

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

<b>APPLICANT: LARRY FIDDLER,</b>	)	
<b>DIRECTOR, OIL AND GAS</b>	)	
<b>CONSERVATION DIVISION</b>	)	<b>CAUSE OGC NO. 200200011T</b>
<b>OKLAHOMA CORPORATION COMMISSION</b>	)	
	)	
<b>RESPONDENT: NEW LIFT, INC.</b>	)	<b>CITATION NO. 1-0307-A</b>
Operator No. 19239	)	
	)	
<b>RELIEF SOUGHT: MONETARY FINES AND</b>	)	<b>ORDER NO. <u>463676</u></b>
<b>COMPLIANCE WITH</b>	)	
<b>COMMISSION RULES</b>	)	

**FINAL ORDER**

This Cause came on for hearing before Curtis M. Johnson, Administrative Law Judge for the Corporation Commission of the State of Oklahoma, on the Citation Docket, on the 23<sup>rd</sup> day of April 2002, at 9:30 a.m., in the Commission's Courtroom, Tulsa Regional Office, 440 S. Houston, Tulsa, Oklahoma, pursuant to notice given as required by law and the rules of the Commission for the purpose of taking testimony and reporting to the Commission.

At the time of the hearing, Jim Hamilton, attorney for the Oil and Gas Conservation Division, appeared for the Applicant, Larry Fiddler, Director of the Oil and Gas Conservation Division of the Corporation Commission. Lee I. Levinson, attorney, appeared for the Respondent, New Lift, Inc. The Administrative Law Judge proceeded to hear the cause and reports as follows:

**FINDINGS**

1. That the Respondent/Operator, New Lift, Inc., operates under Operator No. 19239. Service of said citation to Respondent's agent was made on March 15, 2002. A copy of the citation was mailed by first class mail to the address of the Respondent on March 22, 2002.
2. That the Commission has jurisdiction over the subject matter, and notice has been given in all respects as required by law and rules of the Commission.
3. That this matter was heard by agreement of the parties. The alleged violation of OCC-OAC 165:10-9-1(f)(12) provides on Schedule A for a contempt fine of Five Thousand Dollars (\$5,000.00) for illegal discharge of fluids from a commercial pit. The violation relates to the Total Service #WD-1 well operated by the respondent and located in the NE/4 of the NE/4 of the NE/4 of Section 30, Township 26 North, Range 16 East, Nowata County, Oklahoma
4. That, without admitting fault, Respondent agrees to an order assessing a fine in the amount of Five Thousand Dollars (\$5,000.00) subject to a provision in the Final Order providing for installment payments of the fine by Respondent at the rate of Two Hundred Fifty Dollars (\$250.00) per month until the fine is paid in full.
5. That the Administrative Law Judge accepted the exhibits, substantial evidence, and agreement of the parties, and recommended that, based on such, that the Respondent/Operator, New Lift, Inc., be fined under citation procedures prescribed by the field citation rule OCC-OAC 165:10-5-2(a) in the amount of Five Thousand Dollars (\$5,000.00) to be paid in monthly installments of Two Hundred Fifty Dollars (\$250.00) beginning no later than thirty days from the date of this order.

**ORDER**

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

1. That the findings of the Administrative Law Judge are accepted.
2. That the Respondent, New Lift, Inc., is found in contempt of OCC-OAC 165:10-9-1(f)(12), which provides on Schedule A for a contempt fine of Five Thousand Dollars (\$5,000.00) for an illegal discharge of fluids from a commercial pit. The violation relates to the Total Service #WD-1 well operated by the Respondent and located in the NE/4 of the NE/4 of the NE/4 of Section 30, Township 26 North, Range 16 East, Nowata County, Oklahoma
2. That the fine shall be paid in monthly installments of Two Hundred Fifty Dollars (\$250.00) by the Respondent, New Lift, Inc., to the Cashier, Finance Department, Corporation Commission, 2101 N. Lincoln Boulevard, P.O. Box 52000, Oklahoma City, OK 73152-2000 within thirty (30) days from the date of this order, until the sum of Five Thousand Dollars (\$5,000.00) is paid in full. **Should Respondent fail or refuse to timely tender any such installment payment, the total remaining balance shall become due and owing.**
3. **THAT PAYMENT OF THIS FINE IS DUE WITHIN THE TIME PROVIDED AND FAILURE TO PAY SHALL RESULT IN A STATE COURT JUDGMENT AND COLLECTION ACTION BEING FILED AGAINST THE RESPONDENT, AND A LIEN BEING FILED AGAINST THE PROPERTIES BEING OPERATED BY THE RESPONDENT ACCORDING TO 17 O. S. 1998, SECTION 6.**

OKLAHOMA CORPORATION COMMISSION

*Denise A. Bode*

DENISE A. BODE, CHAIRMAN

*Bob Anthony*

BOB ANTHONY, VICE-CHAIRMAN

*Ed Apple*

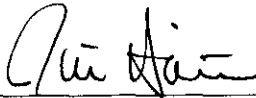
ED APPLE, COMMISSIONER

DONE AND PERFORMED this 16 day of May 2002.  
BY ORDER OF THE COMMISSION

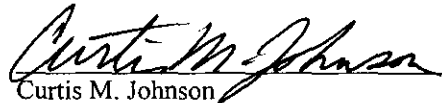
*Peggy Mitchell*

PEGGY MITCHELL, Secretary

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



Jim Hamilton  
Attorney, OBA #3762



Curtis M. Johnson  
Administrative Law Judge

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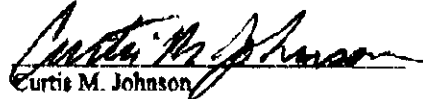
Lee I. Levinson  
Attorney, OBA #5395

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Curtis M. Johnson  
Administrative Law Judge



Lee I. Levinson  
Attorney, OBA #5395