## N.M. Oil Cons. DIV-Dist. 2 1301 W. Grand Avenue UNITED STATES FORM APPROVED DEPARTMENT OF THE INTERIOR ARTESIA, NM 88210 OMB No 1004-0137 Expires July 31, 2010 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 any NOTICES AND REPORTS ON WELLS 5 Lease Serial No NM-90864 abandoned well. Use Form 3160-3 (APD) for such proposals. 6 If Indian, Allottee or Tribe Name 7 If Unit or CA/Agreement, Name and/or No. SUBMIT IN TRIPLICATE - Other instructions on page 2. Type of Well NMNM-109689 Oil Well Gas Well Other 8 Well Name and No 2 Name of Operator Kirby BCK Federal Com #2 Yates Petroleum Corporation 9 API Well No 3a. Address 3b Phone No (include area code) 30-005-63955 575-748-1471 105 S. 4th Str., Artesia, NM 88210 10 Field and Pool or Exploratory Area 4 Location of Well (Footage, Sec., T., R., M., OR Survey Description) Foor Ranch; Pre-Permian 11. County or Parish, State 1980'FSL & 1980'FWL of Section 21-T10S-R26E (Unit K, NESW) Chaves County, New Mexico 12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION TYPE OF ACTION Acidize Deepen Production (Start/Resume) Water Shut-Off Notice of Intent Alter Casing Fracture Treat Reclamation Well Integrity Casing Repair New Construction Recomplete Subsequent Report Plug and Abandon Change Plans Temporardy Abandon Final Interim Plug Back Final Abandonment Notice Convert to Injection Water Disposal Reclamation 13 Describe Proposed of Completed Operation. Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof the proposal is to deepen directionally or recomplete horizontally give subsurface locations and measured and true vertical deoths 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 must 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, must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection Final Interim Reclamation finished on 4/6/2010 ACCEPTED FOR RECORD

I hereby certify that the foregoing is true and correct Name (Printed/Typed) Regulatory Compliance Supervisor Tina Huerta Title Signature April 13, 2010 THIS SPACE FOR FEDERAL OR STATE OFFICE USE Title Date Conditions of approval, if any, are attached. Approval of this notice does not warrant or ROSWELL FIELD OFFICE certify that the applicant holds legal or equitable title to those rights in the subject lease Office which would entitle the applicant to conduct operations thereon 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

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