

**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**

DEFINITIONS

Action 249131

DEFINITIONS

|                                                                                                    |                                                                |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Operator:<br>Earthstone Operating, LLC<br>1400 Woodloch Forest; Ste 300<br>The Woodlands, TX 77380 | OGRID:<br>331165                                               |
|                                                                                                    | Action Number:<br>249131                                       |
|                                                                                                    | Action Type:<br>[C-129] Cancel Venting and/or Flaring (C-129C) |

DEFINITIONS

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For the sake of brevity and completeness, please allow for the following in all groups of questions and for the rest of this application: <ul style="list-style-type: none"><li>• this application's operator, hereinafter "this operator";</li><li>• venting and/or flaring, hereinafter "vent or flare";</li><li>• any notification or report(s) of the C-129 form family, hereinafter "any C-129 forms";</li><li>• the statements in (and/or attached to) this, hereinafter "the statements in this";</li><li>• and the past tense will be used in lieu of mixed past/present tense questions and statements.</li></ul> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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QUESTIONS

Action 249131

QUESTIONS

|                                                                                                    |                                                                |
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|                                                                                                    | Action Number:<br>249131                                       |
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QUESTIONS

|                                                                                                                                                                                                            |                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <b>Prerequisites</b><br><i>Any messages presented in this section, will prevent submission of this application. Please resolve these issues before continuing with the rest of the questions.</i>          |                                                   |
| Incident Operator                                                                                                                                                                                          | [331165] Earthstone Operating, LLC                |
| Incident Type                                                                                                                                                                                              | Flare                                             |
| Incident Status                                                                                                                                                                                            | Closure Approved                                  |
| Incident Well                                                                                                                                                                                              | Unavailable.                                      |
| Incident Facility                                                                                                                                                                                          | [fAB1907841396] DIAMONDBACK 24-25 FED COM BATTERY |
| <i>Only valid Vent, Flare or Vent with Flaring incidents (selected above in the Application Details section) that are assigned to your current operator can be cancelled with this C-129C application.</i> |                                                   |

|                                      |                                      |
|--------------------------------------|--------------------------------------|
| <b>Determination of Cancellation</b> |                                      |
| Incident Cancel Reason               | Association IDs incorrectly recorded |

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ACKNOWLEDGMENTS

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**ACKNOWLEDGMENTS**

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**ACKNOWLEDGMENTS**

|                                     |                                                                                                                                                                                                                                                                                                     |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | I acknowledge that with this application I will be cancelling an existing incident file (assigned to this operator) for a vent or flare event, pursuant to 19.15.27 and 19.15.28 NMAC.                                                                                                              |
| <input checked="" type="checkbox"/> | I acknowledge that cancelling an incident file will require this operator to (re)file submission(s) of all/any C-129 forms (pursuant to 19.15.27 and 19.15.28 NMAC), and to create a new incident for the cancelled vent or flare event if necessary.                                               |
| <input checked="" type="checkbox"/> | I hereby certify the statements in this cancelling report are true and correct to the best of my knowledge and acknowledge that any false statement may be subject to civil and criminal penalties under the Oil and Gas Act.                                                                       |
| <input checked="" type="checkbox"/> | I acknowledge that the acceptance of any C-129 forms by the OCD does not relieve this operator of liability should their operations have failed to adequately investigate, report, and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment. |
| <input checked="" type="checkbox"/> | I acknowledge that OCD acceptance of any C-129 forms does not relieve this operator of responsibility for compliance with any other applicable federal, state, or local laws and/or regulations.                                                                                                    |