4870796 Longitude -108.1201935  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name Cowsaround SWD #1	Site Type
Date Release Discovered 12/28/2021	API# (if applicable) 30-045-30096

Unit Letter	Section	Township	Range	County
K	16	26N	12W	San Juan

Surface Owner: ☐ State ☐ Federal ☒ Tribal ☐ Private (Name: Berry Ranch)

### Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

<input type="checkbox"/> Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls) 40	Volume Recovered (bbls) 10
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Condensate	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
<input type="checkbox"/> Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release: On Tuesday December 29, 2021 @ 3:32 pm Epic Energy was notified of produced water release by a third party (Enterprise). Epic Energy experienced a line malfunction that resulted in a 40 BBL produced water release.

Incident ID	
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## Site Assessment/Characterization

*This information must be provided to the appropriate district office no later than 90 days after the release discovery date.*

What is the shallowest depth to groundwater beneath the area affected by the release?	> 100 (ft bgs)
Did this release impact groundwater or surface water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a wetland?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release overlying a subsurface mine?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release overlying an unstable area such as karst geology?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within a 100-year floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Did the release impact areas <b>not</b> on an exploration, development, production, or storage site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

### **Characterization Report Checklist:** *Each of the following items must be included in the report.*

- ☐ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
- ☐ Field data
- ☒ Data table of soil contaminant concentration data
- ☐ Depth to water determination
- ☒ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
- ☐ Boring or excavation logs
- ☒ Photographs including date and GIS information
- ☒ Topographic/Aerial maps
- ☒ Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

Form C-141

State of New Mexico

Page 4

Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Printed Name: Shawna Martinez Title: Regulatory Specialist

Signature: \_\_\_\_\_ Date: 6/22/2022

email: Shawna@walsheng.net Telephone: 505-327-4892

**OCD Only**

Received by: Nelson Velez Date: 06/24/2022

**Shawna Martinez**

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**From:** Velez, Nelson, EMNRD <Nelson.Velez@state.nm.us>  
**Sent:** Friday, June 10, 2022 11:51 AM  
**To:** Shawna Martinez  
**Cc:** Paul Thompson; John Thompson; West Hahn; Vern Andrews; tlong@eprod.com; krysten@advancedwirelessllc.com; Jimmie McKinney; Arleen Smith; Johnson, David; Bratcher, Mike, EMNRD; Michael Dean  
**Subject:** RE: [EXTERNAL] 40 BBL Produced Water Release Cowsaround SWD #001 API 30-045-30096 incident ID (n#) nAPP2136340518, Confirmation Sampling Monday March 14, 2022 at 8:30 am

Shawna,

Thank you for the notice. If an OCD representative is not on-site on the date &/or time given, please sample per 19.15.29 NMAC. For whatever reason, if the sampling timeframe is altered, please notify the OCD as soon as possible so we may adjust our schedule(s). Failure to notify the OCD of this change may result in the closure sample(s) not being accepted.

Please keep a copy of this communication for inclusion within the appropriate report submittal.

The OCD requires a copy of all correspondence relative to remedial activities be included in all proposals and/or final closure reports.

Correspondence required to be included in reports may include, but not limited to, notifications for liner inspections, sample events, spill/release/fire, and request for time extensions or variances.

Regards,

**Nelson Velez** • Environmental Specialist - Adv  
Environmental Bureau | EMNRD - Oil Conservation Division  
1000 Rio Brazos Road | Aztec, NM 87410  
(505) 469-6146 | [nelson.velez@state.nm.us](mailto:nelson.velez@state.nm.us)

Hrs.: 7:00-11:00 am & 12:00-3:30 pm Mon.-Thur.  
7:00-11:00 am & 12:00-4:00 pm Fri.

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**From:** Shawna Martinez <shawna@walsheng.net>  
**Sent:** Friday, June 10, 2022 11:49 AM  
**To:** Velez, Nelson, EMNRD <Nelson.Velez@state.nm.us>  
**Cc:** Thompson, Paul <paul@walsheng.net>; John Thompson <john@walsheng.net>; West Hahn <west@walsheng.net>; Vern Andrews <vern@walsheng.net>; tlong@eprod.com; krysten@advancedwirelessllc.com; Jimmie McKinney <jimmie@walsheng.net>; Arleen Smith <arleen@walsheng.net>; Johnson, David <djohnson@slo.state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Michael Dean <michael.dean@walsheng.net>  
**Subject:** RE: [EXTERNAL] 40 BBL Produced Water Release Cowsaround SWD #001 API 30-045-30096 incident ID (n#) nAPP2136340518, Confirmation Sampling Monday March 14, 2022 at 8:30 am

Good Morning,

Epic Energy is providing 48-hour notification for confirmation sampling on the Cowsaround SWD #1 on Tuesday, June 14<sup>th</sup>, 2022 @8:00AM.

