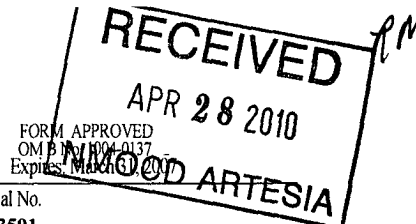


UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

OCD-ARTESIA



**SUNDRY NOTICES AND REPORTS ON WELLS**

**Do not use this form for proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.**

**SUBMIT IN TRIPLICATE- Other instructions on reverse side.**

1. Type of Well <input type="checkbox"/> Oil Well <input type="checkbox"/> <input checked="" type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No. NM 103591
2. Name of Operator Probity Operating, LLC		6. If Indian, Allottee or Tribe Name
3a. Address 110 W. Louisiana, Suite 325 Midland TX 79701	3b. Phone No. (include area code) 432-570-1122	7. If Unit or CA/Agreement, Name and/or No.
4. Location of Well (Footage, Sec, T., R., M., or Survey Description) 898' FSL and 195' FEL Section 5, T19S, R24E		8. Well Name and No. Deliah No. 1
		9. API Well No. 30-015-37344
		10. Field and Pool, or Exploratory Area Hoag Tank (Morrow)
		11. County or Parish, State Eddy County, NM

**12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA**

TYPE OF SUBMISSION	TYPE OF ACTION			
<input type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Fracture Treat	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

13. Describe Proposed or Completed Operation (clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones Attach the Bond under which the work will be performed or provide the Bond No on file with BLM/BIA Required subsequent reports shall be filed within 30 days following completion of the involved operations If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final Abandonment Notices shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection )

**Probity requests a variance to the color code of our Deliah No. 1 well. The facilities on the well were painted Carlsbad Cavern and not Shale Green per the "Conditions of Approval." We request that we be allowed to have the Carlsbad Cavern in lieu of the Shale Green.**

\* *future parenting well require shale green*

14. I hereby certify that the foregoing is true and correct Name (Printed/Typed) Rached Hindi		Title VP of Operations
Signature <i>Rached Hindi</i>		Date 04/20/2010

**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved by <i>James R. Arno</i>	Title <i>4-25-10</i>	Date <i>4-25-10</i>
Conditions of approval, if any, are attached Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon	Office <i>CFO</i>	

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction

*DB*