

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

NMOCD - ACOI 167-B

IN THE MATTER OF BEPCO, LP,

Respondent.

**AMENDED
AGREED COMPLIANCE ORDER**

Pursuant to Ordering Paragraph 3 of Agreed Compliance Order 167, the Director of the Oil Conservation Division ("OCD") hereby amends that order as follows:

FINDINGS

1. Agreed Compliance Order 167 ("ACOI 167") required BEPCO, LP ("Operator") to return to compliance with OCD Rule 201 at least five of the wells identified in the Order by January 30, 2008 and file a compliance report by that date.

2. ACOI 167 further provided that if Operator returned to compliance with OCD Rule 201 at least five of the wells identified in the Order by January 30, 2008 and filed a timely compliance report, the OCD would issue an amendment extending the terms of ACOI 167 for a second six-month period, requiring Operator to return an additional five wells to compliance by that deadline.

3. Operator filed a timely compliance report, and the OCD verified that the following wells identified in the Order were returned to compliance:

- | | |
|---------------------------|--------------|
| • Big Eddy Unit No. 010 | 30-015-10785 |
| • Big Eddy Unit No. 060 | 30-015-22398 |
| • Big Eddy No. 093 | 30-015-24060 |
| • Big Eddy Unit No. 122 | 30-015-27454 |
| • Poker Lake Unit No. 041 | 30-015-20933 |

4. Because Operator returned five wells to compliance for the first six month period, OCD amended the Order to extend its terms by six months, requiring Operator to bring five additional wells into compliance by July 30, 2008.

5. Operator has filed a timely compliance report for the second period, and OCD records indicate that Operator has returned the following wells identified in the Order to compliance.

- | | |
|---------------------------|--------------|
| • Bass 10 Federal No. 005 | 30-015-25303 |
|---------------------------|--------------|

- Poker Lake Unit No. 042 30-015-21095
- Poker Lake Unit No. 052 30-015-24147
- Sims No. 001 30-025-26958
- State 22 Com No. 001 30-015-21263

CONCLUSIONS

1. Operator has met its goal of returning five of the wells identified in the Order to compliance by July 30, 2008.
2. The OCD should amend ACOI 167 to extend its terms through January 30, 2009 and require Operator to return to compliance by that date five additional wells identified in the Order.

ORDER

1. Operator shall return to compliance by January 30, 2009 five wells identified in the Order that are not identified in Findings Paragraph 3 and 5, above.
2. Operator shall file a written compliance report by January 30, 2009 identifying the well(s) it returned to compliance in the third period, stating the date the well(s) were returned to compliance, and stating how the well(s) were returned to compliance (returned to production or other beneficial use; wellbore plugged; or placed on approved temporary abandonment status). The report must be mailed or e-mailed to the OCD's Enforcement and Compliance Manager (email: daniel.sanchez@state.nm.us) and Assistant General Counsel (email: sonny.swazo@state.nm.us) so that it is received by compliance deadline January 30, 2009.
3. The terms of ACOI 167 otherwise remain in effect.

Done at Santa Fe, New Mexico this 22nd day of August, 2008

By: 
Mark Fesmire, P.E.
Director, Oil Conservation Division