OCD-ARTESIA Form 3 UNITED STATES FORM APPROVED OM B No. 1004-0137 DEPARTMENT OF THE INTERIOR Expires: March 31, 2007 BUREAU OF LAND MANAGEMENT 5. Lease Serial No. NM-81677 SUNDRY NOTICES AND REPORTS ON WELLS 6. If Indian, Allottee or Tribe Name onot use this form for proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals. 7. If Unit or CA/Agreement, Name and/or No. SUBMIT IN TRIPLICATE- Other instructions on reverse side. 1. Type of Well Oil Well SFP 0 7 2007 X Gas Well Other 8. Well Name and No. ENCORE "12" INDIAN COM. # 1 OCD-ARTESIA 2. Name of Operator 9. API Well No. ENCORÉ OPERATING, L. P. (BILLY JUROSKA 817-339-0788) 777 MAIN STREET SUITE 1400 Address 3b. Phone No. (include area code) 30-015-35632 10. Field and Pool, or Exploratory Area FORT WORTH, TEXAS 76102 817-877-9955 4. Location of Well (Footage, Sec., T., R., M., or Survey Description) INDIAN BASIN-MORROW 1650' FNL & 990' FEL SECTION 12 T21S-R23E EDDY CO. NM 11. County or Parish, State EDDY CO. NEW MEXICO 12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION TYPE OF ACTION Acidize Production (Start/Resume) Water Shut-Off Deepen Notice of Intent Alter Casing Well Integrity Fracture Treat Reclamation XXOther Change to Casing Repair New Construction Recomplete Subsequent Report aerated drilling fluid. Change Plans Temporarily Abandon Plug and Abandon Final Abandonment Notice Convert to Injection → Plug Back Water Disposal Set DV tool at 700'± 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 recomplete 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 recompletion 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.) 1. Encore Operating, L. P. requests the approval to aeriate the drilling fluid after it lost circulation at 740't. Then drill to 1400't to set surface casing. 2. Set DV Tool at 700'± in order to circulate cement to surface in order to protect fresh water Approval for gerated mud, Air drilling will require additional approval I hereby certify that the foregoing is true and correct Name (Printed/Typed) Title Joe T. Japica Agent Signature Date 08/31/07 THIS SPACE FOR FEDERAL OR STATE OFFICE USE Title Conditions of approval, if any, are attached. Approval of this notice does not warrant or

Office

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

WESLEY W. INGRAM

(Instructions on page 2)

certify that the applicant holds legal or equitable title to those rights in the subject lease

States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

which would entitle the applicant to conduct operations thereon.