

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

NMOCD ACOI 195-B

IN THE MATTER OF ENERVEST OPERATING L.L.C.,

Respondent.

**SECOND AMENDED
INACTIVE WELL AGREED COMPLIANCE ORDER**

Pursuant to Ordering Paragraph 4 of Inactive Well Agreed Compliance Order No. 195, the Director of the Oil Conservation Division ("OCD") hereby amends that order as follows:

FINDINGS

1. Inactive Well Agreed Compliance Order No. 195 ("ACOI No. 195") required EnerVest Operating L.L.C. ("Operator") to return to compliance with OCD Rule 201 at least two of the wells identified in the Order by December 1, 2008 and file a compliance report by that date.

2. ACOI 195 provides that when OCD receives a timely compliance report indicating that Operator has returned at least two wells to compliance and verifies the accuracy of the report, and verifies that Operator is in compliance with OCD's financial assurance requirements, OCD shall issue an amendment to the Order extending its terms for an additional six-month period. ACOI 195 provides that OCD will continue to issue amendments to the Order extending it for additional six-month periods if the Operator meets its compliance goals and the Order does not extend beyond two years. ACOI 195 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's requirements for the next six-month period.

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

- | | |
|----------------|-----------------------------|
| ● 30-025-26947 | ETZ No. 003 |
| ● 30-025-26197 | NEW MEXICO AB STATE No. 006 |

4. Because Operator returned two wells to compliance for the first six-month period, OCD amended the Order to extend its terms by six months, requiring Operator to bring two additional wells into compliance by June 1, 2009.

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

- 30-025-05997 BRITT No. 010
- 30-025-06000 BRITT No. 013
- 30-025-26455 MYERS B FEDERAL No. 029

CONCLUSIONS

1. Operator has returned three wells to compliance, exceeding its goal of returning two of the wells identified in the Order to compliance by June 1, 2009, by one well.

2. The OCD should amend ACOI 195 to extend its terms through December 1, 2009 and require Operator to return to compliance by that date one additional well from the Order not identified in Findings Paragraphs 3 and 5, above, to complete its goal of returning two wells to compliance in that period.

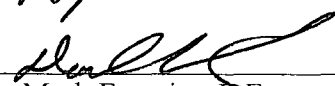
ORDER

1. Operator shall return to compliance by December 1, 2009 at least one of the wells identified in the Order that are not identified in Findings Paragraphs 3 and 5, above.

2. Operator shall file a written compliance report by December 1, 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 of December 1, 2009.

3. The terms of ACOI No. 195 otherwise remain in effect.

Done at Santa Fe, New Mexico this 21st day of May, 2009

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