## **New Mexico Oil Conservation Division Civil Penalty Calculation Worksheet**

## **OCD EXHIBIT 5**

## **Violation Summary**

Alleged Violator: Estate of Dwight A. Tipton & Zimmerman Oil & Gas Exploration, Inc.

Violation Date: 3/24/2020 to present

Citation D	Description	Min	PA(\$)
9.9(B) C	Operation of wells without OCD approval.	\$	1,000.00
Basis: S	See NOV. March 24 to December 16 is 267 days. OCD in its discretion assesses the penalty for 30		
d	days.OCD reserves the right to assess additional days of violation.		

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Penalty Subtotal: \$ 30,000.00

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Adjustment Factors					
Effort to Comply:		Factor			
		0.6			
Comments:	On November 6, 2020, OCD notified Tipton and Zimmerman of the alleged violation.				
History of Non-Compliance:					
Comments:					
Negligence and Willfulne	SS:				

0.2 Negligence

Comments: Tipton and Zimmerman knew or should have known that it must provide additional financial assurance.

**Economic Impact:** 

101-500 wells or gross sales between \$5,000,000-\$10,000,000 0.2

Comments: Tipton has registered 62 wells with OCD.

Factor Subtotal:

**Outstanding Conditions** MaxPA(\$)/day \$ 2,500.00 Total Penalty= \$ 60,000.00

