

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

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NMOCD – ACOI- 2016-010

IN THE MATTER OF BOPCO, L.P.

**INACTIVE WELL**  
**AGREED COMPLIANCE ORDER**

Pursuant to the New Mexico Oil and Gas Act, NMSA 1978, Sections 70-2-1 through 70-2-38 as amended (Act), and OCD rules, the Director of the Oil Conservation Division (OCD) and BOPCO, L.P. (Operator), enter into this Agreed Compliance Order (Order or ACOI) under which Operator agrees to the schedule and procedures provided in this Order for bringing its wells into compliance, and understands that the OCD may seek additional enforcement of this Order should the Operator fail to meet the deadlines established herein.

**FINDINGS**

1. The OCD is the state division charged with administration and enforcement of the Act, and rules and orders adopted pursuant to the Act.
2. Operator is a Limited Partnership doing business in the State of New Mexico and is registered with the OCD under Oil and Gas Reporting Identification (OGRID) No. 260737.
3. Operator is the operator of record under OGRID 260737 for the wells identified in Exhibit "A", attached.
4. 19.15.25.8 NMAC states, in relevant part:

"A. The operator of wells drilled for oil or gas or services wells including seismic, core, exploration or injection wells, whether cased or uncased, shall plug the wells as Subsection B of 19.15.25.8 NMAC requires.

B. The operator shall either properly plug and abandon a well or place the well in approved temporary abandonment in accordance with 19.15.25 NMAC within 90 days after:

...

(3) a period of one year in which a well has been continuously inactive."
5. The wells identified in Exhibit "A"
  - a. have been (or soon will be) continuously inactive for a period of one year plus 90 days;
  - b. are not plugged or abandoned in accordance with 19.15.25.9 NMAC through 19.15.25.11 NMAC; and

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- c. are not in approved temporary abandonment status in accordance with 19.15.25.12 NMAC through 19.15.25.14 NMAC.
6. *(Use only if they have enough wells not in compliance with 19.15.25.8 NMAC to be out of compliance with 19.15.5.9 NMAC)* As the operator of record of \_\_\_\_\_ wells, to be in compliance with 19.15.5.9.A(4) NMAC, Operator may have no more than \_\_\_\_\_ wells out of compliance with 19.15.25.8 NMAC. See 19.15.5.9.A(4) NMAC.
7. Pursuant to 19.15.5.10.E NMAC, the OCD and Operator wish to enter into this ACOI to resolve violations of the Act and its rules.

### **CONCLUSIONS**

1. The OCD has jurisdiction over the parties and subject matter in this proceeding.
2. The wells identified in Exhibit "A" are out of compliance, or soon will be out of compliance, with 19.15.25.8 NMAC.
3. As Operator of the wells identified in Exhibit "A", Operator is responsible for bringing those wells into compliance with 19.15.25.8 NMAC.
4. The OCD and Operator are entering into this ACOI, which sets a schedule for Operator to return the wells identified in Exhibit "A" to compliance.

### **ORDER**

1. Operator agrees to bring the wells listed in Exhibit "A" into compliance with 19.15.25.8 NMAC within 36 months following the date the well became inactive as defined by 19.15.25.8 NMAC, and is provided in Exhibit "A", by either:
  - a. restoring the well to production or other OCD-approved beneficial use and filing a C-115 documenting such production or use;
  - b. causing the well to be plugged and abandoned in accordance with 19.15.25.10 NMAC and filing the C-105 as provided in 19.15.25.11 NMAC;
  - c. or placing the well in approved temporary abandonment pursuant to 15.15.25 NMAC.
2. Operator also agrees that it will perform a test for each well on Exhibit "A" one year from the effective date of this Order, and then again two years from the effective date of this Order for each well in Exhibit "A", and shall provide results of each test to OCD's Enforcement and Compliance Manager at 1220 S. St. Francis Drive, Santa Fe, NM 87505 within 30 days of completion of the test.
3. If Operator has additional wells that become out of compliance, or will soon be out of compliance, with 19.15.25.8 NMAC, Exhibit "A" may be amended to include such wells if the OCD approves the amendment. For the additional wells,

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Operator shall conduct the tests required in Ordering Paragraph 2 above on or before the dates specified in Exhibit "A".

