

FORM
NOAV
Rev 6/99

State of Colorado

Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 (303) 894-2100 Fax: (303) 894-2109

STATE OF COLORADO

OIL & GAS

FOR OGCC USE ONLY

10/9/2013

200388188

*** NOTICE OF ALLEGED VIOLATION ***

OGCC Operator Number: 10384
Name of Operator: GENESIS GAS & OIL COLORADO LLC
Address: 1701 WALNUT STREET - 4TH FL ATTN: ROBERT B BEHNER
City: KANSAS CITY State: MO Zip: 64108
Company Representative: DAVID JENSEN EXEC. VP

Date Notice Issued:

10/9/2013

Well Name: FLETCHER GULCH Well Number: 3-31WD Facility Number: 293056
Location (QtrQtr, Sec, Twp, Rng, Meridian): LOT 16 3 1N 100W 6 County: RIO BLANCO
API Number: 05 103 11095 00 Lease Number: COC61170

COGCC Representative: BROWNING CHUCK Phone Number: 970 433-4139

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

Date of Alleged Violation: 10/1/2013 Approximate Time of Violation:

Description of Alleged Violation:
No Signs at wellhead. (multiple wellheads on pad)
No NFPA tank labels.
No Emergency contact information.
Well has been shut-in since 1/2013 without having passed a mechanical integrity test (MIT). Per COGCC Rule 326.a.(5). Following the performance of the initial mechanical integrity test required by subparagraph (3), additional mechanical integrity tests shall be performed on each well, as long as it is used for the injection of fluids, at the rate of not less than one (1) test every five (5) years. The first five (5) year period shall commence on the date the initial mechanical integrity test is performed.
Oil stains around pumphouse and wellhead. Tank inside berm leaking.

Act, Order, Regulation, Permit Conditions Cited:
201.b.(1), 210.b.(2),210.d.(1), 326.a.(5)., 906.a.

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

The operator is required:
(1) to perform a 5 year Mechanical Integrity Test
(2) Install tank sign to comply with rule 210.d.
(3)Install emergency contact information on signs to comply with rule 210.b.(2).
(4)Remediate spills according to rules 906.a.

Submit Form 42 (Corrective Actions Complete) electronically in eForm after operator has completed field abatement/corrective actions required herein

Abatement or Corrective Action to be Completed by (date): 1/9/2014

* 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: Title:
Signature: Date:
Company Comments:

*** 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.
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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, 607
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: 10/9/2013 Time:

Resolution Approved by: Date: