



3/30/2010



Date Notice Issued:

3/30/2010

*** NOTICE OF ALLEGED VIOLATION ***

OGCC Operator Number: 24461
Name of Operator: DIVERSIFIED OPERATING CORPORATION
Address: 15000 W 6TH AVE STE 102 ATTN: TERRY J. CAMMON
City: GOLDEN State: CO Zip: 80401
Company Representative: TERRY CAMMON

APR 01 2010

Well Name: SOONER UNIT Well Number: 14-16 Facility Number: 245464
Location (QtrQtr, Sec, Twp, Rng, Meridian): SESW 16 8N 58W 6 County: WELD
API Number: 05 123 13259 00 Lease Number: 79/41460-S

COGCC Representative: HORTON COLBY Phone Number: 970 867-2517

THE FOLLOWING ALLEGED VIOLATION WAS FOUND BY THE COGCC REPRESENTATIVE FOR THE SITE LISTED

Date of Alleged Violation: 1/20/2010 Approximate Time of Violation: 12:40PM

Description of Alleged Violation:

Well was plugged out in August of 2005. Existing vegetation does not reflect reference vegetation.

Act, Order, Regulation, Permit Conditions Cited:

306 e and 1004a

Abatement or Corrective Action Required to be Performed by Operator:*

Consult with land owner as to reclamation issues involving vegetation and re-contouring. With land owner consent a variance may be issued through a form 4.

Abatement or Corrective Action to be Completed by (date): 5/1/2010

* Proper and timely abatement does not necessarily preclude the assessment of penalties and an Order Finding Violation.

TO BE COMPLETED BY OPERATOR - When alleged violation is corrected, sign this notice and return to above address:

Company Representative Name: T. J. Cammon

Title: President

Signature:

Date: 5/6/2010

Company Comments: Surface owner is State Land Board. Area will be rehabilitated when SU 16-13-8 location issues are addressed. All work should be completed by 6/15/2010

*** THIS NOTICE CONSTITUTES A SEPARATE NOTICE OF ALLEGED VIOLATION FOR EACH VIOLATION LISTED ***

WARNING

Abatement and reporting time frames for Notices of Alleged Violation begin upon receipt of the Notice or five days after the date it is mailed, whichever is earlier. Each violation must be abated within the prescribed time upon receipt of this Notice, reported to the Colorado Oil and Gas Conservation Commission at the address shown above, and postmarked no later than the next business day after the prescribed time for abatement. Should abatement or corrective action fail to occur, the Director may make application to the Commission for an Order Finding Violation. Proper and timely abatement does not necessarily preclude the assessment of penalties and an Order Finding Violation.

PENALTY PROPOSED BY THE DIRECTOR PER RULE 523

The Director may propose a penalty as listed in the table below, not to exceed a maximum of \$1,000.00 per day per violation. Such proposed penalty amount will be limited to \$10,000.00 per violation if the violation does not result in significant waste of oil and gas resources, damage to correlative rights, or a significant adverse impact on public health, safety, or welfare. Such proposed penalty amount may be increased if aggravating factors indicate the violation: was intentional or reckless; had, or threatened to have, a significant negative impact on public health, safety, or welfare; resulted in significant waste of oil and gas resources; had a significant negative impact on correlative rights of other parties; resulted in, or threatened to result in, significant loss or damage to public or private property; involved recalcitrance or recidivism upon the part of the violator; involved intentional false reporting or record keeping; resulted in economic benefit to the violator. Such proposed penalty amount may be decreased if mitigating factors indicate the violator: self-reported; promptly, effectively and prudently responded to the violation; cooperated with the Commission or other agencies with respect to the violation; could not reasonably control, or be responsible for, the cause of the violation; made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation; had any economic benefit reduced or eliminated due to the cost of correcting the violation; has demonstrated a history of compliance with Commission rules, regulations, and orders. The Commission has final authority over the penalty amount assessed. The Commission or other agencies with respect to the violation; could not reasonably control, or be responsible for, the cause of the violation; made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation; had any economic benefit reduced or eliminated due to the cost of correcting the violation; has demonstrated a history of compliance with Commission rules, regulations, and orders. The Commission has final authority over the penalty amount assessed.

BASE FINE \$250.00 PER DAY PER VIOLATION: RULES 210, 307, 311, 312, 313, 314A, 315, 403, 405, 803, 804

BASE FINE \$500.00 PER DAY PER VIOLATION: RULES 205, 206, 207, 208, 302, 308, 309, 310, 316A, 321, 322, 328, 329, 330, 331, 332, 401

BASE FINE \$750.00 PER DAY PER VIOLATION: RULES 605, 606A, 606B, 807

BASE FINE \$1,000.00 PER DAY PER VIOLATION: RULES 209, 301, 303, 305, 306, 316B, 317, 317A, 318, 319, 320, 323, 324, 325, 326, 327, 333, 404, 602, 603, 604, 703, 704, 705,

706, 707, 708, 709, 711, 802, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 1002, 1003, 1004, 1101, 1102, 1103

In accordance with Rule 523.a.(4), fines for violations for which no base fine is listed shall be determined by the Commission at its discretion.

Signature of COGCC Representative:

Date:

Time:

Resolution Approved by:

Date:

AOL

1V-388

<div>FORM NOAV Rev 6/99</div>	<div>State of Colorado Oil and Gas Conservation Commission 1120 Lincoln Street, Suite 801, Denver, Colorado 80203 (303) 894-2100 Fax: (303) 894-2109</div>	<div>STATE OF COLORADO OIL & GAS</div>	<div>FOR OGCC USE ONLY 3/30/2010 2001061</div>								
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<div>Signature of COGCC Representative: Date: Time: Resolution Approved by: Date: 5-29-2012 AOC 14-388</div>											