Thank You,

**Shawna Martinez**

Regulatory Tech

Walsh Engineering/Epic Energy, LLC

O: 505-327-4892

[shawna@walsheng.net](mailto:shawna@walsheng.net)

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**From:** Velez, Nelson, EMNRD <[Nelson.Velez@state.nm.us](mailto:Nelson.Velez@state.nm.us)>

**Sent:** Friday, June 10, 2022 11:11 AM

**To:** Shawna Martinez <[shawna@walsheng.net](mailto:shawna@walsheng.net)>

**Cc:** Paul Thompson <[paul@walsheng.net](mailto:paul@walsheng.net)>; John Thompson <[john@walsheng.net](mailto:john@walsheng.net)>; West Hahn <[west@walsheng.net](mailto:west@walsheng.net)>; Vern Andrews <[vern@walsheng.net](mailto:vern@walsheng.net)>; [tlong@eprod.com](mailto:tlong@eprod.com); [krysten@advancedwirelessllc.com](mailto:krysten@advancedwirelessllc.com); Jimmie McKinney <[jimmie@walsheng.net](mailto:jimmie@walsheng.net)>; Arleen Smith <[arleen@walsheng.net](mailto:arleen@walsheng.net)>; Johnson, David <[djohnson@slo.state.nm.us](mailto:djohnson@slo.state.nm.us)>; Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Michael Dean <[michael.dean@walsheng.net](mailto:michael.dean@walsheng.net)>

**Subject:** RE: [EXTERNAL] 40 BBL Produced Water Release Cowsaround SWD #001 API 30-045-30096 incident ID (n#) nAPP2136340518, Confirmation Sampling Monday March 14, 2022 at 8:30 am

Shawna,

After reviewing our database for this major release incident with the discovery date of 12/28/2021, the only submittals on record are the notice of release and the initial C-141 submittal. OCD had granted a time extension (TE) on 04/26/2022 with the closure report deadline for 05/31/2022. 19.15.29.11 NMAC does allow OCD to grant a TE for good cause justification(s). OCD does not view sampling issues as a valid good cause reason.

Many of the site characterization/assessment data (Form C-141 page 3), such as determining depth to water, especially when OCD is only given an estimation, can be achieved administratively. Therefore, OCD will grant your second TE request with an updated closure report deadline of 07/22/2022 under the conditions that the following information is provided with supporting documentation (19.15.29.11A);

1. Provide as best as possible, the shallowest depth to groundwater beneath the area affected by the release
2. Provide information as to whether the release impacted groundwater or surface water
  - a. groundwater impact may be determined based on research findings and possibly interpreted as having a higher- than-average probability of occurring (e.g. – high volume release, high soil porosity, shallow groundwater).
3. Provide the lateral extents of the release if within 300 feet of a continuously flowing watercourse or any other significant watercourse
4. Provide the lateral extents of the release if within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)
5. Provide the lateral extents of the release if within 300 feet of an occupied permanent residence, school, hospital, institution, or church
6. Provide the lateral extents of the release if within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes
7. Provide the lateral extents of the release if within 1000 feet of any other fresh water well or spring
8. Provide the lateral extents of the release if within incorporated municipal boundaries or within a defined municipal fresh water well field
9. Provide the lateral extents of the release if within 300 feet of a wetland
10. Provide the lateral extents of the release if overlying a subsurface mine
11. Provide the lateral extents of the release if overlying an unstable area such as karst geology
12. Provide the lateral extents of the release if within a 100-year floodplain
13. Provide information whether the release impact areas are not on an exploration, development, production, or storage site

14. Provide a scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells if applicable
15. Any field data collected
16. Data table of soil contaminant concentration, if any
17. Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
18. Photographs associated with the release that includes date/time and/or GIS information for the photographs collected
19. Topographic/Aerial maps showing the areal extent of the impacted area
20. Laboratory data including chain of custody if any sampling has been completed
21. 19.15.29 NMAC Table I closure standard determination

The responsible party (RP) has until June 24, 2022 to provide the aforementioned information to fulfill the conditions for the TE request. If OCD has not received this or the final closure report by June 24, 2022, then the RP will be out of compliance with 19.15.29 NMAC and may be subject to civil penalties for Oil and Gas Act violations (part of HB 546).

Upon receipt of the site characterization/assessment information, OCD reserved the right to request additional information if needed (19.15.29.11C).

If you have any questions, please contact me at your earliest convenience. Thank you for your cooperation and diligence regarding this incident.

**Nelson Velez** • Environmental Specialist - Adv  
 Environmental Bureau | EMNRD - Oil Conservation Division  
 1000 Rio Brazos Road | Aztec, NM 87410  
 (505) 469-6146 | [nelson.velez@state.nm.us](mailto:nelson.velez@state.nm.us)

Hrs.: 7:00–11:00 am & 12:00–3:30 pm Mon.–Thur.  
 7:00–11:00 am & 12:00–4:00 pm Fri.

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**From:** Shawna Martinez <[shawna@walsheng.net](mailto:shawna@walsheng.net)>

**Sent:** Wednesday, June 8, 2022 8:52 AM

**To:** Velez, Nelson, EMNRD <[Nelson.Velez@state.nm.us](mailto:Nelson.Velez@state.nm.us)>

**Cc:** Thompson, Paul <[paul@walsheng.net](mailto:paul@walsheng.net)>; John Thompson <[john@walsheng.net](mailto:john@walsheng.net)>; West Hahn <[west@walsheng.net](mailto:west@walsheng.net)>; Vern Andrews <[vern@walsheng.net](mailto:vern@walsheng.net)>; [tlong@eprod.com](mailto:tlong@eprod.com); [krysten@advancedwirelessllc.com](mailto:krysten@advancedwirelessllc.com); Jimmie McKinney <[jimmie@walsheng.net](mailto:jimmie@walsheng.net)>; Arleen Smith <[arleen@walsheng.net](mailto:arleen@walsheng.net)>; Johnson, David <[djohnson@slo.state.nm.us](mailto:djohnson@slo.state.nm.us)>; Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Michael Dean <[michael.dean@walsheng.net](mailto:michael.dean@walsheng.net)>


**Subject:** RE: [EXTERNAL] 40 BBL Produced Water Release Cowsaround SWD #001 API 30-045-30096 incident ID (n#) nAPP2136340518, Confirmation Sampling Monday March 14, 2022 at 8:30 am

Good morning Nelson,

Due to sampling issues, we are requesting a time extension until June 29, 2022. Thank you for your consideration on this matter.

