

**BEFORE THE CORPORATION COMMISSION
STATE OF OKLAHOMA**

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|---|---|-------------------------------------|
| APPLICANT: LORI WROTENBERY, DIRECTOR, |) | |
| OIL AND GAS CONSERVATION DIVISION |) | CAUSE No. OGC No. 200900005T |
| OKLAHOMA CORPORATION COMMISSION |) | |
| |) | |
| RESPONDENT: EXPLO OIL, INC. |) | CITATION No. 1-1106 |
| (OPERATOR No. 21063) |) | |
| |) | |
| LEGAL: SW/4 NW/4 SE/4 SW/4, SECTION 35 |) | |
| TOWNSHIP 17 NORTH, RANGE 11 EAST |) | |
| CREEK COUNTY, OKLAHOMA |) | |
| |) | 565941 |
| RELIEF SOUGHT: MONETARY FINES AND |) | ORDER No. _____ |
| COMPLIANCE WITH COMMISSION RULES |) | |

DEFAULT FINAL CITATION ORDER

The Application of Lori Wrottenbery, Director of the Oil and Gas Conservation Division, Oklahoma Corporation Commission, came on for hearing before ALJ Curtis Johnson on the 3rd day of March 2009 in the Commission Court Room, Kerr State Office Building, Tulsa, Oklahoma. Applicant requested a Final Order.

Appearance was entered by Connie Moore, attorney for Applicant.

FINDINGS AND CONCLUSIONS

1. Notice is proper and the Commission has jurisdiction over the Respondent, the subject matter and has authority to enter this Order.
2. This matter relates to the Jacobs #4: Sw/4 NW/4 SE/4 SW/4, Section 35, Township 17 North, Range 11 East, Creek County, Oklahoma. Respondent's agent was served with the Complaint Citation on January 16, 2009 and by certified mail to the address listed on the Respondent's most current Form 1006B which was signed for on February 11, 2009.
3. Commission Field Inspector Supervisor, Roger Conaghan, alleges that the Respondent is the owner/operator of the subject well and that the Jacobs #4 was being used as an injection/disposal well without a permit as required by OCC-OAC 165:10-5-2. The Rule provides that "The Commission shall fine an operator \$5,000.00 for any violation of this subsection.
4. The ALJ finds that the Respondent is in violation of OCC-OAC 165:10-5-2, which provides for a fine of \$5,000.00. The ALJ recommends that Respondent pay the fine to the Commission within 30 days of this order to Oklahoma

Corporation Commission, Attn. General Counsel's Office, 440 S. Houston, Suite 114, Tulsa, OK 74129. The well is to be red-tagged until it is permitted. The ALJ further recommends that a final order issue in this Cause.

ORDER

IT IS THEREFORE THE ORDER OF THE OKLAHOMA CORPORATION COMMISSION OF THE STATE OF OKLAHOMA:

1. That the findings and recommendation of the Administrative Law Judge are incorporated herein.
2. That Respondent, Explo Oil, Inc, is assessed a fine of Five Thousand Dollars (\$5,000.00) which is payable to the Oklahoma Corporation Commission within 30 days of this Order..

OKLAHOMA CORPORATION COMMISSION


BOB ANTHONY, Chairman


JEFF CLOUD, Vice Chairman


DANA L. MURPHY, Commissioner


DONE AND PERFORMED this 5 day of March 2009.


BY ORDER OF THE COMMISSION:


Peggy Mitchell, Secretary

REPORT OF THE ADMINISTRATIVE LAW JUDGE

The foregoing is the report and recommendation of the Administrative Law Judge.


Administrative Law Judge


Connie Moore, OBA # 6331
Attorney for Applicant