

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



FOR OGCC USE ONLY  
11/6/2015  
200437898

\*\*\* NOTICE OF ALLEGED VIOLATION \*\*\*

OGCC Operator Number: 10112  
Name of Operator: FOUNDATION ENERGY MANAGEMENT LLC  
Address: 16000 DALLAS PARKWAY #875 ATTN: JOEL SAUER  
City: DALLAS State: TX Zip: 75248-6607  
Company Representative: JOEL SAUER

Date Notice Issued:  
11/6/2015

Well Name: Green Well Number: 1-10 Facility Number: 429228  
Location (QtrQtr, Sec, Twp, Rng, Meridian): NWSE 1 7N 60W 6 County: WELD  
API Number: 05 123 35755 00 Lease Number:

COGCC Representative: Koepsell Arthur Phone Number: 303 894-2100 X5148

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

Date of Alleged Violation: Approximate Time of Violation:  
Description of Alleged Violation:  
Operator spud API 123-35755 on June 4, 2014 but failed to either (a) collect groundwater samples in the 12 months prior to setting conductor pipe and submit the laboratory analytical results to the COGCC within three months of sample collection or (b) submit a Form 4 Sundry Notice requesting an exception from the requirements of Rule 609.d.(1) prior to spud, violating Rule 609.

Act, Order, Regulation, Permit Conditions Cited:  
Rule 609

Abatement or Corrective Action Required to be Performed by Operator:  
Operator shall either (a) collect post drilling groundwater samples in the manner described for initial baseline sampling in Rule 609, or, if samples may not be obtained for one of the reasons stated in Rule 609.c., (b) submit a Form 4 Sundry Notice requesting an exception from the requirements of Rule 609. If a Form 4 Sundry Notice is submitted, it shall include details of Operator's good faith efforts to timely obtain groundwater samples. Either the laboratory analytical results of groundwater testing or the Form 4 Sundry Notice requesting exemption must be submitted to COGCC by December 7, 2015.  
Abatement or Corrective Action to be Completed by (date): 12/7/2015  
\* 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 \*\*\*

PENALTY

Penalties for violations alleged in this NOAV will be calculated pursuant to Rule 523, with daily penalties accruing pursuant to Section 34-60-121(1), C.R.S.

ANSWER

Pursuant to Rule 522.d.(2), the operator must file an Answer to this NOAV within 28 days of its receipt, or a default judgment may be entered. Hard-copy answers are filed with the Commission Secretary at the Commission's Denver office and should also be emailed to dnr\_cogccenforcement@state.co.us.

Signature of COGCC Representative:  Date: 11/06/2015 Time:  
Resolution Approved by: \_\_\_\_\_ Date:



**COLORADO**

**Oil & Gas Conservation  
Commission**

Department of Natural Resources

1120 Lincoln Street, Suite 801  
Denver, CO 80203

November 6, 2015

Foundation Energy Management  
Attn: Joel Sauer  
16000 Dallas Parkway #875  
Dallas, TX 75248-6607

RE: COGCC NOAV No. 200437898  
Foundation Energy Management (Operator No. 10112)

Dear Mr. Sauer,

Please find the enclosed Notice of Alleged Violation (NOAV) for Foundation Energy Management's (Foundation) facility in Weld County, Colorado. Instructions for Foundation to respond and complete corrective action are included in the NOAV document. If you have procedural questions pertaining to the NOAV, please contact me at 303-894-2100 x5172. If you have technical questions pertaining to the NOAV, please contact Arthur Koepsell at 303-894-2100 x5148.

Very truly yours,

Steven Mah, NOAV Specialist



**COLORADO**

**Oil & Gas Conservation  
Commission**

Department of Natural Resources

P 303.894.2100 x5172 | F 303.894.2109  
1120 Lincoln Street, Suite 801, Denver, CO 80203  
[steven.mah@state.co.us](mailto:steven.mah@state.co.us) | [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc)

P 303.894.2100 F 303.894.2109 [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc)

Commissioners: Thomas L. Compton - Chairman, Richard Alward, John H. Benton, DeAnn Craig,

James W. Hawkins, Tommy Holton, Andrew L. Spielman, Mike King, Dr. Larry Wolk

John W. Hickenlooper, Governor | Mike King, Executive Director, DNR | Matthew J. Lepore, Director



CERTIFICATE OF SERVICE

On November 6, 2015, a true and correct copy of the NOAV and this cover letter, was sent by Certified US Mail, return receipt requested, and electronic mail to the following as indicated:

Foundation Energy Management  
Attn: Joel Sauer  
16000 Dallas Parkway #875  
Dallas, TX 75248-6607  
[jsauer@foundationenergy.com](mailto:jsauer@foundationenergy.com)

  
\_\_\_\_\_  
Steven Mah