

COGCC 1st Quarter 2017 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 Alfred Ward & Son	94300	11/3/2016	401141974	303; 308B	\$9,516	N/A	87	\$109	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	170100012	621	1/30/2017
2 Alfred Ward & Son	94300	8/25/2016	401080106; 401082382	309 (2); 326.b.; 326.c.(1)	\$98,054	\$49,027	1427	\$69	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Proportionality Adjustment	161200402	626	3/20/2017
3 Antler Energy, LLC	10407	8/9/2016	401082880	326.b.	\$45,450	\$22,725	362	\$126	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	161000388	624	1/30/2017
4 Bayswater Exploration and Production LLC	10261	10/28/2016	401123787; 401122866; 401124027; 401121857; 401124042; 401124032; 401124029; 401123785; 401121017; 401122915; 401132217	205A (8); 316C (5); §34-60-121(1), C.R.S.	\$35,689	N/A	855	\$42	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Rule Reclassification	170100008	613	1/30/2017
5 Becca Oil LLC	10156	10/27/2016	401083038	311	\$2,553	N/A	119	\$21	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	170100001	616	1/30/2017
6 Black Hills Plateau Production LLC	10150	6/8/2016	401047564	308A; 308B; 309.a.; 312.a.; 317.p.; 318.d	\$34,946	N/A	1055	\$33	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	161200307	623	1/30/2017
7 Fritzier Resources Inc	31257	10/27/2016	401083039	309; 311	\$5,606	N/A	458	\$12	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	170100002	620	1/30/2017

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8 Julander Energy Company	44204	12/5/2016	401158434	522.f	\$118,700	N/A	114	\$1,041	None	None	No	No	AOC	Policy Table Value; Proportionality Adjustment, Duration Matrix	170300093	625	3/20/2017
9 Merrion Oil & Gas Corporation	56680	7/15/2016	401068072	912.a; 912.b	\$42,840	\$21,420	62	\$691	None	None	No	No	AOC	Policy Table Value; Duration Matrix	161000378	615	3/20/2017
10 PDC Energy Inc	69175	10/27/2016	401083135	311	\$2,846	N/A	248	\$11	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	170100005	619	1/30/2017
11 PetroHunter Operating Company	10200	11/1/2016 (3)	401140160; 401140347; 401139533	§34-60-121 C.R.S.; 210.b. (2); 210.d; 309 (2); 326.f.; 603.f; 707.a; 905	\$313,140	N/A	1086	\$288	None	None	Yes	No	OFV	Policy Table Value; Duration Matrix	161200550	608	1/30/2017
12 Pine Ridge Oil & Gas LLC	10276	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Bond Claim only, No Penalty	170100014	622	1/30/2017
13 Sandridge Exploration & Production LLC	10598	11/7/2016 (3)	401141492; 401141661; 401141635	301; 316C; §34-60-121(1), C.R.S.	\$27,180	N/A	13	\$2,091	None	2	No	No	AOC	Policy Table Value	170100019	618	1/30/2017
14 Tyler Rockies Exploration Ltd	41550	7/14/2016	401078291	309; 326.a	\$7,500	N/A	794	\$9	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement; Ability to Pay	161000380	614	1/30/2017
15 Whiting Oil & Gas Corporation	96155	10/27/2016	401137225; 401137427; 401137435; 401137436; 401137440	317.p (5)	\$12,500	N/A	5	\$2,500	None	None	No	No	AOC	Policy Table Value	170100007	617	1/30/2017

Total Penalties Assessed

\$756,520

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.