

State of Colorado
Oil and Gas Conservation Commission

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Date Issued:
06/15/2022

NOTICE OF ALLEGED VIOLATION - ISSUED

Per Rule 523, 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 525, 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: <u>52530</u>	Contact Name and Telephone:
Name of Operator: <u>MAGPIE OPERATING INC</u>	Name: <u>JAMES M WARNER</u>
Address: <u>2707 SOUTH COUNTY RD 11</u>	Phone: <u>(970) 669-6308</u> Fax: <u>()</u>
City: <u>LOVELAND</u> State: <u>CO</u> Zip: <u>80537</u>	Email: <u>jwarner105@gmail.com</u>

Well Location, or Facility Information (if applicable):

API Number: 05-001-06011-00 Facility or Location ID: _____
Name: FAHK-GARRETT Number: 3
QtrQtr: NWSW Sec: 4 Twp: 2S Range: 57W Meridian: 6
County: ADAMS

ALLEGED VIOLATION

Rule: 434.b
Rule Description: Temporary Abandonment
Initial Discovery Date: 06/06/2022 Was this violation self-reported by the operator? No
Date of Violation: 03/17/2022 Approximate Time of Violation: _____
Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 434.b.(1), a Well may be temporarily abandoned after passing a successful mechanical integrity test pursuant to Rule 417 upon approval of the Director, for a period not to exceed 6 months provided the hole is cased or left in such a manner as to prevent migration of oil, gas, water, or other substance from the formation or horizon in which it originally occurred. If Magpie Operating, Inc. ("Operator") requests temporary abandonment ("TA") status in excess of 6 months the Operator will state the reason for requesting such extension and state plans for future operation. A Form 4, or other form approved by the Director, will be submitted annually stating the method the Well is closed to the atmosphere and plans for future operation. Subsequent mechanical integrity tests will be required at the frequency specified in Rule 417.

Operator submitted a Form 4, Sundry Notice on March 17, 2021 (document no. 402631841), requesting continued TA status for the Fahk-Garrett 3 well. COGCC staff provided a condition of approval ("COA") saying the approval is good for one year from the submittal date and a new application must be made before March 17, 2022 and include updates for the planned utilization of the well.

According to COGCC records, as of June 6, 2022, Operator has not submitted a Form 4 requesting continued TA status for the well, violating Rule 434.b.(1).

Abatement or Corrective Action Required to be Performed by Operator: _____ Corrective Action Due Date: 07/15/2022

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

Operator shall submit a Form 4 and include planned utilization of the well.

PENALTY

Penalties for violations alleged in this NOAV will be calculated pursuant to Rule 525, with daily penalties accruing pursuant to Section 34-60-121(1), C.R.S.

ANSWER

Pursuant to Rule 523.c.(2), the operator must file an Answer to this NOAV within 28 days of its receipt, or a default judgment may be entered. Answers are filed by email to dnr_cogccenforcement@state.co.us.

NOAV ISSUED

NOAV Issue Date: 06/15/2022

COGCC Representative Signature:  _____

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100 x5143

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>

Total Attach: 0 Files