



\*\*\* NOTICE OF ALLEGED VIOLATION \*\*\*

OGCC Operator Number: 10190  
Name of Operator: TATONKA OIL AND GAS COMPANY INC  
Address: PMB184 3879 E. 120TH AVE ATTN: MIKE WEST  
City: THORNTON State: CO Zip: 80233  
Company Representative: MIKE WEST

Date Notice Issued:  
**12/20/2010**

Well Name: ELDON GERBER Well Number: 07-24-07-92 Facility Number: 287869  
Location (QtrQtr, Sec, Twp, Rng, Meridian): SWNE 24 7N 92W 6 County: MOFFAT  
API Number: 05 081 07359 00 Lease Number:

COGCC Representative: KELLERBY SHAUN Phone Number: 970 285-7235

THE FOLLOWING ALLEGED VIOLATION WAS FOUND BY THE COGCC REPRESENTATIVE FOR THE SITE LISTED

Date of Alleged Violation: **05/25/2010** Approximate Time of Violation: **3:00PM**  
Description of Alleged Violation:  
On May 25, 2010 cogcc staff conducted an inspection of API # 081-07364 due to a complaint. Staff observed a drilling pit on this pad site. The pit has a liner with tears, and the edges of the pit liner are not buried in a trench. Pit has steep walls, no netting, and fencing that is in poor shape. This pit is in a condition that could be a danger to wildlife. Staff observed 1 well head, capped, and shut in with no ability to produce well. Cellar around the well head is open, rat hole is present and not filled in. Cogcc data base shows well have a reported spud date of 12/22/06. Cogcc data base does not show a current MIT that is required to maintain a Shut In status. Staff observed that erosion channels are present around the edge of the pad in several spots. No storm water BMP'S are present at the pad site. No Interim reclamation has been started on this pad site.

Act, Order, Regulation, Permit Conditions Cited:  
**326.b.(1), 902.a., 1003.d.(2), 1003.b., 1003.a., 1002.f.(2)**

Abatement or Corrective Action Required to be Performed by Operator:\*  
Operator is to complete mitigation of all violations by 2/15/11.  
  
Abatement or Corrective Action to be Completed by (date): **02/15/2010**  
\* Proper and timely abatement does not necessarily preclude the assessment of penalties and an Order Finding Violation.

TO BE COMPLETED BY OPERATOR - When alleged violation is corrected, sign this notice and return to above address:  
Company Representative Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Company Comments:  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\* THIS NOTICE CONSTITUTES A SEPARATE NOTICE OF ALLEGED VIOLATION FOR EACH VIOLATION LISTED \*\*\*

**WARNING**  
Abatement and reporting time frames for Notices of Alleged Violation begin upon receipt of the Notice or five days after the date it is mailed, whichever is earlier. Each violation must be abated within the prescribed time upon receipt of this Notice, reported to the Colorado Oil and Gas Conservation Commission at the address shown above, and postmarked no later than the next business day after the prescribed time for abatement. Should abatement or corrective action fail to occur, the Director may make application to the Commission for an Order Finding Violation. Proper and timely abatement does not necessarily preclude the assessment of penalties and an Order Finding Violation.

**PENALTY PROPOSED BY THE DIRECTOR PER RULE 523**  
The Director may propose a penalty as listed in the table below, not to exceed a maximum of \$1,000.00 per day per violation. Such proposed penalty amount will be limited to \$10,000.00 per violation if the violation does not result in significant waste of oil and gas resources, damage to correlative rights, or a significant adverse impact on public health, safety, or welfare. Such proposed penalty amount may be increased if aggravating factors indicate the violation: was intentional or reckless; had, or threatened to have, a significant negative impact on public health, safety, or welfare; resulted in significant waste of oil and gas resources; had a significant negative impact on correlative rights of other parties; resulted in, or threatened to result in, significant loss or damage to public or private property; involved recalcitrance or recidivism upon the part of the violator; involved intentional false reporting or record keeping; resulted in economic benefit to the violator. Such proposed penalty amount may be decreased if mitigating factors indicate the violator: self-reported; promptly, effectively and prudently responded to the violation; cooperated with the Commission or other agencies with respect to the violation; could not reasonably control, or be responsible for, the cause of the violation; made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation; had any economic benefit reduced or eliminated due the cost of correcting the violation; has demonstrated a history of compliance with Commission rules, regulations and orders. The Commission has final authority over the penalty amount assessed. The Commission or other agencies with respect to the violation; could not reasonably control, or be responsible for, the cause of the violation; made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation; had any economic benefit reduced or eliminated due to the cost of correcting the violation; has demonstrated a history of compliance with Commission rules, regulations, and orders. The Commission has final authority over the penalty amount assessed.

BASE FINE \$500.00 PER DAY PER VIOLATION: RULES 210, 307, 311, 312, 313, 314A, 315, 405, 803, 804  
BASE FINE \$1,000.00 PER DAY PER VIOLATION: RULES 205, 206, 207, 208, 209, 301, 302, 303, 305, 306, 308, 309, 310, 313A, 316A, 316B, 317, 317A, 317B, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 341, 401, 403, 404, 602, 603, 604, 606A, 606B, 607, 608, 703, 704, 705, 706, 707, 708, 709, 711, 712, 802, 805, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 1002, 1003, 1004, 1101, 1102, 1103, 1201, 1203, 1103, 1201, 1203, 1204, 1205

In accordance with Rule 523.a.(4), fines for violations for which no base fine is listed shall be determined by the Commission at its discretion.

Signature of COGCC Representative: *[Signature]* Date: 12/20/2010 Time: 11:00AM  
Resolution Approved by: *[Signature]* Date: 11/8/2011  
**ISSUED BOND CLAIM ORDER # 1V-383**

# STATE OF COLORADO

DEPARTMENT OF NATURAL RESOURCES  
Oil & Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, Colorado 80203-2136

341000526

*Close account*

PLACE STICKER AT TOP OF EN  
OF THE RETURN ADDRESS. P  
**CERTIFIED**



7009 2820 0000

COMPLETE THIS SECTION ON DELIVERY	
A. Signature <b>X</b>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7009 2820 0000 9881 6484	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
*Tatonka Oil and Gas  
3879 E. 120th Ave  
Thornton, CO 80233*

Tatonka Oil and Gas Comp  
3879 E. 120TH Ave ATTN:  
Thornton.Co 80233



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7009 2820 0000 9881 6484



UNITED STATES  
POSTAL SERVICE

1000 80

**RECEIVED**  
JAN 31 2011  
COGCC

 UNCLAIMED

Tatonka Oil and Gas Company inc  
3879 E. 120TH Ave ATTN: Mike West  
Thornton.Co 80233

 UNCLAIMED

*1/15  
1/25 return*