

ECMC 3rd Quarter 2024 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
Alamosa Drilling, Inc.	900	403338191	3/6/3023	207; 419.b.(4); 419.c	\$194,492	Y	\$194,492	1,003	\$194	N	N	N	N	OFV	Consolidation of Violations; Duration Matrix; Suspended Penalty; Financial Assurance Foreclosure	230400127	929	7/31/2024
Bayhorse Petroleum LLC	10234	402726132	6/22/2021	1002.f.; 1004.a.	\$522,760	Y	0	4,701	\$111	N	N	N	N	OFV	Commission Hearing; Duration Matrix; Financial Assurance Foreclosure	230700250	921	7/10/2024
Calco d/b/a Callister Co.	12930	402403168	5/29/2020	1101.a.; 1102.n.	\$150,830	Y	\$150,830	2,354	\$64	N	N	N	N	OFV	Duration Matrix; Suspended Penalty; Financial Assurance Foreclosure	231200268	934	8/6/2024
Edwards Energy Corporation	10208	403044586	5/11/2022	1002.f.(2); 1004.a.	\$400,900	Y	\$400,900	1,085	\$5,000	N	N	N	N	OFV	Duration Matrix; Suspended Penalty; Financial Assurance Foreclosure	240200039	942	9/5/2024
KT Resources LLC	10775	403258551; 403635849	12/13/2022; 1/4/2024	419.c.; 420	\$177,280	N	\$164,680	556	\$319	N	N	N	N	AOC	Duration Matrix; Rule Reclassification; Suspended Penalty	240500121	939	8/29/2024
LOGOS Operating LLC	10679	403104417; 403104690	7/13/2022	1002.f.; 207; 421; 608; 902; 905; 912.b.	\$543,273	N	\$380,291	4,121	\$92	N	Y	N	N	AOC	Consolidation of Violations; Duration Matrix; Suspended Penalty; Settlement Inducement	231100353	931	8/13/2024
Nonsuch Natural Gas Inc.	10163	403100223; 403104457	7/8/2022; 7/13/2022	1002.f.; 606.a.; 608.b.; 902.b.; 1003.e.	\$1,723,150	Y	\$1,723,150	5,322	\$324	N	N	N	N	OFV	Duration Matrix; Suspended Penalty; Financial Assurance Foreclosure	231000320	940	9/5/2024

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
Paradox Upstream LLC	10453	403147369; 403160904; 403160958; 403160999; 403161042; 403161100; 403161133; 403166462	8/25/2022; 9/9/2022; 9/14/2022	206; 217.a.; 326.b.; 326.c.; 405.p.; 419.c.; § 34-60-121	\$0	Y	0	0	\$0	N	N	N	N	OFV	Commission Hearing; Financial Assurance Foreclosure	240300072	937	7/10/2024
Prospect Energy, LLC	10312	403418205; 403258719; 403636214	12/13/2022; 5/31/2023; 1/4/2024	419.c; 420; 903; § 34-60- 121	\$1,711,793	Y	\$1,711,793	3,688	\$464	N	N	N	N	OFV	Duration Matrix; Suspended Penalty; Financial Assurance Foreclosure	230800269 241000006	930	8/28/2024
Sand Hills Society	76120	401957014; 401957019	3/5/2019; 3/5/2019	205.b	\$6,041	Y	0	1,945	\$3	N	N	N	N	OFV	Duration Matrix; Financial Assurance Foreclosure	240400095	933	8/7/2024

Total Penalties Assessed: \$5,430,519

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.