

BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF ALLEGED VIOLATIONS OF) CAUSE NO. 1V
THE RULES AND REGULATIONS OF THE)
COLORADO OIL AND GAS CONSERVATION) DOCKET NO. 150700354
COMMISSION BY VITRUVIAN EXPLORATION,)
LLC, MOFFAT COUNTY, COLORADO) TYPE: ENFORCEMENT

NOTICE AND APPLICATION FOR HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Pursuant to Rule 522.e., the Colorado Oil and Gas Conservation Commission ("Commission" or "COGCC") Staff will apply to the Commission at its July 20-21, 2015, hearing for an Order Finding Violation ("OFV") against Vitruvian Exploration, LLC ("Vitruvian") (Operator No. 10026). This Notice and Application is being served to adjudicate the allegations made in the below-described Notices of Alleged Violation ("NOAVs"), the allegations of which are incorporated herein.

Vitruvian is the operator of the Argo Well # 33-10 (API # 05-081-07087), the Argo Well #33-16 (API # 05-081-07089), and the Aries Well #34-12 (API # 05-081-07088) located in Moffat County.

On February 15, 2015, COGCC Environmental Protection Specialist Kris Neidel performed an inspection at the Argo Well #33-16 (Doc. # 669300179). Mr. Neidel determined that the well had not passed final reclamation.

On February 19, 2015, Mr. Neidel performed an inspection at the Argo Well #33-10 (Doc. # 669300178). Mr. Neidel determined that the well had not passed final reclamation.

On February 19, 2015, Mr. Neidel performed an inspection at the Aries Well #34-12 (Doc. # 669300181). Mr. Neidel determined that the well had not passed final reclamation.

On May 11, 2015, Reclamation Supervisor Denise Arthur issued NOAV Nos. 200429994, 200430002, and 200430004 to Vitruvian, alleging violations of Rule 1004 (Final Reclamation).

COGCC Enforcement Staff requests that Vitruvian be found in violation of Rule 1004, ordered to return to compliance with Rule 1004, and assessed a penalty pursuant to Rule 523, and other relief as authorized by law.

Enforcement Staff also requests that, in the event Vitruvian fails to pay the penalty and return to compliance, the Commission authorize COGCC Staff to foreclose

Vitruvian's existing financial assurance and claim both the principal and any accrued, but undisbursed, interest that may exist, supplemented as may be necessary by funds from the Oil and Gas Conservation and Environmental Response Fund, to:

1. Remediate conditions that threaten to cause, or that actually cause, environmental impacts at oil and gas locations operated by Vitruvian;
2. Plug and abandon any wells operated by Vitruvian; and
3. Reclaim all well sites and associated facilities operated by Vitruvian.

Enforcement Staff also requests that all equipment and appurtenances related to Vitruvian's operations, if any, shall become property of the Commission should COGCC Staff initiate any of the activities described in the preceding paragraph. Enforcement Staff requests that COGCC Staff be authorized to dispose of such equipment and appurtenances as it sees fit, provided that any proceeds from the disposition of the assets will be applied to any work undertaken by COGCC Staff.

Enforcement Staff also requests that Vitruvian, or its successors or assigns, remain responsible for complying with this Order, including the penalties imposed, in the event Vitruvian is revived or recapitalized or there is a sale of any well sites or associated facilities operated by Vitruvian.

Enforcement Staff also requests that Vitruvian, or its successors or assigns, be required to repay any funds expended by the Commission from the Oil and Gas Conservation and Environmental Response Fund for any work undertaken by COGCC Staff.

Enforcement Staff also requests that Vitruvian's Operator Number (No. 10026) be forfeited, Vitruvian's Form 1 (Document No. 1662585) be rescinded, and Vitruvian's right to conduct oil and gas operations in the state of Colorado be revoked.

NOTICE IS HEREBY GIVEN, pursuant to: 1) the general jurisdiction granted to the Oil and Gas Conservation Commission of the State of Colorado (Commission) under § 34-60-105 C.R.S.; 2) specific powers granted pursuant to § 34-60-106 C.R.S.; 3) the Colorado Administrative Procedures Act at § 24-4-105 C.R.S.; and 4) the Commission's Series 500 Rules at 2 CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: Monday, July 20, 2015
Tuesday, July 21, 2015

Time: 9:00 a.m.


Place: Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

In accordance with the Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-2100 ext. 5139, prior to the hearing and arrangements will be made.

