Form 3160-5

UNITED STATES DEPARTMENT OF THE INTERIOR

FORM APPROVED/Mily 5-Eng OMB No. 1004-0135

(August 1999) OCD-ARTESIA Expires Inovember 30, 2000 **BUREAU OF LAND MANAGEMENT** Lease Serial No. SUNDRY NOTICES AND REPORTS ON WELLS 10777 NM-97125 6. If Indian, Allottee or Tribe Name abandoned well. Use Form 3160-3 (APD) for such proposals. N/A 7. If Unit or CA/Agreement, Name and/o SUBMIT IN TRIPLICATE - Other instructions on reverse side Type of Well 8. Well Name and No. Oil Well X Gas Well Name of Operator Habanero BHO Federal Com. #1 9. API Well No. Yates Petroleum Corporation Address Phone No. (include area code) 30-015-35082 10. Field and Pool, or Exploratory Area (505) 748-1471 105 South Fourth Street, Artesia, NM 88210 Location of Well (Footage, Sec., T., R., M., or Survey Description) Carlsbad; Morrow, South 11. County or Parish, State 1980' FSL and 1980' FWL, NESW, Unit K Section 4, T23S-R27E Eddy County, New Mexico 12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION TYPE OF ACTION Production (Start/Resume) Water Shut-Off Notice of Intent Acidize Deepen Well Integrity Reclamation Fracture Treat Alter Casing **New Construction** Recomplete Other Subsequent Report Casing Repair Set Conductor Change Plans Plug and Abandon Temporarily Abandon Final Abandonment Notice Convert to Injection Plug Back Water Disposal Pipe 13. Describe Proposed or Completed Operations (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.) Yates Petroleum Corporation wishes to spud the above captioned well and set conductor pipe on August 31, 2006 in order to save our lease. The next available rig will be moving on within 30 days after this date to conduct drilling operations. APPROVED FOR ___/__MONTH PERIOD Thank you. ENDING 10/5/06 GARY GOURLEY PETROLEUM ENGINEER certify foregoing is true and correct Ahat th Title Regulatory Agent Signature August 29th, 2006 THIS SPACE FOR FEDERAL OR STATE USE

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

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.

Approved by