

**COGCC 4th 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 (Yes/No)	AOC or OFV	Other Rationale	Docket No.	Order No. (1V)	Final Order Date
1 Aus-Tex Exploration Inc	10412	8/5/2016	401089534	609	\$2,500	N/A	1	\$2,500	None	None	No	No	AOC	Policy Table Value	161200479	611	12/12/2016
2 Encana Oil & Gas (USA) Inc.	100185	2/23/2016	400992466	308A; 308B; 312; 317.p	\$120,000	\$55,000	135	\$889	None	None	No	No	AOC	Policy Table Values; Duration Matrix; Settlement Inducement	160600196	594	10/24/2016
3 Extraction Oil & Gas LLC	10459	8/5/2016	401089682; 401089686; 401089672; 401089692; 401089657; 401089667; 401089661; 401089697; 401066622; 401089675; 401089701	603.a (11)	\$27,500	N/A	11	\$2,500	None	None	No	No	AOC	Policy Table Values	161000387	599	10/24/2016
4 Great Western Operating Company LLC	10110	8/24/2015	200436875	308A; 308B; 309.a	\$104,000	\$104,000	44	\$2,364	None	None	No	No	AOC	Policy Table Values; Settlement Inducement	151200658	612	12/12/2016
5 Maralex Disposal LLC	10119	8/26/2016	401099550	605.a.(4)	\$30,000	N/A	12	\$2,500	None	None	No	No	AOC	Policy Table Value; Duration Matrix	161000458	610	12/12/2016
6 Maralex Resources, Inc	53255	6/21/2016	401022828	906.b.; 1101; 1102	\$15,000	N/A	2	\$7,500	None	None	No	No	AOC	Policy Table Values; Consolidation	161000308	607	12/12/2016
7 Maralex Resources, Inc	53255	8/11/2016	401091611	326	\$60,970	N/A	376	\$162	None	None	No	No	AOC	Policy Table Value; Duration Matrix	161000390	609	12/12/2016
8 Merit Energy Company	56565	8/9/2016	401083040	311	\$2,198	N/A	52	\$42	None	None	No	No	AOC	Policy Table Value; Duration Matrix; Settlement Inducement	161000389	602	10/24/2016
9 Monument Global Resources, Inc.	10430	8/31/2016	401102188; 401102202	522.f	\$293,800	N/A	275	\$1,068	None	None	Yes	No	OFV	Consolidation; Policy Table Value; Duration Matrix; Proportionality Adjustment	161000401	600	10/24/2016
10 Premier Oil & Gas Inc.	10236	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Bond Call	N/A	160800310	592	10/24/2016
11 Prospect Energy LLC	10312	8/25/2016	401078582	326.b.	\$32,400	N/A	67	\$484	None	2	No	No	AOC	Settlement Inducement; Mitigating Factor	161200403	606	12/12/2016
12 San Marco Petroleum Inc	74975	9/15/2016	401108344	607	\$3,000	N/A	283	\$11	None	None	No	No	AOC	Rule Reclassification; Settlement Inducement	161200481	604	12/12/2016
13 Sandra K. Woodard	10342	8/4/2016	401082021; 401082126; 401082150	309 (3)	\$8,192	\$7,373	591	\$14	None	None	No	No	AOC	Policy Table Values; Duration Matrix; Settlement Inducement; Inability to Pay	161000386	598	10/24/2016
14 Sunburst Inc.	83555	1/25/2016	400967807	205A; 303.a.(1); 308A; 308B; 309	\$29,000	\$28,000	669	\$43	None	None	No	No	AOC	Settlement Inducement; Duration Matrix; Inability to Pay	160600163	597	10/24/2016
15 Synergy Resources	10311	6/23/2015 (5)	1772582; 1772583; 1772584; 1772585; 200434693	316C.a	\$146,250	\$146,250	13	\$11,250	None	4, 6	No	No	AOC	Policy Table Values; Duration Matrix; Settlement Inducement	151000487	603	10/24/2016
16 Wellington Operating Company	95233	2/4/2015; 9/23/2015 (6)	2558861; 1352209; 1352205; 200437282; 1352208; 1352206; 1352207	326.f	\$112,200	\$102,200	1230	\$91	None	None	No	No	AOC	Policy Table Values; Inability to Pay	160400099	605	12/12/2016
17 XOG Operating LLC	10144	7/15/2016 (2)	401078742; 401078727	319.b.(1)(2); 326.c.(2)(2)	\$43,283	\$23,283	1644	\$26	None	None	No	No	AOC	Consolidation; Settlement Inducement; Duration Matrix; Proportionality Adjustment; Inability to Pay	161000381	601	10/24/2016

Total Penalties Assessed \$1,030,293

**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.