

State of Colorado  
Oil and Gas Conservation Commission

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



Document Number:  
401226197  
Date Issued:  
03/24/2017  
Date Resolved:

## NOTICE OF ALLEGED VIOLATION - ISSUED

Per Rule 522, the Director has reasonable cause to believe that a violation of the Act, or of any Commission rule, order, or permit has occurred, the Director will require the operator to remedy the violation and may commence an enforcement action seeking penalties by issuing a Notice of Alleged Violation (NOAV). Per Rule 523, an operator who violates the Act, or a Commission rule, order, or permit may be subject to a penalty imposed by Commission order.

### OPERATOR INFORMATION

OGCC Operator Number: 27635	Contact Name and Telephone:
Name of Operator: ENERGY SEARCH CO ADDBA ENERGY SEARCH CO INC	Name: Brett Robuck
Address: PO BOX 1896	Phone: (308) 340-3242 Fax: (303) 320-3562
City: EDWARDS State: CO Zip: 81632	Email: rpllc@msn.com

### Well Location, or Facility Information (if applicable):

API Number: 05-001-07085-00	Facility or Location ID:
Name: KORTUM	Number: 3
QtrQtr: SENE Sec: 21	Tw: 1S Range: 67W Meridian: 6
County: ADAMS	

### ALLEGED VIOLATION

Rule: 326.b	
Rule Description: Shut-in Wells	
Initial Discovery Date:	Was this violation self-reported by the operator? No
Date of Violation:	Approximate Time of Violation:
Was this a discrete violation of obvious duration? No	
Description of Alleged Violation:	
<p>Pursuant to Rules 326.b., operator is required to perform a mechanical integrity test (MIT) on shut-in (SI) wells within two years of the initial shut-in date and then at five year intervals after an initial successful MIT. Based on Operator's Form 7s – Operator's Monthly Report of Operations, the KORTUM 3 (API # 05-001-07085) (Well) has been SI since September 2011. Based on the well file, the Well is past due for a MIT.</p>	
Abatement or Corrective Action Required to be Performed by Operator:	Corrective Action Due Date: 03/24/2017
<b>Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.</b>	
<p>Operator shall immediately schedule and complete either an MIT of the Well or plug and abandon the Well. Rule 316B requires notice to the Director on a Form 42 at least ten days prior to conducting an MIT, and submission of MIT results on a Form 21, within 30 days after the test. A pressure chart shall accompany this Form 21 report. Rule 311 requires Operator to submit a Form 6, Notice of Intent to Abandon, and secure Director approval prior to plugging and abandonment of a well, and to submit a Form 6, Subsequent Report of Abandonment, within 30 days after plugging and abandonment of the well has been completed.</p>	

## 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 judgement 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\\_cogccenforecment@state.co.us](mailto:dnr_cogccenforecment@state.co.us).

## NOAV ISSUED

NOAV Issue Date: 03/24/2017

COGCC Representative Signature: \_\_\_\_\_

COGCC Representative: Steven Mah

Title: NOAV Specialist

Email: steven.mah@state.co.us

Phone Num: (303) 894-2100x5172

## CORRECTIVE ACTION COMPLETED

Rule: 326.b

Rule Description: Shut-in Wells

Corrective Action Start Date: \_\_\_\_\_

Corrective Action Complete Date: \_\_\_\_\_

Has corrective action for this violation been performed as required? No

Description of Actual Corrective Action Performed by Operator

No action taken.

## FINAL RESOLUTION

Cause #: 1V

Order #: 636

Docket #: 170600310

Enforcement Action: Order Finding Violation

Final Resolution Date: 06/12/2017

Final Resolution Comments:

Resolved by Order 1V-636.

## ATTACHMENT LIST

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
401242850	NOAV COVER LETTER
401242852	NOAV CERTIFIED MAIL RECEIPT
401242960	NOAV ISSUED
401242962	NOAV IN PROCESS
401287673	NOAV CERTIFIED MAIL RETURN RECEIPT

Total Attach: 5 Files