

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	nAPP2305945615
District RP	
Facility ID	
Application ID	

## Release Notification

### Responsible Party

Responsible Party Whiptail Midstream LLC	OGRID 373240
Contact Name: Don Wicburg	Contact Telephone (970) 759-4299
Contact email: Don.Wicburg@whiptailmidstream.com	Incident # (assigned by OCD)
Contact mailing address 504 S Bloomfield Blvd, Bloomfield NM 87413	

### Location of Release Source

Latitude 36.223177° Longitude -107.520370°  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name: NE Lybrook Com #187	Site Type: Pipeline
Date Release Discovered: 02/27/2023	API# N/A Located at Enduring wellpad 30-039-31208

Unit Letter	Section	Township	Range	County
I	13	23N	7W	Rio Arriba

Surface Owner: ☐ State ☐ Federal ☐ Tribal ☒ Private (Name: \_\_\_\_\_)

### 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) 100 bbls	Volume Recovered (bbls) 100 bbls
	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)

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## Cause of Release

Whiptail Midstream discovered a release caused by a failed 1-inch fitting on the produced water receipt piping at approximately 15:00 on February 27, 2023. Upon discovery the pipeline was immediately shut in. A vacuum truck removed all 100 bbls of the produced water release. On February 28, 2023, a NOR was submitted to the NMOCD and an email was sent to Nelson Velez (NMOCD) to provide notification of the release and a notification of a liner inspection. On March 2, 2023, a liner inspection was conducted, and the liner was found to be intact with no holes or damage observed. A photographic log of the liner inspection and the notification of the liner inspection are attached to this C-141.

Was this a major release as defined by 19.15.29.7(A) NMAC?

☒ Yes ☐ No

If YES, for what reason(s) does the responsible party consider this a major release?  
Unauthorized release of a volume greater than 25 bbls.

If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?

Brooke Herb (Ensolum) on behalf of Whiptail Midstream submitted and NOR to the NMOCD portal and emailed Nelson Velez (NMOCD) on February 28, 2023.

## Initial Response

*The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury*

- ☒ The source of the release has been stopped.
- ☒ The impacted area has been secured to protect human health and the environment.
- ☒ Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.
- ☒ All free liquids and recoverable materials have been removed and managed appropriately.

If all the actions described above have not been undertaken, explain why:

Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.

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Oil Conservation Division

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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: Don Wicburg Title: VP Operations

Signature: 

Date: 3/8/2023

email: don.wicburg@whiptailmidstream.com

Telephone: (970) 759-4299

**OCD Only**

Received by: Jocelyn Harimon Date: 03/09/2023

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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?	<u>&gt;100</u> (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 checked="" type="checkbox"/> Yes <input 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.

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Printed Name: Don Wicburg Title: VP OperationsSignature:  Date: 3/8/2023email: don.wicburg@whiptailmidstream.com Telephone: 970) 759-4299**OCD Only**Received by: Jocelyn Harimon Date: 03/09/2023

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## Remediation Plan

**Remediation Plan Checklist:** *Each of the following items must be included in the plan.*

- ☐ Detailed description of proposed remediation technique
- ☐ Scaled sitemap with GPS coordinates showing delineation points
- ☐ Estimated volume of material to be remediated
- ☐ Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
- ☐ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

**Deferral Requests Only:** *Each of the following items must be confirmed as part of any request for deferral of remediation.*

- ☐ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.
- ☐ Extents of contamination must be fully delineated.
- ☐ Contamination does not cause an imminent risk to human health, the environment, or groundwater.

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Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

email: \_\_\_\_\_ Telephone: \_\_\_\_\_

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Approved ☐ Approved with Attached Conditions of Approval ☐ Denied ☐ Deferral Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

**Closure Report Attachment Checklist:** Each of the following items must be included in the closure report.

- ☐ A scaled site and sampling diagram as described in 19.15.29.11 NMAC
- ☒ Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection)
- ☐ Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling)
- ☐ Description of remediation activities

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. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.

Printed Name: Don Wicburg Title: VP Operations  
Signature:  Date: 3/18/2023  
email: don.wicburg@whiptailmidstream.com Telephone: 970) 759-4299

**OCD Only**

Received by: Jocelyn Harimon Date: 03/09/2023

Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance with any other federal, state, or local laws and/or regulations.

Closure Approved by: Nelson Velez Date: 05/02/2023  
Printed Name: Nelson Velez Title: Environmental Specialist – Adv

**From:** [Brooke Herb](#)  
**To:** [Velez, Nelson, EMNRD](#)  
**Cc:** [Enviro, OCD, EMNRD](#); [Don Wicburg](#); [Cody Boyd](#)  
**Subject:** nAPP2305945615 - Liner Inspection Notification  
**Date:** Tuesday, February 28, 2023 12:57:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Nelson,

Ensolum on behalf of Whiptail would like to provide notification of a produce water release that was discovered yesterday, 2/27/23, at the NE Chaco 187H, incident number nAPP2305945615. An estimated 100 bbls of produced water was released into a lined containment and all 100 bbls were recovered. Whiptail would like to notify the NMOCD that they will be conducting a liner inspection on March 2, 2023, at 13:00.

Please let me know if you have any questions.