4. If the Operator returns a well to compliance with 19.15.25.8 NMAC the well shall no longer be considered part of Exhibit "A".
5. Operator shall file a compliance report identifying each well returned to compliance, stating the date it was returned to compliance, and describing the work performed to return the well to compliance, in addition to any other forms or documentation required by OCD rules for the work performed. The written compliance report must be mailed to the attention of OCD's Enforcement and Compliance Manager and to the Office of General Counsel at 1220 S. St. Francis Drive, Santa Fe, NM 87505, so that it is **received within 10 business days** after return to compliance.
6. By signing this Order, Operator expressly:
  - a. acknowledges the correctness of the Findings and Conclusions set forth in this Order;
  - b. agrees to meet the deadlines established in Ordering Paragraphs 1 through 5 above;
  - c. agrees to perform the tests and submit test results as required in Ordering Paragraph 2;
  - d. agrees to submit compliance reports as required in Ordering Paragraph 5;
  - e. waives any right, pursuant to the Oil and Gas Act to an appeal from this Order, or to a hearing either prior to or subsequent to the entry of this Order regarding the matters resolved hereby; and
  - f. agrees that the Order may be enforced by OCD or Oil Conservation Commission Order, by suit or otherwise to the same extent and with the same effect as a final Order of the OCD or Oil Conservation Commission entered after notice and hearing in accordance with all terms and provisions of the Oil and Gas Act.
7. Operator understands that if it fails to meet the terms of this Order, the OCD may seek enforcement pursuant to the New Mexico Oil and Gas Act, including monetary penalties as authorized under NMSA 1978, § 70-2-31.
8. If a well poses a risk relating to the conservation of oil and gas or the protection of public health and the environment, the OCD reserves the right to file an application for hearing to require Operator to plug any well identified in Exhibit "A", or if the Operator fails to plug the well to obtain authority to plug the well and forfeit the applicable financial assurance.

9. Operator understands and agrees that, except as expressly provided in this Order, nothing in this Order exempts Operator from complying with all statutes, rules, and orders Operator is otherwise subject to, and the failure to comply with any applicable statute(s), rule(s), and/or order(s) may result in OCD pursuing any remedies available under the law. Further, Operator's failure to comply with other applicable statute(s), rule(s), and/or order(s) may, in OCD's sole discretion, result in termination of this Order.

Done at Santa Fe, New Mexico this 13<sup>th</sup> day of JUNE, 2016

By: David Catanach  
David Catanach  
Director, Oil Conservation Division

**ACCEPTANCE**

BOPCO, L.P. hereby accepts the foregoing Order, and agrees to all of the terms and provisions set forth in that Order.

By: Charles Warner  
(Please print name) Charles Warner  
Title: Production Manager  
Date: 6-9-16

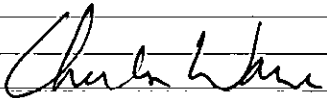
## BOPCO, L.P. (260737) NEW MEXICO SHUT-IN WELLS

API #	WELL NAME / #	LEASE TYPE	WELL TYPE	LAST PROD	15 MO SINCE LAST PROD	1st TEST	2nd TEST	3 YR + 15 MONTH SINCE LAST PROD
30-015-29213	POKER LAKE UNIT #118	F	O	Aug-14	Nov-15	Nov-16	Nov-17	Nov-18
30-015-33901	POKER LAKE UNIT #215	F	O	Aug-14	Nov-15	Nov-16	Nov-17	Nov-18
30-015-39847	POKER LAKE CVX JV PB #003H	F	O	Dec-14	Mar-15	Mar-16	Mar-17	Mar-18
30-015-31690	POKER LAKE UNIT #158	F	O	Jan-15	Apr-16	Apr-17	Apr-18	Apr-19
30-015-27798	POKER LAKE UNIT #093	F	O	Feb-15	May-16	May-17	May-18	May-19
30-015-20369	BIG EDDY #033	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-24269	POKER LAKE UNIT #057	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-22859	BIG EDDY UNIT #072	F	G	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-24968	INDIAN FLATS BASS FED #001	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-28526	POKER LAKE #123	F	G	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-29847	POKER LAKE #139	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-27536	POKER LAKE UNIT #078	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-27752	POKER LAKE UNIT #082	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-29103	POKER LAKE UNIT #084	S	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-27797	POKER LAKE UNIT #092	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-27961	POKER LAKE UNIT #100	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-28086	POKER LAKE UNIT #108	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-28087	POKER LAKE UNIT #111	F	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-28102	POKER LAKE UNIT #114	S	O	Mar-15	Jun-16	Jun-17	Jun-18	Jun-19
30-015-37800	POKER LAKE UNIT CVX JV RR #003H	F	O	Apr-15	Jul-16	Jul-17	Jun-18	Jul-19
30-015-10048	CONTINENTAL FEDERAL #001	F	O	May-15	Aug-16	Aug-17	Aug-18	Aug-19
30-015-27791	JAMES RANCH #048	F	O	Jun-15	Sep-16	Sep-17	Sep-18	Sep-19
30-015-35162	POKER LAKE UNIT #102	F	O	Jun-15	Sep-16	Sep-17	Sep-18	Sep-19
30-015-27438	POKER LAKE UNIT #079	S	O	Jul-15	Oct-16	Oct-17	Oct-18	Oct-19
30-015-23430	POKER LAKE UNIT #049	F	G	Jul-15	Oct-16	Oct-17	Oct-18	Oct-19
30-015-27919	POKER LAKE UNIT #103	F	O	Aug-15	Nov-16	Nov-17	Nov-18	Nov-19
30-015-28180	POKER LAKE UNIT #115	S	O	Aug-15	Nov-16	Nov-17	Nov-18	Nov-19
30-015-27911	POKER LAKE UNIT #085	F	O	Aug-15	Nov-16	Nov-17	Nov-18	Nov-19
30-015-22133	BIG EDDY #054	F	G	Oct-15	Jan-17	Jan-18	Jan-19	Jan-20
30-015-28820	MERCHANT STATE #003	S	O	Oct-15	Jan-17	Jan-18	Jan-19	Jan-20
30-015-24190	POKER LAKE UNIT #058	F	O	Oct-15	Jan-17	Jan-18	Jan-19	Jan-20
30-015-39469	POKER LAKE UNIT #312H	F	O	Dec-15	Mar-17	Mar-18	Mar-19	Mar-20