**Shawna Martinez**  
 Regulatory Tech  
 Walsh Engineering/Epic Energy, LLC  
 O: 505-327-4892  
[shawna@walsheng.net](mailto:shawna@walsheng.net)

## Closure Criteria Sampling Standards

Table I Closure Criteria for Soils Impacted by a Release			
Minimum depth below any point within the horizontal boundary of the release to ground water less than 10,000 mg/l TDS	Constituent	Method*	Limit**
≤ 50 feet	Chloride***	EPA 300.0 or SM4500 Cl B	600 mg/kg
	TPH (GRO+DRO+MRO)	EPA SW-846 Method 8015M	100 mg/kg
	BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Method 8021B or 8260B	10 mg/kg
51 feet-100 feet	Chloride***	EPA 300.0 or SM4500 Cl B	10,000 mg/kg
	TPH (GRO+DRO+MRO)	EPA SW-846 Method 8015M	2,500 mg/kg
	GRO+DRO	EPA SW-846 Method 8015M	1,000 mg/kg
	BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Method 8021B or 8260B	10 mg/kg
>100 feet  	Chloride***	EPA 300.0 or SM4500 Cl B	20,000 mg/kg
	TPH (GRO+DRO+MRO)	EPA SW-846 Method 8015M	2,500 mg/kg
	GRO+DRO	EPA SW-846 Method 8015M	1,000 mg/kg
	BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Method 8021B or 8260B	10 mg/kg



*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)

No records found.

PLSS Search:

