

## COGCC 2nd Quarter 2016 HB 14-1356 Report

Operator	Operator #	NOAV Date	NOAV Nos.	Violations in Order	Penalty (Total)	Penalty (Suspended)	Penalty Days	Daily Penalty	Aggravating Factors	Mitigating Factors	Pattern of Violation (Y/N)	Gross Negligence or Knowing & Willful misconduct (Y/N)	AOC or OFV	Other Rationale	Docket No.	Order No. (1V)	Final Order Date	
1	Atom Production LLC	10434	6/23/2015; 6/17/2015; 2/11/2016; 3/23/2016	2157885; 2618137; 400963987; 401005448	308A; 308B; 309; 319.b.; 326.c.; 210.d.; 605.a.; 804; 906.a.; 907; 34-60-121(1) CRS	\$239,469	N/A	4450	\$54	4	None	No	No	OFV	Commission Hearing	160400073	586	6/6/2016
2	Black Hills Plateau Production LLC	10150	1/13/2016	400859025	Section 34-60-121(1) C.R.S.	\$20,000	N/A	4	\$5,000	None	2, 6	No	No	AOC	Policy Table Value	160300103	588	6/6/2016
3	Cliff J. Nolte LLC	10357	8/18/2015	1352107; 1352108	308; 309; 311; 317.p.	N/A	N/A	N/A	N/A	None	None	No	No	Bond Call	Deceased Operator	160300081	582	6/6/2016
4	CM Production LLC	10352	11/25/2015	200438048	§34-60-121(1) C.R.S.	\$359,650	N/A	227	\$1,584	None	None	Yes	No	OFV	Commission Hearing	160100080	581	6/6/2016
5	Extraction Oil & Gas LLC	10459	9/25/2015	200437407	912.b	\$33,000	\$14,350	26	\$1,269	None	None	No	No	AOC	Policy Table Value; Reclassification; Duration Matrix; Suspension	160400089	576	6/6/2016
6	Extraction Oil & Gas, LLC	10459	1/6/2016	400961276	§ 34-60-121(1) C.R.S.	\$30,000	N/A	6	\$5,000	None	None	No	No	AOC	Policy Table Value	160400142	572	4/18/2016
7	Javernick Oil, LLC	44390	10/27/2015	200437826	308A; 309	\$10,686	\$6,686	461	\$23	None	None	No	No	AOC	Duration Matrix; Ability to Pay, Settlement Inducement; Suspension	160300003	575	4/18/2016
8	Kerr-McGee Oil & Gas Onshore LP	47120	2/3/2016	400980802	317.p	\$2,000	N/A	1	\$2,000	None	None	No	No	AOC	Policy Table Value; Settlement Inducement	160400164	574	4/18/2016
9	Monument Global Resources, Inc.	10430	3/27/2015	200427365	326.f	\$65,590	\$50,000	607	\$108	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Ability to Pay, Suspension	150900486	577	4/18/2016
10	Texas Tea of Colorado, LLC, aka Texas Tea, LLC	87195	3/18/2015; 4/29/2015 (2); 9/28/2015;	200426655; 200430624; 200430630; 200437494	319; 326.c; 326(2); 906; 1102.d; §34-60-121(1) C.R.S.	\$323,500	N/A	475	\$681	None	None	Yes	No	OFV	Policy Table Value; Duration Matrix	160300097	573	4/18/2016
11	Ursa Operating Company LLC	10447	2/26/2016	400987806	317.p	\$2,000	N/A	1	\$2,000	None	None	No	No	AOC	Policy Table Value; Consolidation; Settlement	160400195	579	6/6/2016
12	Wellstar Corporation	95245	12/31/2015	400957128; 400956756	210; 605.a; 906; 1002.f; §34- 60-121(1) C.R.S.	\$210,820	\$180,820	1728	\$122	None	None	No	No	AOC	Proportionality Adjustment; Consolidation; Duration Matrix; Suspension	160600141	585	6/6/2016
13	Wiepking Fullerton Energy LLC	96349	2/11/2016	400986881	907.d. and 1003 (10 counts of each)	\$65,128	\$21,000	626	\$104	None	2	No	No	AOC	Proportionality Adjustment; Consolidation; Duration Matrix	160600193	584	6/6/2016

Total Penalties Assessed

\$1,361,843

### A. Aggravating Factors

1. The violator acted with gross negligence or knowing and willful misconduct.
2. The violation resulted in significant waste of oil and gas resources.
3. The violation had a significant negative impact on correlative rights of other parties.
4. The violator was recalcitrant or uncooperative with the Commission or other agencies in correcting or responding to the violation.
5. The violator falsified reports or records.
6. The violator benefited economically from the violation, in which case the amount of such benefit shall be taken into consideration.
7. The violator has engaged in a pattern of violations.

### B. Mitigating Factors

1. The violator self-reported the violation.
2. The violator demonstrated prompt, effective and prudent response to the violation, including assistance to any impacted parties.
3. The cause of the violation was outside of the violator's reasonable control and responsibility, or is customarily considered to be force majeure.
4. The violator made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation.
5. The cost of correcting the violation reduced or eliminated any economic benefit to the violator, excluding circumstances in which increased costs stemmed from non-compliance.
6. The violator has demonstrated a history of compliance with the Act, and Commission rules, orders, and permits.