Pursuant to said hearing in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the Commission will enter such orders as it deems appropriate to protect the health, safety and welfare of the public and to prevent the waste of oil and gas, either or both, in the operations of said field, and to carry out the purposes of the statute.

In accordance with Rule 509., any interested party desiring to protest the granting of the application or to intervene on the application should file with the Commission a written protest or intervention no later than July 6, 2015 briefly stating the basis of the protest or intervention. One electronic, one original and two copies shall be filed with the Commission. Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of July 6, 2015. Pursuant to Rule 503.g., if a party who has received notice under Rule 503.b. wishes to receive further pleadings in the above-referenced matter, that party must file a protest or intervention in accordance with these rules.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By  _____
Julie Murphy, Secretary

Dated: May 13, 2015

Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203
Website: <http://cogcc.state.co.us>
Phone: (303) 894-2100
Fax: (303) 894-2109

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
04/21/2015
200429994

*** NOTICE OF ALLEGED VIOLATION ***

OGCC Operator Number: 10026
Name of Operator: VITRUVIAN EXPLORATION LLC
Address: 4 WATERWAY WAY SQUARE ATTN: RICK JOHNSON
City: THE WOODLANDS State: TX Zip: 77380
Company Representative:

Date Notice Issued:
04/21/2015

Well Name: ARGO Well Number: 33-10 Facility Number: 263583
Location (QtrQtr, Sec, Twp, Rng, Meridian): NWSE 33 8N 94W 6 County: MOFFAT
API Number: 05 081 07087 00 Lease Number:

COGCC Representative: Arthur Denise Phone Number: 303 894-2100

THE FOLLOWING ALLEGED VIOLATION WAS FOUND BY THE COGCC REPRESENTATIVE FOR THE SITE LISTED
Date of Alleged Violation: 04/21/2015 Approximate Time of Violation:
Description of Alleged Violation:
Pursuant to an inspection conducted 02/19/2015 (Document No. 669300178), this well has not passed final reclamation. The site still has visible flowline risers and stormwater issues.

Act, Order, Regulation, Permit Conditions Cited:
1004

Abatement or Corrective Action Required to be Performed by Operator:*
Implement final reclamation of the well site and associated facilities.
Abatement or Corrective Action to be Completed by (date): 04/21/2015
* 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: 5/11/15 Time:
Resolution Approved by: _____ Date:



*** NOTICE OF ALLEGED VIOLATION ***

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Name of Operator: VITRUVIAN EXPLORATION LLC
Address: 4 WATERWAY WAY SQUARE ATTN: RICK JOHNSON
City: THE WOODLANDS State: TX Zip: 77380
Company Representative:

Date Notice Issued:
04/21/2015

Well Name: **ARGO** Well Number: **33-16** Facility Number: 263586
Location (QtrQtr, Sec, Twp, Rng, Meridian): **SESE 33 8N 94W 6** County: MOFFAT
API Number: **05 081 07089 00** Lease Number:

COGCC Representative: **Arthur Denise** Phone Number: 303 894-2100

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

Date of Alleged Violation: 04/21/2015 Approximate Time of Violation:
Description of Alleged Violation:
Pursuant to an inspection conducted 02/15/2015 (Document No. 669300179), this well has not passed final reclamation. The site still has deadmen installed, trash and debris on location, visible flowline risers and no final reclamation has taken place on pad or access road.

Act, Order, Regulation, Permit Conditions Cited:
1004

Abatement or Corrective Action Required to be Performed by Operator:*
Implement final reclamation of the well site and associated facilities.

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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
04/21/2015
200430004

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Name of Operator: VITRUVIAN EXPLORATION LLC
Address: 4 WATERWAY WAY SQUARE ATTN: RICK JOHNSON
City: THE WOODLANDS State: TX Zip: 77380
Company Representative:

Date Notice Issued:
04/21/2015

Well Name: **ARIES** Well Number: **34-12** Facility Number: 263584
Location (QtrQtr, Sec, Twp, Rng, Meridian): **NWSW 34 8N 94W 6** County: MOFFAT
API Number: **05 081 07088 00** Lease Number:

COGCC Representative: **Arthur Denise** Phone Number: 303 894-2100

THE FOLLOWING ALLEGED VIOLATION WAS FOUND BY THE COGCC REPRESENTATIVE FOR THE SITE LISTED
Date of Alleged Violation: 04/21/2015 Approximate Time of Violation:
Description of Alleged Violation:
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