Section(s): 16

**Township:** 26N

**Range:** 12W

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

6/13/22 12:54 PM

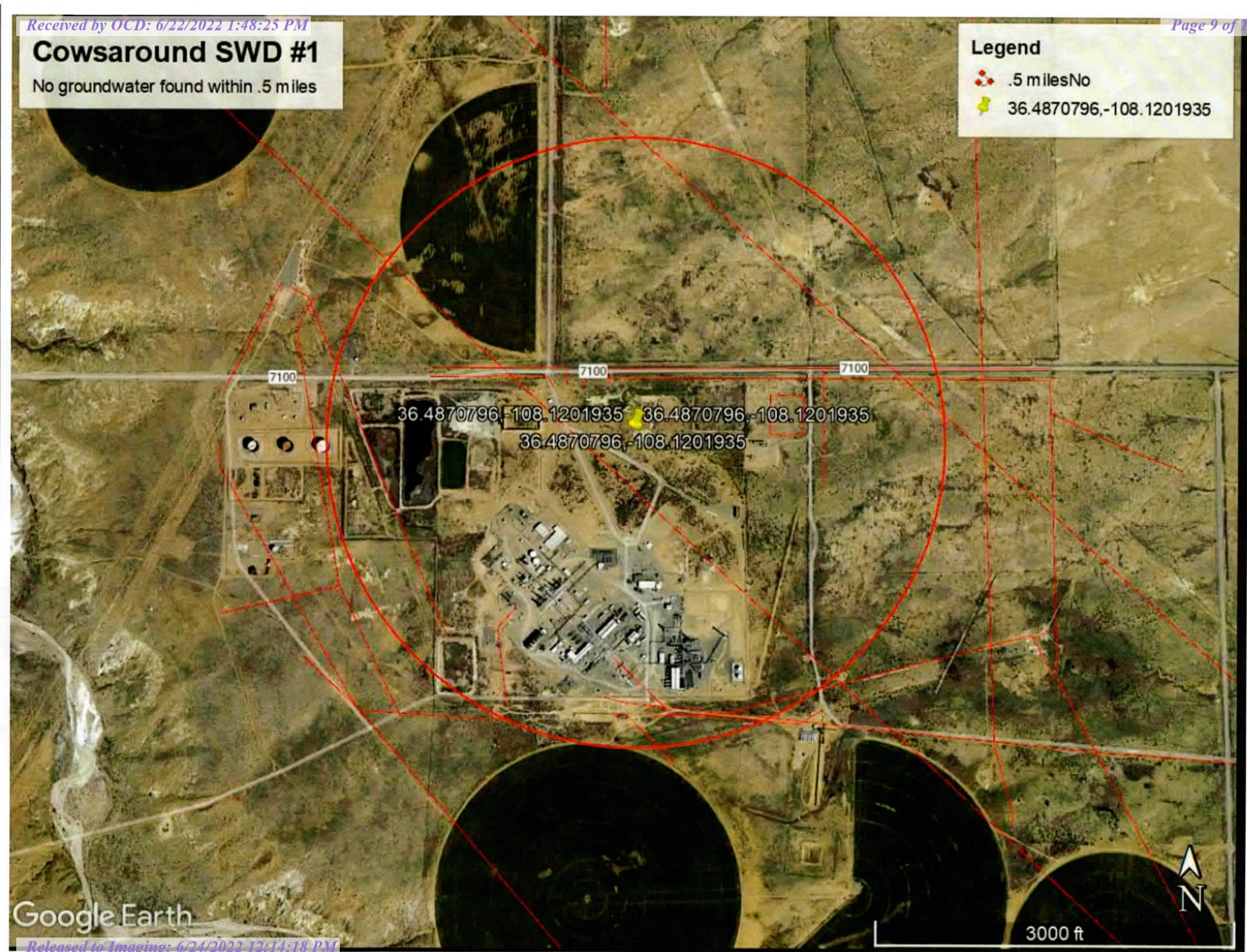
WATER COLUMN/ AVERAGE  
DEPTH TO WATER

