

**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 250418

DEFINITIONS

|                                                                                                    |                                                               |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| Operator:<br>Earthstone Operating, LLC<br>1400 Woodloch Forest; Ste 300<br>The Woodlands, TX 77380 | OGRID:<br>331165                                              |
|                                                                                                    | Action Number:<br>250418                                      |
|                                                                                                    | Action Type:<br>[C-129] Amend Venting and/or Flaring (C-129A) |

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 250418

**QUESTIONS**

|                                                                                                    |                                                               |
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| Operator:<br>Earthstone Operating, LLC<br>1400 Woodloch Forest; Ste 300<br>The Woodlands, TX 77380 | OGRID:<br>331165                                              |
|                                                                                                    | Action Number:<br>250418                                      |
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**QUESTIONS****Prerequisites**

Any messages presented in this section, will prevent submission of this application. Please resolve these issues before continuing with the rest of the questions.

|                   |                                                |
|-------------------|------------------------------------------------|
| Incident Operator | [331165] Earthstone Operating, LLC             |
| Incident Type     | Flare                                          |
| Incident Status   | Closure Approved                               |
| Incident Well     | Unavailable.                                   |
| Incident Facility | [fAPP2124431955] DIAMONDBACK 24-25 FED BATTERY |

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 amended with this C-129A application.

**Determination of Reporting Requirements**

Answer all questions that apply. The Reason(s) statements are calculated based on your answers and may provide additional guidance.

|                                                                                                            |                                                   |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Was this vent or flare caused by an emergency or malfunction                                               | Yes                                               |
| Did this vent or flare last eight hours or more cumulatively within any 24-hour period from a single event | No                                                |
| Is this considered a submission for a vent or flare event                                                  | Yes, minor venting and/or flaring of natural gas. |

An operator shall file a form C-141 instead of a form C-129 for a release that, includes liquid during venting and/or flaring that is or may be a major or minor release under 19.15.29.7 NMAC.

|                                                                                                                                                                                                                                                                                            |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Was there at least 50 MCF of natural gas vented and/or flared during this event                                                                                                                                                                                                            | Yes |
| Did this vent or flare result in the release of <b>ANY</b> liquids (not fully and/or completely flared) that reached (or has a chance of reaching) the ground, a surface, a watercourse, or otherwise, with reasonable probability, endanger public health, the environment or fresh water | No  |
| Was the vent or flare within an incorporated municipal boundary or within 300 feet from an occupied permanent residence, school, hospital, institution or church in existence                                                                                                              | No  |

**Equipment Involved**

|                                                           |                             |
|-----------------------------------------------------------|-----------------------------|
| Primary Equipment Involved                                | Not answered.               |
| Additional details for Equipment Involved. Please specify | Vapor recovery unit issues. |

**Representative Compositional Analysis of Vented or Flared Natural Gas**

Please provide the mole percent for the percentage questions in this group.

|                                                              |    |
|--------------------------------------------------------------|----|
| Methane (CH4) percentage                                     | 68 |
| Nitrogen (N2) percentage, if greater than one percent        | 3  |
| Hydrogen Sulfide (H2S) PPM, rounded up                       | 0  |
| Carbon Dioxide (CO2) percentage, if greater than one percent | 1  |
| Oxygen (O2) percentage, if greater than one percent          | 0  |

If you are venting and/or flaring because of Pipeline Specification, please provide the required specifications for each gas.

|                                                     |   |
|-----------------------------------------------------|---|
| Methane (CH4) percentage quality requirement        | 0 |
| Nitrogen (N2) percentage quality requirement        | 0 |
| Hydrogen Sulfide (H2S) PPM quality requirement      | 0 |
| Carbon Dioxide (CO2) percentage quality requirement | 0 |
| Oxygen (O2) percentage quality requirement          | 0 |



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Action 250418

**QUESTIONS (continued)**

|                                                                                                    |                                                            |
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| Operator:<br>Earthstone Operating, LLC<br>1400 Woodloch Forest; Ste 300<br>The Woodlands, TX 77380 | OGRID: 331165                                              |
|                                                                                                    | Action Number: 250418                                      |
|                                                                                                    | Action Type: [C-129] Amend Venting and/or Flaring (C-129A) |

**QUESTIONS**

| Date(s) and Time(s)                            |            |
|------------------------------------------------|------------|
| Date vent or flare was discovered or commenced | 07/31/2023 |
| Time vent or flare was discovered or commenced | 12:00 AM   |
| Time vent or flare was terminated              | 11:59 PM   |
| Cumulative hours during this event             | 1          |

| Measured or Estimated Volume of Vented or Flared Natural Gas              |                                                                                                                      |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| Natural Gas Vented (Mcf) Details                                          | Not answered.                                                                                                        |
| Natural Gas Flared (Mcf) Details                                          | Cause: Equipment Failure   Producing Well   Natural Gas Flared   Released: 54 MCF   Recovered: 0 MCF   Lost: 54 MCF. |
| Other Released Details                                                    | Not answered.                                                                                                        |
| Additional details for Measured or Estimated Volume(s). Please specify    | Not answered.                                                                                                        |
| Is this a gas only submission (i.e. only significant Mcf values reported) | Yes, according to supplied volumes this appears to be a "gas only" report.                                           |

| Venting or Flaring Resulting from Downstream Activity             |               |
|-------------------------------------------------------------------|---------------|
| Was this vent or flare a result of downstream activity            | No            |
| Was notification of downstream activity received by this operator | No            |
| Downstream OGRID that should have notified this operator          | 0             |
| Date notified of downstream activity requiring this vent or flare |               |
| Time notified of downstream activity requiring this vent or flare | Not answered. |

| Steps and Actions to Prevent Waste                                                                                              |                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| For this event, this operator could not have reasonably anticipated the current event and it was beyond this operator's control | True                                                                                                                            |
| Please explain reason for why this event was beyond this operator's control                                                     | Equipment downtime emissions controlled by flare.                                                                               |
| Steps taken to limit the duration and magnitude of vent or flare                                                                | Standard emission control of equipment downtime. Working with vendor to coordinate service time and minimize downtime.          |
| Corrective actions taken to eliminate the cause and reoccurrence of vent or flare                                               | No way to avoid periodic downtime for repairs to address unforeseen condition. Process equipment emissions controlled by flare. |



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ACKNOWLEDGMENTS  
  
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ACKNOWLEDGMENTS

|                                     |                                                                                                                                                                                                                                                                                                     |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | I acknowledge that with this application I will be amending 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 amending an incident file does not replace original submitted application(s) or information and understand that any C-129 forms submitted to the OCD will be logged and stored as public record.                                                                                 |
| <input checked="" type="checkbox"/> | I hereby certify the statements in this amending 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.                                                                                                    |

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CONDITIONS

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|                                                                                                    |                                                               |
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CONDITIONS

| Created By | Condition                                                                                                                                                                                  | Condition Date |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| kmcbride   | If the information provided in this report requires further amendment(s), submit a [C-129] Amend Venting and/or Flaring Incident (C-129A), utilizing your incident number from this event. | 8/10/2023      |