



FOR OGCC USE ONLY
07/26/2000
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***** NOTICE OF ALLEGED VIOLATION *****

OGCC Operator Number: 10800
Name of Operator: BROOKS EXPLORATION INC
Address: 621 17TH ST SUITE 2255
City: DENVER State: CO Zip: 80293
Company Representative:

Date Notice Issued:
07/21/2000

Well Name: **WHITMORE-WEBSTER** Well Number: **1** Facility Number: 242721
Location (QtrQtr, Sec, Twp, Rng, Meridian): **SWNW 32 6N 66W 6** County: WELD
API Number: **05 123 10512 00** Lease Number: 56781

COGCC Representative: **FERGUSON RANDALL** Phone Number: 303 894-2100

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

Date of Alleged Violation: **07/07/2000** Approximate Time of Violation:
Description of Alleged Violation:
WELL WAS PLUGGED AND ABANDONED IN 1994. DEADMAN AND OILY SOIL REMAIN AT WELL HEAD LOCATION. LEASE ACCESS ROADS HAVE NOT BEEN RECLAIMED. ADDITIONALLY, AN UNLINED EARTHEN PIT WAS PERMITTED IN 1982 AND HAS NOT BEEN CLOSED. THE PIT IS LOCATED IN A SENSITIVE AREA.

Act, Order, Regulation, Permit Conditions Cited:
RULES 905.a., 1004.a. AND 1004.b.

Abatement or Corrective Action Required to be Performed by Operator:*
REMOVE DEADMAN AND OLY SOIL FROM WELLHEAD LOCATION. LEASE ROADS SHOULD BE RECLAIMED IN ACCORDANCE WITH RULE 1004.a. SUBMIT FORM 27 - SITE INVESTIGATION AND REMEDIATION WORKPLAN FOR THE CLOSURE OF THE EARTHEN PIT. THIS WILL REQUIRE PRIOR COGCC APPROVAL AND SHALL INCLUDE SOIL SAMPLING FOR TOTAL PETROLEUM HYDROCARBONS (TPH), SODIUM ADSORPTION RATIO (SAR), ELECTRICAL CONDUCTIVITY (EC) AND PH.

Abatement or Corrective Action to be Completed by (date): 08/31/2000
* 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:
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 five 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 \$1,000.00 per day per violation. Such proposed penalty amount will be limited to \$10,000.00 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 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 \$1,000.00 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: _____ Date: 07/26/2000 Time: _____
Resolution Approved by: RANDALL FERGUSON Date: 12/12/2001
FORM 27 WAS SUBMITTED FOR CORRECTIVE ACTION. SEE REMEDIATION PROJECT # 543 AND #544 FOR ADDITIONAL INFORMATION. REMEDIAL WORK WAS PERFORMED AS PER WORKPLANS. CLOSURE LETTERS DATED 2/7/01 (REMEDIATION #544) AND 12/12/01 (REMEDIATION #543).