

State of Colorado

Energy & Carbon Management Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203

Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

403611848

Date Received:

12/01/2023

Spill report taken by:

Waggoner, Kyle

Spill/Release Point ID:

485690

SPILL/RELEASE REPORT (INITIAL)

This form is to be submitted by the party responsible for the oil and gas spill or release. Refer to COGCC Rule 912.b. for reporting requirements of spills or releases of E&P Waste, produced Fluids, or unauthorized Releases of natural gas. Submit a Site Investigation and Remediation Workplan (Form 27) if Rule 913.c. applies.

OPERATOR INFORMATION

Name of Operator: DESERT EAGLE OPERATING LLC	Operator No: 10797	Phone Numbers
Address: 17101 PRESTON RD SUITE 105		Phone: (214) 886-5098
City: DALLAS	State: TX	Zip: 75248
Contact Person: Wesley Marshall		Mobile: ()
		Email: wmarshall@prohelium.com

INITIAL SPILL/RELEASE REPORT

Initial Spill/Release Report Doc# 403611848

Initial Report Date: 12/01/2023 Date of Discovery: 11/29/2023 Spill Type: Recent Spill

Spill/Release Point Location:

QTRQTR SENW SEC 35 TWP 29S RNG 55W MERIDIAN 6

Latitude: 37.475420 Longitude: -103.547340

Municipality (if within municipal boundaries): County: LAS ANIMAS

Enter Lat./long measurement of the actual Spill/Release Point. Lat./Long. Data shall meet standards of Rule 216.

Reference Location:

Facility Type: WELL SITE

☒ Facility/Location ID No 484360

Spill/Release Point Name: Red Rocks 35-11

☐ Well API No. (Only if the reference facility is well) 05- -☐ No Existing Facility or Location ID No.

Estimated Total Spill Volume: use same ranges as others for values

Estimated Oil Spill Volume(bbl): 0

Estimated Condensate Spill Volume(bbl): 0

Estimated Flow Back Fluid Spill Volume(bbl): 0

Estimated Produced Water Spill Volume(bbl): 0

Estimated Other E&P Waste Spill Volume(bbl): Unknown

Estimated Drilling Fluid Spill Volume(bbl): 0

Specify:

Has the subject Spill/Release been controlled at the time of reporting? No

Land Use:

Current Land Use: NON-CROP LAND

Other(Specify): Rangeland

Weather Condition: windy, dry, cold

Surface Owner: FEE

Other(Specify):

Describe what is known about the spill/release event (what happened -- including how it was stopped, contained, and recovered):

This well was air drilled and had no drilling mud, hydraulic fracturing, stimulation, or flowback. Wind blew some dry drill cuttings from the drill cuttings pile and out of the lined, bermed containment area on location. The only fluid used in drilling operations at the Red Rocks 35-11 well was fresh water for dust suppression and mixing cement. The operator has placed the drill cuttings observed outside the containment area back onto the containment area and will dispose of them in compliance with Rule 905.e.1 (A). Corrective Action will be taken for the unidentified white substance in compliance with Rule 905.

List of Agencies and Other Parties Notified Pursuant to Rule 912.b.(7)-(11):

OTHER NOTIFICATIONS

<u>Date</u>	<u>Agency/Party</u>	<u>Contact</u>	<u>Phone</u>	<u>Response</u>
12/1/2023	ECMC	Director	-	
12/1/2023	Las Animas County	Mr. Robert Lucero	719-845-2577	
12/1/2023	Land Owner	Mr. Tom Dahlberg	-	

REPORT CRITERIA

Rule 912.b.(1) Report to the Director (select all criteria that apply):

- No Rule 912.b.(1).A: A Spill or Release of any size that impacts or threatens to impact any Waters of the State, Public Water System, residence or occupied structure, livestock, wildlife, or publicly-maintained road.
- Waters of the State: _____ Public Water System: _____
- Residence or Occupied Structure: _____ Livestock: _____
- Wildlife: _____ Publicly-Maintained Road: _____
- Yes Rule 912.b.(1).B: A Spill or Release in which 1 barrel or more of E&P Waste or produced fluids is spilled or released outside of berms or other secondary containment.
- No Rule 912.b.(1).C: A Spill or Release of 5 barrels or more of E&P Waste or produced Fluids regardless of whether the Spill or Release is completely contained within berms or other secondary containment.
- No Rule 912.b.(1).D: Within 6 hours of discovery, a Grade 1 Gas Leak. For a Grade 1 Gas Leak from a Flowline, the Operator also must submit the Form 19 – Initial, document number on a Form 44, Flowline Report, for the Grade 1 Gas Leak
- Enter the approximate time of discovery _____ (HH:MM)
- Enter the Document Number of the Grade 1 Gas Leak Report, Form 44 _____
- Was there a reportable accident associated with either a Grade 1 Gas Leak or an E&P waste spill or release? _____
- Enter the Document Number of the Initial Accident Report, Form 22 _____
- Was there damage during excavation? _____
- Was CO 811 notified prior to excavation? _____
- No Rule 912.b.(1).E: The discovery of 10 cubic yards or more of impacted material resulting from a current or historic Spill or Release. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards.
- Estimated Volume of Impacted Solids (cu. yd.): _____
- No Rule 912.b.(1).F: The discovery of impacted Waters of the State, including Groundwater. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards. The presence of free product or hydrocarbon sheen on Groundwater or surface water is reportable. The presence of contaminated soil in contact with Groundwater or surface water is reportable. Check all that apply:
- ☐ The presence of free product or hydrocarbon sheen Surface Water
- ☐ The presence of free product or hydrocarbon sheen on Groundwater
- ☐ The presence of contaminated soil in contact with Groundwater
- ☐ The presence of contaminated soil in contact with Surface water

