

**COGCC 1st Quarter 2019 HB 14-1356 Report**

Operator	Operator #	NOAV Nos.	NOAV Date	Violations in Order	Penalty (Total)	Penalty Imposed on Defunct and/or Non-Responsive Operator (Y/N)	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
Crestone Peak Resources Operating LLC	10633	401645588	5/24/2018	34-60-121, C.R.S.	\$139,450	N	N	214	\$652	None	None	N	N	AOC	Duration Matrix; Proportionality Adjustment	190100087	687	3/11/2019
Cub Creek Energy	10542	401722207; 401722210	5/24/2018	34-60-121, C.R.S.	\$216,650	N	N	282	\$768	None	None	N	N	AOC	Duration Matrix; Public Project; Proportionality Adjustment	190100024	688	3/11/2019
Extraction Oil and Gas Inc.	10459	401652015; 401652011; 401652006; 401652012; 401652009; 401652013	5/24/2018	34-60-121, C.R.S.	\$803,800	N	N	1,139	\$706	None	None	N	N	AOC	Duration Matrix; Public Project; Proportionality Adjustment	190100088	689	3/11/2019
GADECO LLC/Grynberg Jack DBA Grynberg Petroleum Co.	10673; 36200	401074952	7/8/2016	205A; 308A; 309	\$63,236	N	N	2,366	\$27	None	None	N	N	AOC	Duration Matrix; Settlement Inducement	161000377	691	3/11/2019
Highpoint Operating Corporation	10071	401562363; 401677564	03/05/2018; 06/19/2018	906.a; 906.b; 906.d; 907.a; 907.d; 1002.f; 34-60-121, C.R.S.	\$206,800	N	N	78	\$2,652	None	None	N	N	AOC	Duration Matrix; Settlement Inducement	190100018	692	3/11/2019
Magpie Operating, Inc.	52530	401541541; 401541545	2/9/2018	603.f.; 210; 605.a.(4); 605.d.; 906.b.; 907.e.; 319.b.	\$267,269	N	N	1,954	\$137	7	None	Y	N	OFV	Commission Hearing; Duration Matrix; Other	190100008	682	1/28/2019

Total Penalties Assessed

\$1,697,205

**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.
8. The violation led to death or serious injury.

**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.