

**STATE OF COLORADO  
OIL & GAS CONSERVATION COMMISSION**

1120 Lincoln Street, Suite 801  
Denver, CO 80203  
303-894-2100 fax: 303-894-2109

*Donoff*  


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

Operator Name & Mailing Address / Company Representative:

**ENERGY SEARCH COMPANY**  
PO BOX 31697  
AURORA, CO 80041-0697

*27635*



Date Notice Issued:

**JANUARY 17, 2000**

*P415 405 842*

Well/Site/Facility: <b>XENIA WEST 5-2A</b>	Legal Description (1/4 1/4, Section, Township, Range, P.M.): <b>SESW 2 2N 54W</b>	County: <b>WASHINGTON</b>
Lease Number:	API Number: <b>5 121 7096</b>	
COGCC Representative: <b>Ed Binkley</b>	Phone Number: <b>970-380-2683</b>	Date of Alleged Violation: <b>1/14/00</b>
		Apprx Time of Violation:

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

Describe Alleged Violation: **WELL SHUT-IN OVER 2 YEARS. 2" TBG HUNG IN CSGHD. EROSION PROBLEM OBSERVED AT LOCATION. NO WELL SIGN AT WELL SITE.**

Act, Order, Regulation, Permit Conditions Cited: **319 B, 1003, 210 B, 326b**

Abatement or Corrective Action to be Completed by: **JUNE 29, 2000**

Abatement or Corrective Action Required to be Performed by Operator \*:

**PERFORM MECHANICAL INTEGRITY TEST WITHIN 30 DAYS AND SUBMIT FORM 21 WITH PRESSURE CHART.**

**INSTALL WELL SIGN.**

**REMOVE JUNK PUMP BASE, RESTORE GRASS.**

**IF WELL FAILS MIT, REPAIR AND TEST OR PLUG WELL WITHIN SIX MONTHS PER RULE 326 b**

\* 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**

Print 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 5 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 \$1000.00 per day per violation. Such proposed penalty amount will be limited to \$10,000 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 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 \$250.00 PER DAY PER VIOLATION: RULES 210, 307, 311, 312, 313, 314A, 315, 403, 405, 803, 804**

**BASE FINE \$500.00 PER DAY PER VIOLATION: RULES 205, 206, 207, 208, 302, 308, 309, 310, 316A, 321, 322, 328, 329, 330, 331, 332, 401**

**BASE FINE \$750.00 PER DAY PER VIOLATION: RULES 605, 606A, 606B, 607**

**BASE FINE \$1000.00 PER DAY PER VIOLATION: RULES 209, 301, 303, 305, 306, 316B, 317, 317A, 318, 319, 320, 323, 324, 325, 326, 327, 333, 404, 602, 603, 604, 703, 704, 705, 706, 707, 708, 709, 711, 802, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 1002, 1003, 1004, 1101, 1102, 1103**

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: <b>EBB</b>	<i>Ed Binkley</i>	Date: <b>01/17/00</b>	Time:
<b>FOR OFFICE USE ONLY</b>			
Resolution Approved by:	Date:	Resolution Action:	