

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

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION COMMISSION FOR
THE PURPOSE OF CONSIDERING:

APPLICATION OF THE NEW MEXICO OIL
CONSERVATION DIVISION FOR AN ORDER
REQUIRING TEMPO ENERGY, INC. TO PLUG
ONE WELL AND ORDERING A FORFEITURE OF
APPLICABLE FINANCIAL ASSURANCE IN EVENT
OF OPERATOR'S NON-COMPLIANCE; LEA COUNTY,
NEW MEXICO

CASE NO. 13711 (De Novo)

ORDER NO. R-12659-B

ORDER OF THE COMMISSION

THIS MATTER, having come before the New Mexico Oil Conservation Commission (Commission) on March 16, 2007 at Santa Fe, New Mexico, on application of the Oil Conservation Division for an order requiring Tempo Energy, Inc. to plug the San Simon State Well No. 006 (API 30-025-29839) located 2310 feet from the North line and 990 feet from the East line (Unit H) of Section 4, Township 22 South, Range 35 East, NMPM, Lea County, New Mexico, and ordering forfeiture of Tempo Energy's bond in event of its failure to plug the well, and the Commission, having carefully considered the evidence and other materials the parties submitted, now, on this 19th day of April, 2007,

FINDS THAT:

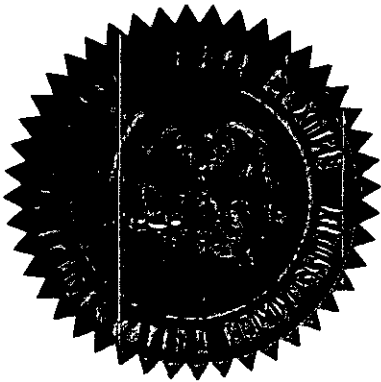
It was the Oil Conservation Division's burden to establish that Tempo Energy, Inc. was the owner or operator of the San Simon Well No. 006, but the Oil Conservation Division has not met that burden,

IT IS THEREFORE ORDERED THAT:

The Oil Conservation Division's application for an order requiring Tempo Energy, Inc. to plug the San Simon State Well No. 006 and ordering forfeiture of Tempo Energy's bond in event of its failure to plug the well is dismissed without prejudice.

DONE at Santa Fe, New Mexico on the 19th day of April, 2007.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION



SEAL

A handwritten signature in cursive script, appearing to read "Jami Bailey".

JAMI BAILEY, CPG, Member

A handwritten signature in cursive script, appearing to read "William Olson".

WILLIAM OLSON, Member

A handwritten signature in cursive script, appearing to read "Mark E. Fesmire".

MARK E. FESMIRE, P.E., Chair