

State of Colorado  
Energy & Carbon Management Commission

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Document Number:  
402418512  
Date Issued:  
06/12/2020  
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

ECMC Operator Number: 10312	Contact Name and Telephone:
Name of Operator: PROSPECT ENERGY LLC	Name: WARD GILTNER
Address: 1036 COUNTRY CLUB ESTATES DR	Phone: (303) 489-8773 Fax: ( )
City: CASTLE ROCK State: CO Zip: 80108	Email: wgiltner@yahoo.com

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

API Number: 05-069-05108-00	Facility or Location ID: 216700
Name: WHITAKER BLUNK (MUDDY UNIT)	Number: 1
QtrQtr: NENW Sec: 30	Twp: 8N Range: 68W Meridian: 6
County: LARIMER	

### ALLEGED VIOLATION

Rule: 309  
Rule Description: Operator's Monthly Report of Operations  
Initial Discovery Date: 06/10/2020 Was this violation self-reported by the operator? No  
Date of Violation: 01/15/2020 Approximate Time of Violation:  
Was this a discrete violation of obvious duration? Unknown

#### Description of Alleged Violation:

Pursuant to Rule 309, Operator shall report every existing oil and gas well that is not plugged and abandoned on the Operator's Monthly Report of Operations ("Form 7"), within 45 days after the end of each month. Operator shall report each well every month from the month it is spud until it has been reported for one month as abandoned. Operator is required to report each formation that is completed in a well every month from the time that it is completed until one month after abandonment.

COGCC Staff conducted an audit of COGCC records for January 2020 and found the Form 7 reporting for the well is missing or incorrect, violating Rule 309.

Abatement or Corrective Action Required to be Performed by Operator: Corrective Action Due Date: 07/12/2020

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

By the Corrective Action Due Date, Operator shall audit its Form 7 reporting and the COGCC records for the well and shall submit a complete and accurate Form 7 report for the well.

In its Rule 522.d.(2) Answer, due within 28 days of the Operator's receipt of the NOAV, Operator shall report to the Commission the well for which the Form 7 has been submitted (but not approved) or not submitted. Operator's Answer shall also include a discussion

of the procedural changes that Operator is implementing to ensure that complete and accurate Form 7s for all of Operator's wells are timely filed in the future.

Operator shall submit its NOAV Answer by email to the following (a hardcopy is not necessary):

dnr\_cogccenforcement@state.co.us  
teri.ikenouye@state.co.us

## 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\_ecmc\_enforcement@state.co.us.

## NOAV ISSUED

NOAV Issue Date: 06/12/2020

ECMC Representative Signature: \_\_\_\_\_

ECMC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100x

## CORRECTIVE ACTION COMPLETED

Rule: 309

Rule Description: Operator's Monthly Report of Operations

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

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

Has corrective action for this violation been performed as required? Yes

Description of Actual Corrective Action Performed by Operator

NOAV dismissed by the Enforcement Unit as continued prosecution of this NOAV was deemed an inefficient use of Staff resources.

## FINAL RESOLUTION

Cause #: \_\_\_\_\_ Order #: \_\_\_\_\_ Docket #: \_\_\_\_\_

Enforcement Action: Dismissed by Issuing Unit

Final Resolution Date: 06/27/2024

Final Resolution Comments:

NOAV dismissed by the Enforcement Unit as continued prosecution of this NOAV was deemed an inefficient use of Staff resources.

## ATTACHMENT LIST

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

Document Number	Description
402421199	NOAV CERTIFIED MAIL RECEIPT
402421207	NOAV ISSUED

402421209	NOAV IN PROCESS
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Total Attach: 3 Files