

State of Colorado  
Energy & Carbon Management Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
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Document Number:  
401811689  
Date Issued:  
10/26/2018  
Date Resolved:  
08/13/2024

## NOTICE OF ALLEGED VIOLATION - RESOLVED

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: 10055

Name of Operator: SAGOUSPE\* JEAN P

Address: P O BOX 1365

City: LOS BANOS State: CA Zip: 93635

Contact Name and Telephone:

Name: Jean Sagouspe

Phone: (209) 826-9566 Fax: ( )

Email: nomail@gmail.com

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

API Number: 05-107-06050-00

Facility or Location ID:

Name: TOW CREEK

Number: 7-14

QtrQtr: SWNE

Sec: 14

Twp: 6N

Range: 87W

Meridian: 6

County: ROUTT

### ALLEGED VIOLATION

Rule: 319.b.(3)

Rule Description: Temporary Abandonment - 6 Months to Plug unless extended

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:

COGCC Rule 100 defines a well as temporarily abandoned ("TA") if the well becomes incapable of production (for example, through the removal of necessary production equipment or a well that has all downhole completed intervals isolated with a plug set above the highest perforation).

Pursuant to Rule 319.b.(3), Sagouspe\* Jean P (ID No. 10055, "Operator") shall abandon any well which has ceased production or injection and is incapable of production or injection within six months thereafter unless the well passes a successful mechanical integrity test ("MIT") per Rule 326, and the time is extended by the Director upon application by the owner. Pursuant to Rule 311., Operator shall submit Well Abandonment Reports ("Form 6"): (a) prior to the abandonment of a well for COGCC approval of the abandonment plan; and (b) within 30 days after abandonment.

On August 1, 2016, COGCC Staff conducted an inspection of Operator's Tow Creek #7-14 (API No. 05-107-06050, "Well") and observed that the well was TA. (Field Inspection Report No. 673403456). Conservatively assuming the date of this inspection to be the date the Well became TA, Operator was required by Rule 319.b to plug and abandon the Well no later than February 1, 2017.

As of October 26, 2018, Operator has not submitted a Form 6 indicating the Well has been or is planned to be abandoned; nor has Operator submitted evidence of a successful MIT and request to extend the TA time.

Operator failed to abandon the Well within six months ceasing production and becoming incapable of production, violating Rule 319.b.(3).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 01/24/2019

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

Operator shall plug and abandon the well, including timely submitting all required notices, forms, and reports; and timely obtaining all required approvals.

## 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](mailto:dnr_ecmc_enforcement@state.co.us).

## NOAV ISSUED

NOAV Issue Date: 10/26/2018

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

ECMC Representative: Kira Gillette

Title: NOAV Specialist

Email: [kira.gillette@state.co.us](mailto:kira.gillette@state.co.us)

Phone Num: (303) 894-2100

## CORRECTIVE ACTION COMPLETED

Rule: 319.b.(3)

Rule Description: Temporary Abandonment - 6 Months to Plug unless extended

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

Dismissed by the Enforcement Unit after compliance was successfully achieved and based on the Commission's recent interpretation of the Oil and Gas Conservation Act's statute of limitations in Order No. 1V-772.

## FINAL RESOLUTION

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

Enforcement Action: Dismissed by Issuing Unit

Final Resolution Date: 08/13/2024

Final Resolution Comments:

Dismissed by the Enforcement Unit after compliance was successfully achieved and based on the Commission's recent interpretation of the Oil and Gas Conservation Act's statute of limitations in Order No. 1V-772.

## ATTACHMENT LIST

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

Document Number	Description
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401811791	NOAV COVER LETTER
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401811792	NOAV CERTIFIED MAIL RECEIPT
401811823	NOAV ISSUED
401811981	NOAV IN PROCESS
401970316	NOAV CERTIFIED MAIL RETURN RECEIPT

Total Attach: 5 Files