

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

NMOCD – ACOI- 247 - A

IN THE MATTER OF AGAVE ENERGY COMPANY,

Respondent.

**AMENDED
AGREED COMPLIANCE ORDER FOR INACTIVE WELLS**

The Director of the Oil Conservation Division (“OCD”) hereby amends Order 247 as follows:

FINDINGS

1. Agreed Compliance Order 247 (ACOI 247) requires Agave Energy Company (Operator) to return to compliance with OCD Rule 5 its one well identified in the Order by March 1, 2012 and file a compliance report by that date.
2. Operator, prior to its compliance deadline, has requested to have an additional 47 days to complete the work on its well.

CONCLUSIONS

1. Operator has demonstrated good faith in its attempt to meet its compliance goal, and the OCD should amend ACOI 247 to extend its terms through April 16, 2012 and require Operator to return to compliance by that date the well identified in the Order.

ORDER

1. Operator shall return to compliance by April 16, 2012 the well identified in the Order.
2. Operator shall file a written compliance report by April 16, 2012 identifying the well returned to compliance, stating the date it was returned to compliance and describing how the well was returned to compliance (restored to production or other approved beneficial use, plugged wellbore, approved temporary abandonment status). The written compliance report must be mailed or e-mailed to the OCD’s Enforcement and Compliance Manager so that it is received by the compliance deadline of April 16, 2012.
3. The OCD agrees that the well identified on Agreed Compliance Order 247 will not be placed on the inactive well list for the period this amendment is in effect.

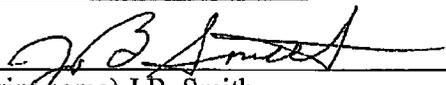
4. The terms of ACOI 247 otherwise remain in effect.

Done at Santa Fe, New Mexico this 5th day of March, 2012

By: 
Daniel Sanchez
Compliance and Enforcement Manager

ACCEPTANCE

Agave Energy Company hereby accepts the foregoing Order, and agrees to all of the terms and provisions set forth in that Order.

By: 
(Please print name) J.B. Smith
Title: President
Date: 3/1/2012