# Cowsaround SWD #1

No groundwater found within .5 miles

## Legend

- .5 milesNo
- 36.4870796,-108.1201935




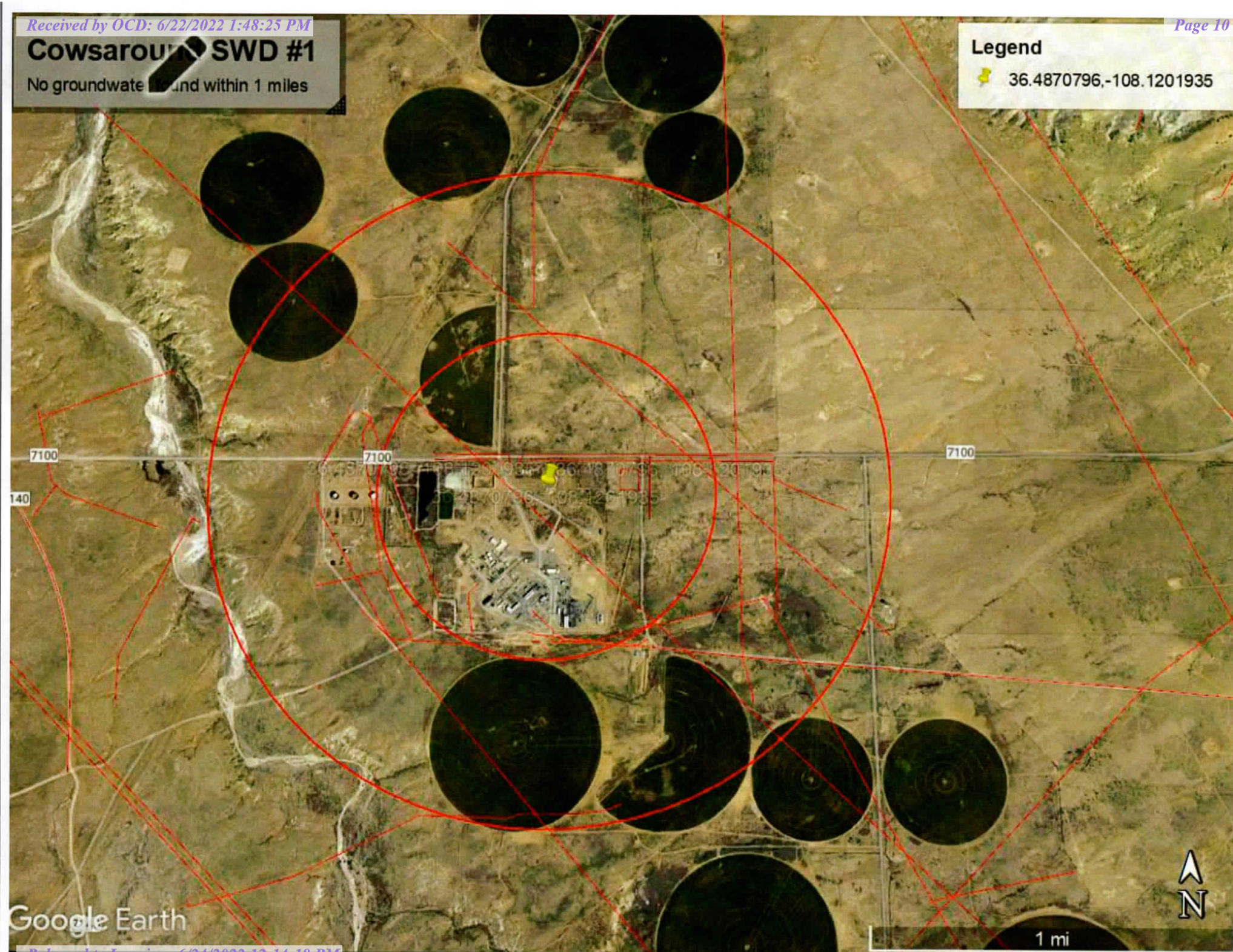
Google Earth

# Cowsaroun SWD #1

No groundwater found within 1 miles

## Legend



 36.4870796,-108.1201935

