

### COGCC 3rd Quarter 2016 HB 14-1356 Report

Operator	Operator #	NOAV Date	NOAV Nos.	Violations in Order	Penalty (Total)	Penalty (Suspended)	Penalty Days	Daily Penalty	Aggravating Factors	Mitigating Factors	Pattern of Violation (Y/N)	Gross Negligence or Knowing & Willful misconduct (Y/N)	AOC or OFV	Other Rationale	Docket No.	Order No. (1V)	Final Order Date	
1	8 North, LLC	10575	6/17/2016	401063543	309	\$3,680	N/A	210	\$18	None	None	No	No	AOC	Policy Table Value; Duration Matrix	160800309	591	8/29/2016
2	Arnold and Darleen Mackley	10043	N/A	N/A	N/A	N/A	N/A	N/A	N/A	None	None	No	No	Bond Call	Bond Call; Domestic Well	160700305	587	7/19/2016
3	Carrizo Niobrara	10439	10/9/2015	1898000	912	\$40,000	N/A	223	\$179	None	None	No	No	AOC	Policy Table Value; Settlement Inducement	160100076	589	7/19/2016
4	Dakota Exploration, LLC	10354	4/5/2016	400984454	210 (2); 309 (2); 326.b; 603.f (2); 605.a(4); 605.b (2); 1002.f; 1003 (2)	\$172,698	\$150,000	5552	\$31	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement; Consolidation; Proportionality Adjustment; Ability to Pay	160700208	595	8/29/2016
5	Extraction Oil & Gas LLC	10459	3/25/2016	401002330	303, 1002.f	\$62,000	\$25,000	44	\$1,409	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Suspension	160700258	596	8/29/2016
6	PDC Energy Inc.	69175	3/17/2016; 4/15/2016	400994763; 401026439	308A; 308B; 312; 316C.a	\$62,325	N/A	522	\$119	None	2	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	160600198	593	8/29/2016
7	Petrox Resources, Inc.	69805	11/10/2015	200437910	1003.d.(2)	\$10,000	N/A	\$27	\$370	None	None	No	No	AOC	Proportionality Adjustment; Duration Matrix; Settlement Inducement	160400009	585	7/19/2016
8	Ursa Operating Company LLC	10447	2/9/2016	400976773; 400983780; 400983954	605.d; 805.a	\$20,625	N/A	6	\$3,438	None	Unspecified	No	No	AOC	Consolidation; Policy Table Value; Settlement Inducement	160600165	580	7/19/2016
9	XTO Energy Inc.,	100264	4/1/2016	401012690	1102	\$10,000	N/A	1	\$10,000	None	1, 2	No	No	AOC	Increased Daily Penalty from Policy Table Value	160600199	590	7/19/2016

Total Penalties Assessed

\$381,328

#### A. Aggravating Factors

1. The violator acted with gross negligence or knowing and willful misconduct.
2. The violation resulted in significant waste of oil and gas resources.
3. The violation had a significant negative impact on correlative rights of other parties.
4. The violator was recalcitrant or uncooperative with the Commission or other agencies in correcting or responding to the violation.
5. The violator falsified reports or records.
6. The violator benefited economically from the violation, in which case the amount of such benefit shall be taken into consideration.
7. The violator has engaged in a pattern of violations.

#### B. Mitigating Factors

1. The violator self-reported the violation.
2. The violator demonstrated prompt, effective and prudent response to the violation, including assistance to any impacted parties.
3. The cause of the violation was outside of the violator's reasonable control and responsibility, or is customarily considered to be force majeure.
4. The violator made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation.
5. The cost of correcting the violation reduced or eliminated any economic benefit to the violator, excluding circumstances in which increased costs stemmed from non-compliance.
6. The violator has demonstrated a history of compliance with the Act, and Commission rules, orders, and permits.