

**From:** [Diana Burn - DNR](#)  
**To:** [David Shohet](#)  
**Cc:** [Leigh Bradshaw - DNR](#); [tcrawford@crawfordautoteam.com](mailto:tcrawford@crawfordautoteam.com); [sergent@lawyer.com](mailto:sergent@lawyer.com); [Dirk Sutphin - DNR](#)  
**Subject:** RE: 10436 Silver Mountain Preserve  
**Date:** Monday, December 22, 2014 12:06:37 PM  
**Attachments:** [image001.png](#)

---

Hi Mr. Shohet – what activities have been undertaken since receipt of the warning letter that was issued September 22<sup>nd</sup>?

Since this well is classified as an oil and gas well, we do require the mechanical integrity testing of this well to bring it into compliance or it can be plugged and abandoned (requires an approved Form 6, Notice of Intent to Abandon – previous NOIA has expired), regardless of any other intentions for this well.

Currently, there is no justification to extend the compliance deadline beyond the December 22, 2014. The production reporting for this well is also delinquent, last date is December 2011. The Monthly Report of Operations, Form 7 should be submitted for all missing reports to bring reporting current (through October 2014).

Please provide your corrective action plan keeping in mind the corrective action date was today, the well needs to be tested or abandoned within a very short timeframe. Referring to enforcement now includes a mandatory fine and without demonstrated mitigating factors it is likely one would be issued in this instance. It behooves Silver Mountain to do everything in their power to bring this well into compliance in an ultra-timely manner.

This is not a well that we would support for conversion to a waterwell as it is configured.

Thanks,

Diana

Diana Burn, P.E.  
Eastern Engineering Supervisor



**COLORADO**  
Oil & Gas Conservation  
Commission

Department of Natural Resources

P 303.894.2100 x5106 | F 303.894.2109 | C 303.918.6320  
1120 Lincoln Street, Suite 801, Denver, CO 80203

[Diana.Burn@state.co.us](mailto:Diana.Burn@state.co.us) | [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc)

---

**From:** Leigh Bradshaw - DNR [mailto:[leigh.bradshaw@state.co.us](mailto:leigh.bradshaw@state.co.us)]  
**Sent:** Monday, December 22, 2014 10:58 AM  
**To:** David Shohet  
**Subject:** RE: 10436 Silver Mountain Preserve

Hello Mr. Shohet,

I forwarded your December 16<sup>th</sup> email on 12/16 to the engineer who oversees the area in which

this well is located. It is the engineer I consulted after your initial phone call. I will notate the well is under review and awaiting response. I'm sure he will be in touch as soon as it is possible.

Thank you, Leigh

---

**From:** David Shoheit [mailto:[dms@fmcwater.com](mailto:dms@fmcwater.com)]  
**Sent:** Friday, December 19, 2014 12:48 PM  
**To:** [Leigh.bradshaw@state.co.us](mailto:Leigh.bradshaw@state.co.us)  
**Cc:** [tcrawford@crawfordautoteam.com](mailto:tcrawford@crawfordautoteam.com); [sergent@lawyer.com](mailto:sergent@lawyer.com)  
**Subject:** RE: 10436 Silver Mountain Preserve

Hello Ms. Bradshaw:

I have not seen a reply to this email. I am just following-up with you on our request below. Please advise.

Thanks,

David M. Shoheit  
FELT, MONSON & CULICHIA, LLC

---

**From:** David Shoheit  
**Sent:** Tuesday, December 16, 2014 1:08 PM  
**To:** '[Leigh.bradshaw@state.co.us](mailto:Leigh.bradshaw@state.co.us)'  
**Cc:** Travis R. Crawford ([tcrawford@crawfordautoteam.com](mailto:tcrawford@crawfordautoteam.com)); Paul Sergent Jr. ([sergent@lawyer.com](mailto:sergent@lawyer.com))  
**Subject:** 10436 Silver Mountain Preserve

Dear Ms. Bradshaw:

I called you last week about an out of compliance well letter you sent to my client, Silver Mountain Preserve, on September 22, 2014. We discussed converting the well to a water well and I wanted to revisit that issue with you again. Attached is email correspondence from 2011 with my partner, Chris Cummins, and Jane Stanzcyk regarding the conversion of the this well to a water well. Ms. Stanzcyk indicated in her email that conversion of oil and gas wells are common and set forth the process for accomplishing that (the attachment to Ms. Stanzcyk's email is scanned in). We would like to follow the attached procedures to repermit the well as a water well. I realize that we have a December 22, 2104 compliance deadline and would ask if we can have this deadline extended another 90 days to further explore the conversion process. Thank you for your attention to this matter and please advise on the extension of the compliance deadline.

David M. Shoheit  
FELT, MONSON & CULICHIA, LLC  
319 N. Weber Street  
Colorado Springs, Colorado 80903  
Phone: 719-471-1212  
Fax: 719-471-1234  
[dms@fmcwater.com](mailto:dms@fmcwater.com)

E-MAIL NOTICE: This e-mail message (and any attachments) may contain information belonging to the sender which may be confidential and legally privileged. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution of this information, or any action taken in reliance on the information within this e-mail, is strictly prohibited. If you have received this e-mail message in error, please notify the sender and then delete the message (and any attachments) from your computer and/or network. Thank you.