STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OF OUR CONSERVATION COMMISSION

2012 AUG -8 P 4: 04

IN THE MATTER OF THE HEARING CALLED BY THE OIL CONSERVATION COMMISSION FOR THE PURPOSE OF CONSIDERING:

APPLICATION OF AGAVE ENERGY COMPANY FOR AUTHORITY TO INJECT, LEA COUNTY, NEW MEXICO

Reopened Case No. 14720

AGAVE ENERGY COMPANY'S WITHDRAWAL OF ITS SECOND MOTION TO AMEND ORDER NO. R-13507

Applicant Agave Energy Company ("Agave") hereby withdraws its Second Motion to Amend Order No. R-13507, which Agave filed on July 16, 2012.

HINKLE, HENSLEY, SHANOR & MARTIN, LLP

Gary W. Larson

P.O. Box 2068

Santa Fe, NM 87504-2068

Phone: (505) 982-4554 Facsimile: (505) 982-8623 glarson@hinklelawfirm.com

Counsel for Applicant Agave Energy Company

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of August, 2012, I served a true and correct copy of the foregoing Agave Energy Company's Withdrawal of Its Second Motion to Amend Order No.

R-13507 via email to:

James Bruce, Esq.
P.O. Box 1056
Santa Fe, NM 87504-1056
jamesbruc@aol.com

Counsel for Kaiser-Francis Oil Company

Gabrielle A. Gerholt, Esq. Oil Conservation Division 1220 South St. Francis Drive Santa Fe, NM 87505 Gabrielle.Gerholt@state.nm.us

Counsel for the Oil Conservation Division

Gary W. Larson