

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

NMOCD ACOI 202-A

IN THE MATTER OF ENERVEST OPERATING, LLC,

Respondent.

**AMENDED
AGREED COMPLIANCE ORDER**

Pursuant to Ordering Paragraph 3 of Agreed Compliance Order 202, the Director of the Oil Conservation Division ("OCD") hereby amends that order as follows:

FINDINGS

1. Agreed Compliance Order 202 ("ACOI 202" or "Order") requires EnerVest Operating, LLC ("Operator") to return to compliance with OCD Rule 201 at least six of the wells identified in the Order by March 9, 2009 and file a compliance report by that date.

2. ACOI 202 further provides that if Operator returns to compliance with OCD Rule 201 at least six of the wells identified in the Order by March 9, 2009 and files a timely compliance report, the OCD shall issue an amendment extending the terms of ACOI 202 for a second six-month period, requiring Operator to return an additional six wells to compliance by that deadline.

3. ACOI 202 provides that if, in any six-month period, Operator returns more wells to compliance than the number required under the Order for that six-month period, the wells in excess of the number required will count towards the Operator requirements for the next six-month period.

4. Operator filed a timely compliance report, and the OCD has verified that OCD records indicate that Operator has returned the following seven wells identified in the Order to compliance:

- | | | |
|---|----------------------------------|--------------|
| ● | CX PLAINS #013 | 30-005-62253 |
| ● | MABEL #003 | 30-005-60777 |
| ● | MONA #001 | 30-005-60762 |
| ● | PAUL LR #005 | 30-005-20816 |
| ● | PLAINS 29 #001 | 30-005-60875 |
| ● | WESTERN RESERVES 34 FEDERAL #001 | 30-005-20708 |
| ● | WESTERN RESERVES 34 FEDERAL #003 | 30-005-20739 |

CONCLUSIONS

1. Operator has returned seven wells to compliance, exceeding its goal of returning six of the wells identified in the Order to compliance by March 9, 2009, by one well.
2. The OCD should amend ACOI 202 to extend its terms through September 9, 2009 and require Operator to return to compliance by that date five additional wells from the Order not identified in Findings Paragraph 4, above, to complete its goal of returning six wells to compliance in that period.

ORDER

1. Operator shall return to compliance by September 9, 2009 five wells identified in the Order that are not identified in Findings Paragraph 4, above.
2. Operator shall file a written compliance report by September 9, 2009 identifying the well(s) it returned to compliance in the second 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 of September 9, 2009.
3. The terms of ACOI 202 otherwise remain in effect.

Done at Santa Fe, New Mexico this 9th day of March, 2009

By:


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