

COGCC 2nd Quarter 2020 HB 14-1356 Report

Operator	Operator #	NOAV Nos.	NOAV Date	Violations in Order	Penalty (Total)	Penalty Imposed on Defunct and/or Non-Responsive Operator (Y/N)	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 Bramwell Richard J & Darla L	9735	401941742	2/15/2019	1102.g.; 210.b.; 603.f.	\$205,470	Y	0	2256	\$92	N	N	N	N	OFV	Domestic Well; Duration Matrix; Financial Assurance Foreclosure; Inability to Pay	200300066	720	6/10/2020
2 Citation Oil & Gas Corp.	17180	401939601	2/14/2019	912.b.; 605.d.	\$30,000	N	0	6	\$5,000	N	N	N	N	AOC	Settlement Discount	191200687	717	5/20/2020
3 Highpoint Operating Corporation	10071	402191139	9/27/2019	326.f.	\$85,500	N	0	50	\$1,710	N	N	N	N	AOC	Duration Matrix; Settlement Discount	191200757	716	5/25/2020
4 Huntington Energy LLC	42300	401729881	8/17/2018	210.b.	\$37,750	N	\$22,750	41	\$2,500	N	N	N	N	AOC	Suspended Penalty	200300070	731	6/24/2020
5 Kerr-McGee Oil & Gas Onshore LP	47120	402009800	3/12/2020	324A.a.; 605.d.; 1102.a.; 1103	\$18,250,000	N	0	4380	\$4,167	8	N	N	N	AOC	Commission Hearing; Statutory Maximum; Public Project	200300060	709	4/13/2020
6 KP Kauffman Company, Inc.	46290	402206840	10/16/2019	906.b.(1).A.; 906.b.(2).; 906.b.	\$25,000	N	\$22,500	10	\$2,500	N	N	N	N	AOC	Suspended Penalty; Other	200300062	725	6/10/2020
7 Mallard Exploration LLC	10670	402206572	10/11/2019	606.A.h.	\$15,000	N	0	1	\$15,000	8	N	N	N	AOC	Statutory Maximum	191100720	718	5/29/2020
8 Noble Energy, Inc.	100322	402067046	6/7/2019	606.A.h.	\$10,000	N	0	1	\$10,000	N	N	N	N	AOC		191200756	719	5/20/2020
9 PetroShare Corp	10454	401710231; 401755067; 401755039	7/23/2018; 9/6/2018	605.c., 905., 906.b., 906.c., 1002.f.	\$726,100	Y	\$0	2293	\$317	N	N	N	N	OFV	Duration Matrix; Financial Assurance Foreclosure; Commission Hearing	190700482; 190700483; 190700484	726	6/10/2020
10 Santa Fe Natural Resources Inc.	10525	401781676; 401811699; 401811697	10/5/2018; 10/26/2018	210.b., 309., 326.b., 603.f., 902.c., 903., 906.a., 1003.b., 1103.	\$1,237,860	Y	0	9,865	\$125	N	N	N	N	OFV	Duration Matrix; Financial Assurance Foreclosure; Commission Hearing	191000610	715	5/29/2020

Total Penalties Assessed \$20,622,680

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.
8. The violation led to death or serious injury.

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