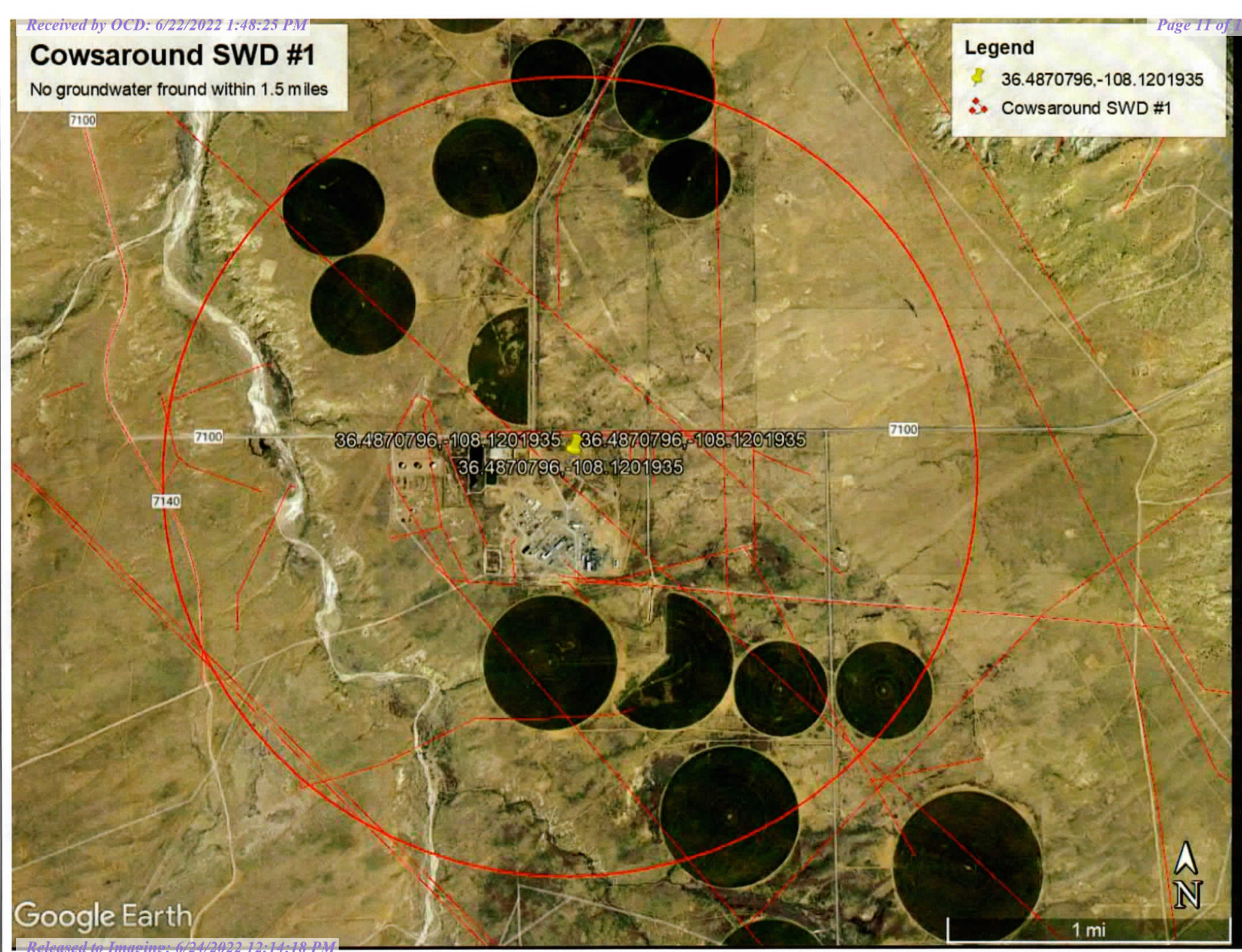


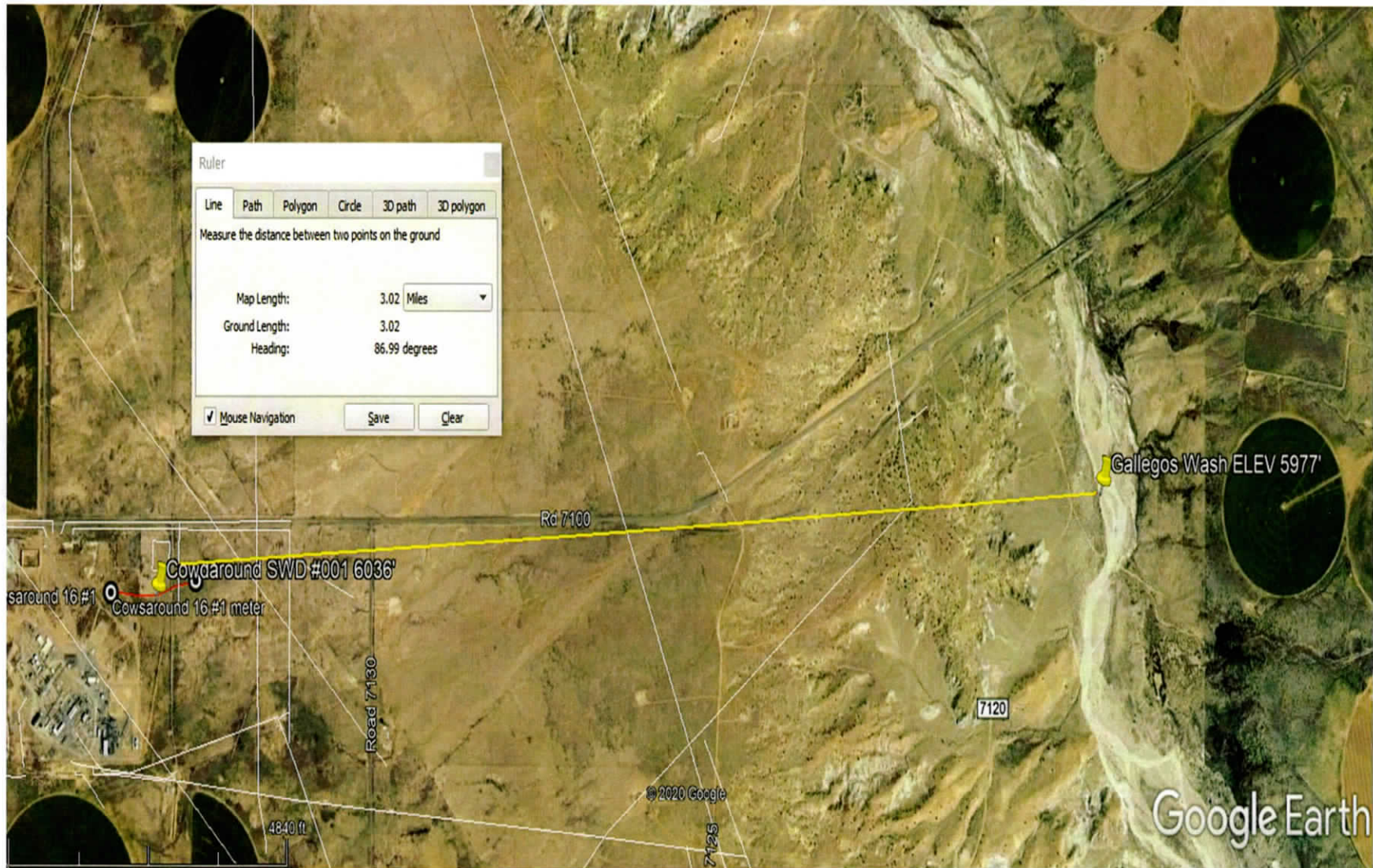
# Cowsaround SWD #1

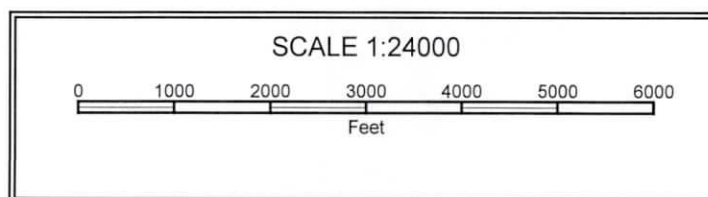
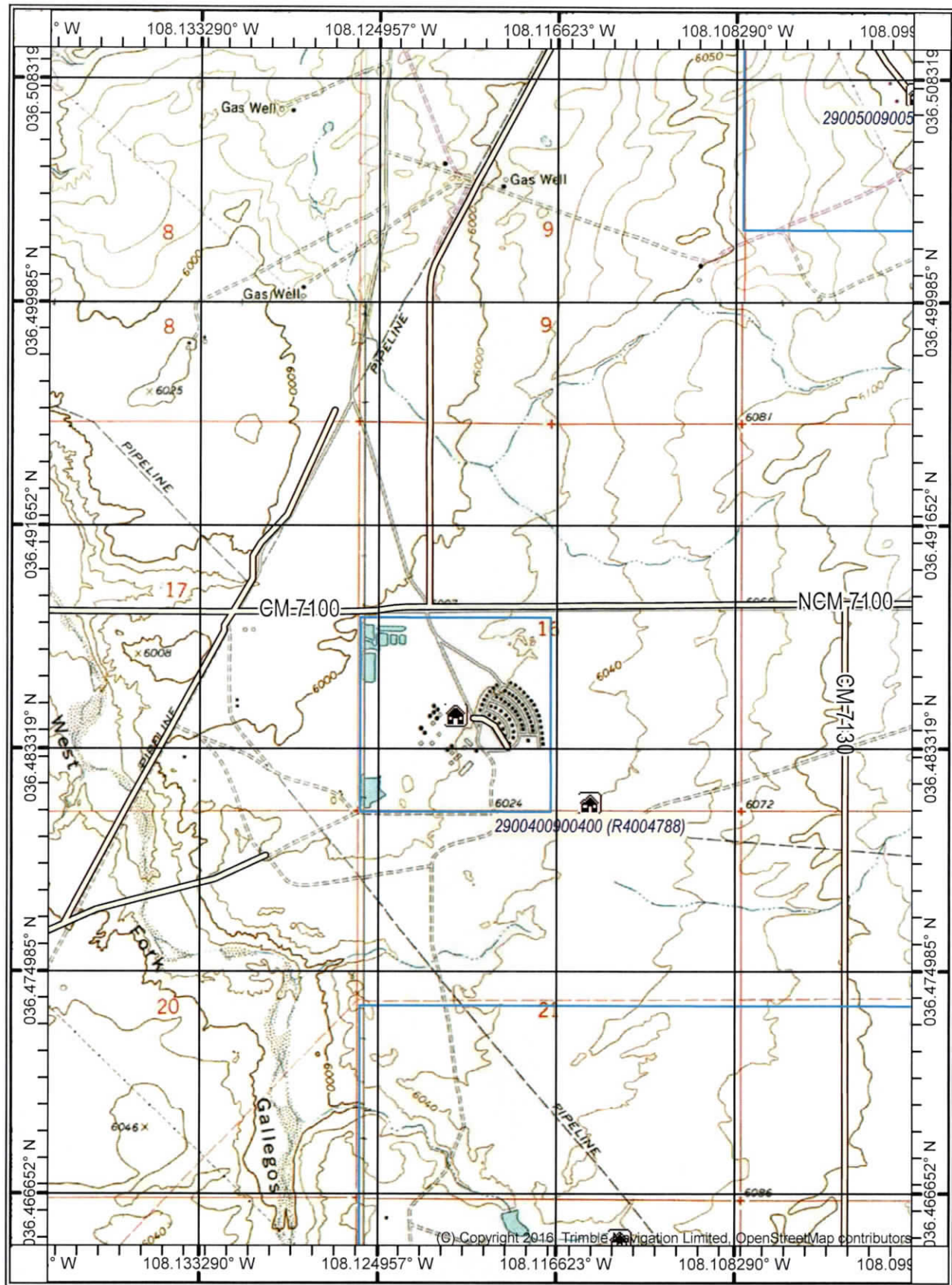
No groundwater found within 1.5 miles

