

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

Form C-141  
Revised August 24, 2018  
Submit to appropriate OCD District Office

Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Incident ID	nMAP1822348621
District RP	2RP-4917
Facility ID	30-015-00255
Application ID	pMAP1822348242

## Release Notification

### Responsible Party

Responsibly Party	Legacy Reserves Operating, LP	OGRID	240974
Contact Name	Brian Cunningham	Contact Telephone	432-234-9450
Contact Email	bcunningham@legacyp.com	Incident # (assigned by OCD)	2RP-4917
Contact Mailing Address	303 W. Wall St. Midland, TX 79701		

### Location of Release Source

Latitude 32.72141 Longitude -104.4056  
(Nad 83 in decimal degrees to 5 decimal places)

Site Name	Andrew Arnquist Estate Battery	Site Type	Water Tank
Date Release Discovered	07/30/18	API# (if applicable)	30-001-500255

Unit Letter	Section	Township	Range	County
"F"	29	18	26	Eddy

Surface Owner:  State  Federal  Tribal  Private (Name: Andrew Arnquist Estate)

### 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) 200	Volume Recovered (bbls) 170
	Is the concentration of total dissolved solids (TDS) in the produced water >10,000 mg/l?	<input checked="" 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**

The release was attributed to lightning striking the produced water tank.

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Was this a major release as defined by 19.15.29.7(A) NMAC? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release? Volume Greater than 25 bbls, occurred in conjunction with a fire.
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If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means? (phone, email, etc)?  
 Not Available, Not Available, Not Available, Not Available

### 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.
- Release 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.

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: Clyde Wilhoit Title: Maintenance Foreman  
 Signature: *Clyde Wilhoit* Date: 11/12/2018  
 email: cwilhoit@legacylp.com Telephone: 432-425-4137

**OCD Only**  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

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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 discover date.*

What is the shallowest depth to groundwater beneath the area affected by the release?	<u>100-135'</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 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 ordinarily 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.

<p><b>Characterization Report Checklist:</b> <i>Each of the following items must be included in the report.</i></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.</li> <li><input checked="" type="checkbox"/> Field data</li> <li><input checked="" type="checkbox"/> Data table of soil contaminant concentration data</li> <li><input checked="" type="checkbox"/> Determination of water sources and significant watercourses within 1/2-mile of the lateral extents of the release</li> <li><input checked="" type="checkbox"/> Boring or excavation logs</li> <li><input checked="" type="checkbox"/> Photographs including date and GIS information</li> <li><input checked="" type="checkbox"/> Topographic/Aerial maps</li> <li><input checked="" type="checkbox"/> Laboratory data including chain of custody</li> </ul>
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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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### Remediation Plan

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

- 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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**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Approved       Approved with Attached Conditions of Approval       Denied       Deferral Approved  
 Signature:  Date: 11/29/18

Conditions of approval:

1. Remediation of area under destroyed/moved tanks before new or repaired liner is installed. (Excavation minimum 2'.)
2. Sample collection approved.
3. GPS stamped photos of liner and site required for closure.

Deferral approved for tanks that are not going to be moved.