Thanks,

Brooke



**Brooke Herb**

Senior Geologist

970-403-6824

**Ensolum, LLC**

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**From:** OCDOnline@state.nm.us <OCDOnline@state.nm.us>

**Sent:** Tuesday, February 28, 2023 12:41 PM

**To:** Brooke Herb <bherb@ensolum.com>

**Subject:** The Oil Conservation Division (OCD) has accepted the application, Application ID: 191496

[ \*\*EXTERNAL EMAIL\*\* ]

To whom it may concern (c/o Brooke Herb for Whiptail Midstream LLC),

The OCD has accepted the submitted *Notification of a release* (NOR), for incident ID (n#) nAPP2305945615, with the following conditions:

- **When submitting future reports regarding this release, please submit the calculations used or specific justification for the volumes reported on the initial C-141.**

Please reference nAPP2305945615, on all subsequent C-141 submissions and communications regarding the remediation of this release.

**NOTE:** As of December 2019, NMOCD has discontinued the use of the “RP” number.

If you have any questions regarding this application, or don't know why you have received this email, please contact us.



[ocd.enviro@state.nm.us](mailto:ocd.enviro@state.nm.us)

**New Mexico Energy, Minerals and Natural Resources Department**  
1220 South St. Francis Drive  
Santa Fe, NM 87505

**PHOTOGRAPHIC LOG – LINER INSPECTION**

NE Lybrook 187H  
Rio Arriba County, New Mexico  
Whiptail Midstream, LLC

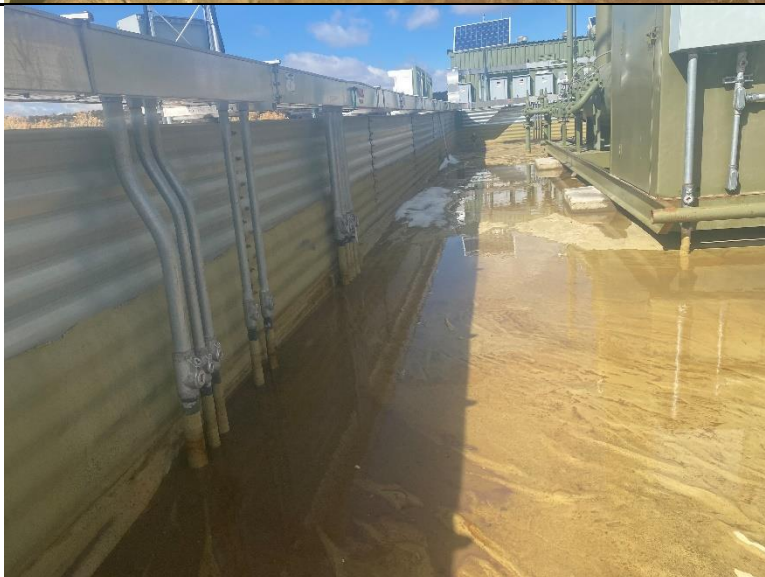
**Photograph 1**

View north of the liner on March 2, 2023.



**Photograph 2**

View south of the liner on March 2, 2023.



**PHOTOGRAPHIC LOG – LINER INSPECTION**

NE Lybrook 187H  
Rio Arriba County, New Mexico  
Whiptail Midstream, LLC

**Photograph 3**

View east of the liner on March 2, 2023.



**Photograph 4**

View south of the liner on March 2, 2023.





**PHOTOGRAPHIC LOG – LINER INSPECTION**

NE Lybrook 187H  
Rio Arriba County, New Mexico  
Whiptail Midstream, LLC

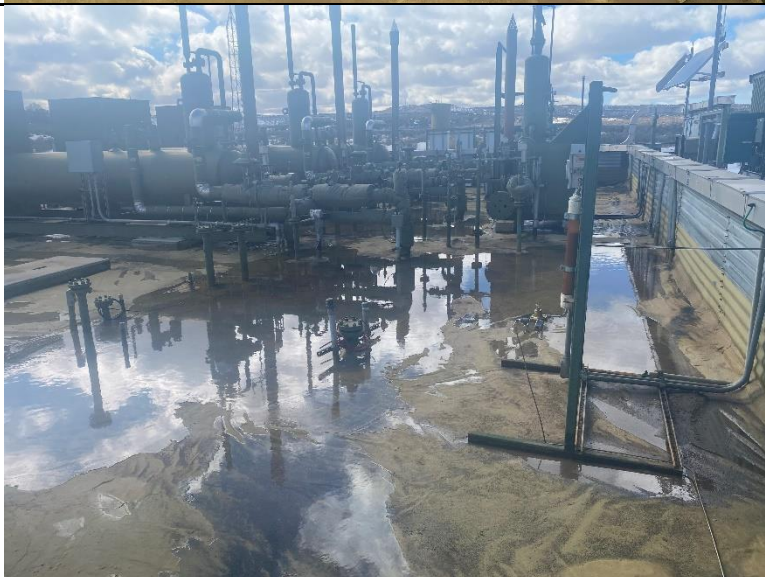
**Photograph 5**

**View north of the liner on March 2, 2023.**



**Photograph 6**

**View west of the liner on March 2, 2023.**



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1625 N. French Dr., Hobbs, NM 88240  
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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 195356

CONDITIONS

Operator:  Whiptail Midstream LLC 15 West 6th Street Tulsa, OK 74119	OGRID:  373240
	Action Number:  195356
	Action Type:  [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
nvelez	None	5/2/2023