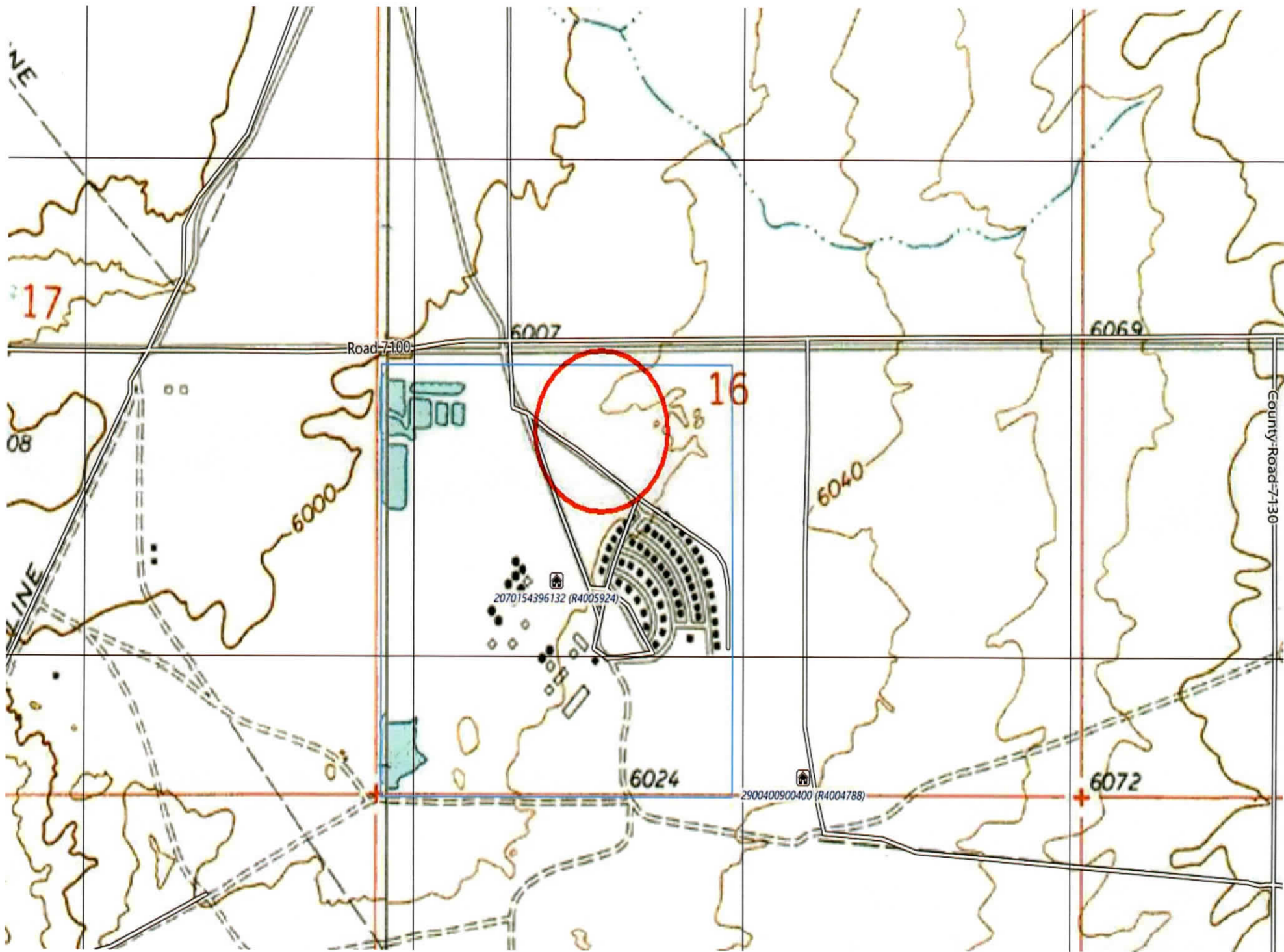
## Legend

-  36.4870796,-108.1201935
-  Cowsaround SWD #1









# National Flood Hazard Layer FIRMette



108°7'31"W 36°29'28"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone Y)
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
	Hydrographic Feature	
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

