

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

NMOCD ACOI 195-C

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

Respondent.

**THIRD AMENDED
INACTIVE WELL AGREED COMPLIANCE ORDER**

Pursuant to Ordering Paragraph 4 of Inactive Well Agreed Compliance Order 195, the Director of the Oil Conservation Division ("OCD") hereby amends that order as follows:

FINDINGS

1. Inactive Well Agreed Compliance Order 195 ("ACOI 195" or "Order") 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 would issue an amendment to the Order extending its terms for an additional six-month period, provided that the Order does not extend beyond two years.

3. Operator filed a timely compliance report for the first six-month period, and OCD records verified that Operator returned the following two wells identified in the Order to compliance in that 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 identified in the Order into compliance by June 1, 2009.

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

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

6. 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.

7. Because Operator returned three wells to compliance for the second six-month period, OCD amended the Order to extend its terms by six months, requiring Operator to bring one additional well identified in the Order into compliance by December 1, 2009.

8. Operator has filed a timely compliance report for the third six-month period, and OCD records indicate that Operator has returned the following well identified in the Order into compliance for that period.

- 30-025-05991 BRITT No. 003

CONCLUSIONS

1. Operator has met its goal of returning one of the wells identified in the Order to compliance by December 1, 2009.

2. The OCD should amend ACOI 195 to extend its terms through June 1, 2010 and require Operator to return to compliance by that date the two remaining wells from the Order not identified in Findings Paragraphs 3, 5, and 8, above.

ORDER

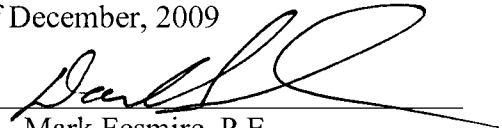
1. Operator shall return to compliance by June 1, 2010 the two remaining wells identified in the Order that are not identified in Findings Paragraphs 3, 5, and 8, above.

2. Operator shall file a written compliance report by June 1, 2010 identifying the well(s) it returned to compliance in the fourth 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 June 1, 2010.

3. The terms of ACOI 195 otherwise remain in effect.

Done at Santa Fe, New Mexico this 3rd day of December, 2009

By:


Mark Fesmire, P.E.

2
Director, Oil Conservation Division