**BOPCO, L.P. (260737) NEW MEXICO SHUT IN WELLS**

API#	WELL NAME / #	LEASE TYPE	WELL TYPE	LAST PROD	15 MO SINCE LAST PROD	1st TEST	2nd TEST	3 YR + 15 MONTH SINCE LAST PROD
30-015-34308	POKER LAKE UNIT #241	F	O	Dec-15	Mar-17	Mar-18	Mar-19	Mar-20
30-015-31687	POKER LAKE UNIT #155	F	O	Dec-15	Mar-17	Mar-18	Mar-19	Mar-20
30-015-27912	POKER LAKE UNIT #086	F	O	Dec-15	Mar-17	Mar-18	Mar-19	Mar-20
30-015-32955	BIG EDDY UNIT#143	G	G	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-37646	POKER LAKE UNIT #303H	F	O	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-31334	POKER LAKE UNIT #165	S	O	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-36200	HORNED TOAD 36 STATE #003H	S	O	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-35998	CAPITAN 9 FEDERAL #001	F	O	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-26263	BIG EDDY UNIT #114	F	G	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-20940	BIG EDDY UNIT #038H	F	O	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-32127	POKER LAKE UNIT #181	F	O	Jan-16	Apr-17	Apr-18	Apr-19	Apr-20
30-015-33137	POKER LAKE UNIT #164	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-34781	POKER LAKE UNIT #191	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-33362	POKER LAKE UNIT #192Q	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-28012	JAMES RANCH UNIT #070	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-33864	POKER LAKE UNIT #221	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-05829	G H COBB FEDERAL #001	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-29552	POKER LAKE UNIT #129	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-22682	BIG EDDY #066	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-38904	POKER LAKE UNIT #355H	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-28043	BIG EDDY #133	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-22671	INDIAN FLTS BASS FED #005	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-24138	BIG EDDY UNIT #097	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-20803	JAMES RANCH UNIT #004	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-35348	BIG EDDY #163	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-35145	BIG EDDY UNIT #159	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-27734	JAMES RANCH UNIT #041	S	O	Feb-16	May-17	May-18	May-19	May-20
30-015-34399	BIG EDDY COM #154	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-28736	BASS 3 FEDERAL #004	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-35481	BIG EDDY #152	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-24210	BIG EDDY #095	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-23840	BIG CHIEF COMM #005	P	G	Feb-16	May-17	May-18	May-19	May-20
30-015-39675	POKER LAKE UNIT #356H	F	O	Feb-16	May-17	May-18	May-19	May-20

**BOPCO, L.P. (260737) NEW MEXICO SHUT-IN WELLS**

API #	WELL NAME / #	LEASE TYPE	WELL TYPE	LAST PROD	15 MO SINCE LAST PROD	1st TEST	2nd TEST	3 YR + 15 MONTH SINCE LAST PROD
30-015-36455	BIG EDDY UNIT #220	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-40520	POKER LAKE UNIT CVX JV PC #013H	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-27556	NORTH INDIAN FLATS '26' FED #001	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-39795	POKER LAKE UNIT #420H	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-23577	BIG EDDY UNIT #082	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-34463	POKER LAKE UNIT #260	F	O	Feb-16	May-17	May-18	May-19	May-20
30-015-33231	BIG EDDY UNIT #150	F	G	Feb-16	May-17	May-18	May-19	May-20
30-015-36021	BIG EDDY #168	S	G	Mar-16	Jun-17	Jun-18	Jun-19	Jun-20
30-015-34123	POKER LAKE UNIT #222	F	O	Mar-16	Jun-17	Jun-18	Jun-19	Jun-20
	<b>Exhibit "A" to Agreed Compliance Order for BOPCO, L.P.</b>							
	<b>Shut-In, Inactive wells:</b>							
								
	By: Charles Warne							
	Title: Production Manager							