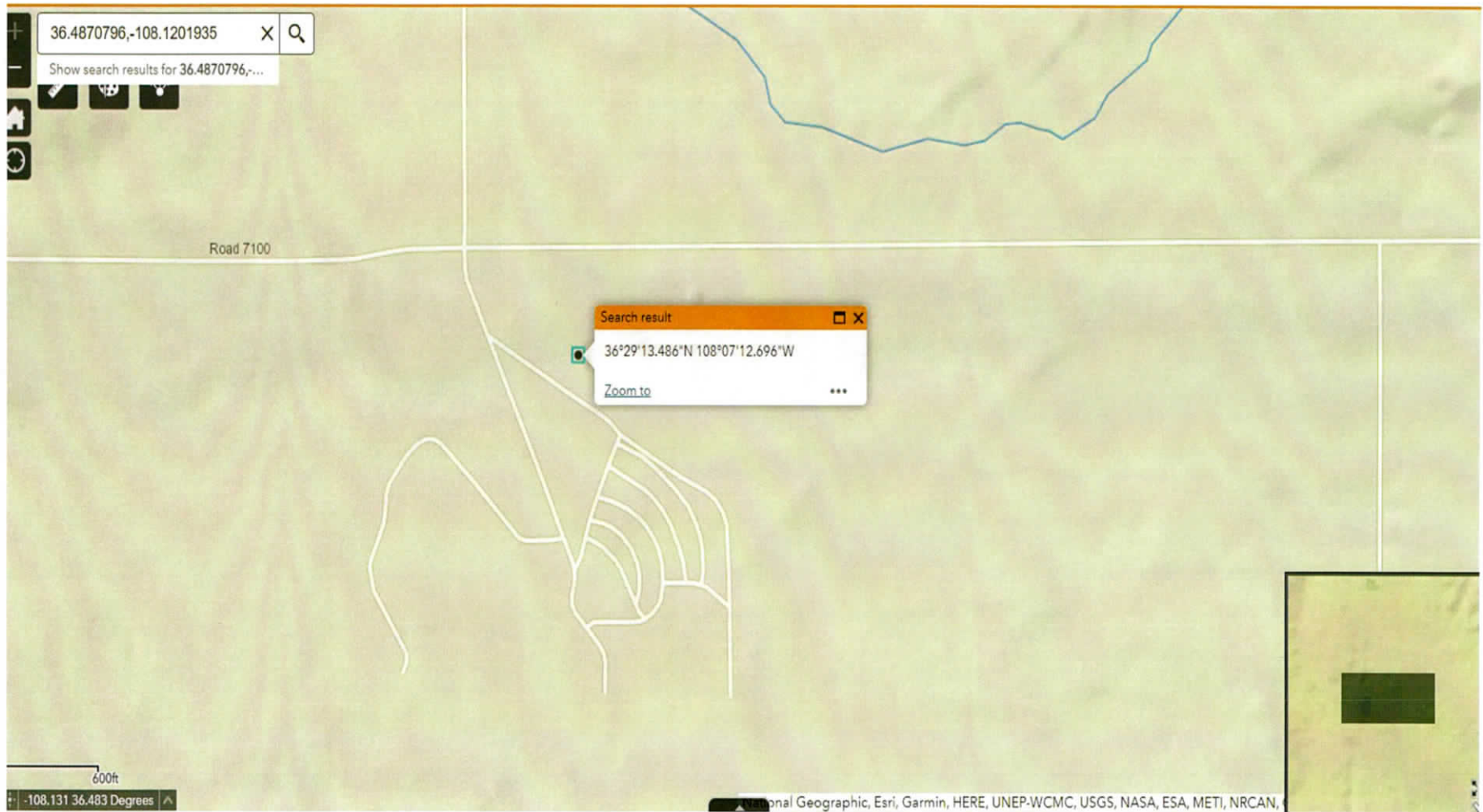


This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/13/2022 at 2:48 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

## 30-045-30096 COWSAROUND SWD #001 Mine Map



**District I**

1625 N. French Dr., Hobbs, NM 88240  
Phone:(575) 393-6161 Fax:(575) 393-0720

**District II**

811 S. First St., Artesia, NM 88210  
Phone:(575) 748-1283 Fax:(575) 748-9720

**District III**

1000 Rio Brazos Rd., Aztec, NM 87410  
Phone:(505) 334-6178 Fax:(505) 334-6170

**District IV**

1220 S. St Francis Dr., Santa Fe, NM 87505  
Phone:(505) 476-3470 Fax:(505) 476-3462

**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

CONDITIONS

Action 119625

**CONDITIONS**

Operator: EPIC ENERGY, L.L.C. 332 Road 3100 Aztec, NM 87410	OGRID: 372834
	Action Number: 119625
	Action Type: [C-141] Release Corrective Action (C-141)

**CONDITIONS**

Created By	Condition	Condition Date
nvelez	Document provided met 06/24/2022 deadline to submit site characterization information. Time extension for final closure extended to 07/22/2022 & will be updated on incident page.	6/24/2022