Yes	Rule 912.b.(1).G: A suspected or actual Spill or Release of any volume where the volume cannot be immediately determined, including a spill or release of any volume that daylights from the subsurface.
No	Rule 912.b.(1).H: Spill or Release resulting in vaporized hydrocarbon mists that leave the Oil and Gas Location or Off-Location Flowline right of way from an Oil and Gas Location and impacts or threatens to impact off-location property.
	<input type="checkbox"/> Areas offsite of Oil & Gas Location <input type="checkbox"/> Off-Location Flowline right of way
No	Rule 912.b.(1).I: A Release of natural gas that results in an accumulation of soil gas or gas seeps.
No	Rule 912.b.(1).J: A Release that results in natural gas in Groundwater.

OPERATOR COMMENTS:

The cause of the migration of the dry drill cuttings from the drill cuttings pile was due to wind. A higher berm and lower stack for drill cuttings piles at future drilling locations will prevent migration due to wind. The drill cuttings are still on location awaiting the lab tests required to submit a Form 27. The unidentified white substance may have been contained with berms close to the source. Notification to the landowner and Las Animas County Land Department was made by email with a copy of this Form 19. Notification to the Director is made by filing of this form with the ECMC.

I hereby certify all statements made in this form are to the best of my knowledge true, correct, and complete.

Signed: _____ Print Name: Cathy Bulf
 Title: Manager Date: 12/01/2023 Email: cathybulf@gmail.com

<u>COA Type</u>	<u>Description</u>
	Operator shall provide sufficient photo documentation for spills and cleanup efforts in the future. Operator shall Conduct an Investigation of the spill/affected area, provide findings and provided photos taken by Desert Eagle Operating LLC, "DEO", employees or consultants.
	Per Rule 912.b.(4), the Operator shall make a supplemental report on Form 19 not more than 10 calendar days after the spill/release is discovered that includes: A. A topographic map showing the governmental section and location of the spill or an aerial photograph showing the location of the spill B. All pertinent information about the spill/release known to the Operator that has not been reported previously including photo documentation showing the source of the Spill or Release, the impacted area, and initial cleanup activity C. Information relating to the initial mitigation, site investigation, and remediation measures conducted by the Operator D. Global Positioning System data that meets the requirements of Rule 216 if latitude and longitude data provided pursuant to Rule 912.b.(2).A did not meet the requirements of Rule 216.
	In accordance with 912.a.(2) Operator will investigate, cleanup, and document impacts resulting from Spill and Releases as soon as the impacts are discovered.
	Operator shall collect confirmation soil samples as described in the Rule 915.e.(2) Guidance Document. Operator will analyze soil samples for TPH (C6-C36), Table 915-1 Organic Compounds in Soil, Table 915-1 metals, and Table 915-1 Soil Suitability for Reclamation (Electrical conductivity, Sodium adsorption ratio, and pH by saturated paste method, boron (hot water soluble)).
	Per Rule 912.d.(3), Operator is to provide the root cause of the incident and preventative measures that will be taken to prevent reoccurrence at this location and others on the next Form 19 Supplemental. Please indicate the root cause, design, installation, pressure, mechanical failure, etc. Also, please identify what measures were taken to keep this issue from reoccurring.
	Pursuant to Rule 912.b.(6) Operator is required to submit a Form 19 Supplemental Report for the associated spill within 90 days of the spill date requesting closure pursuant to Rule 913.h and supported by adequate documentation to demonstrate that the Spill or Release has been fully cleaned up and complies with Table 915-1; or A Form 27 if any of the criteria listed in Rules 912.b.(6).B.i–iii apply. If Remediation will continue under an approved Form 27, the Operator will also submit a Form 19 – Supplemental which requests closure of the Spill or Release and includes the Remediation project number assigned by the Director. 90 Day Supplemental is due on February 27, 2024
6 COAs	

Attachment List

<u>Att Doc Num</u>	<u>Name</u>
403611848	FORM 19 SUBMITTED
403611849	CORRESPONDENCE

Total Attach: 2 Files

General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
Environmental	Operator shall reference Inspection Document # in the Supplemental Form 19 due in 10 days from spill discovery date	12/04/2023

Total: 1 comment(s)