

**DOC # 0212724**

11/14/2008 1:34 PM

**Official Record**

Recording requested By  
YATES PETROLEUM CORP

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$43.00

Page 1 of 6

RPTT:

Recorded By: LLH

Book- 0483 Page- 0001

APN# \_\_\_\_\_

Recording Requested by:

Name Yates Petroleum Corp

Address 105 S. Fourth St

City/State/Zip Artesia, NM 88210-2118



0212724

Assignment

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2.  
(Additional recording fee applies)

This cover page must be typed or printed.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

FORM APPROVED  
OMB NO. 1004-0034  
Expires: March 31, 2011

**ASSIGNMENT OF RECORD TITLE INTEREST IN A  
LEASE FOR OIL AND GAS OR GEOTHERMAL RESOURCES**

Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq.)  
Act for Acquired Lands of 1947 (30 U.S.C. 351-359)  
Geothermal Steam Act of 1970 (30 U.S.C. 1001-1025)  
Department of the Interior Appropriations Act, Fiscal Year 1981 (42 U.S.C. 6508)

Lease Serial No.  
N-65585

Lease Effective Date  
(Anniversary Date)  
July 1, 1999

New Serial No.

Type or print plainly in ink and sign in ink.

PART A: ASSIGNMENT

1. Assignee\*  
Street  
City, State, ZIP Code

SEE ATTACHED ASSIGNEE LIST

1a Assignor \* Herrin Expiration, LLC

\*If more than one assignee, check here  and list the name(s) and address(es) of all additional assignees on the reverse of this form or on a separate attached sheet of paper.

This record title assignment is for: (Check one)

Oil and Gas Lease, or  Geothermal Lease

Interest conveyed: (Check one or both, as appropriate)

Record Title,  Overriding Royalty, payment out of production or other similar interests or payments

2. This assignment conveys the following interest:

Land Description <small>Additional space on reverse, if needed. Do not submit documents or agreements other than this form; such documents or agreements shall only be referenced herein.</small>	Percent of Interest			Percent of Overriding Royalty Similar Interests	
	Owned	Conveyed	Retained	Reserved	Previously reserved or conveyed
	b	c	d	e	f
a Township 27 North, Range 51 East Section 23: All Section 24: All Section 25: All Section 26: All Containing 2560.00 gross acres, more or less Eureka County, Nevada	12.50%	12.50%	0.00%	0.00%	Of Record

FOR BLM USE ONLY - DO NOT WRITE BELOW THIS LINE

THE UNITED STATES OF AMERICA

This assignment is approved solely for administrative purposes. Approval does not warrant that either party to this assignment holds legal or equitable title to this lease.

Assignment approved for above described lands;

Assignment approved for attached land description

Assignment approved effective \_\_\_\_\_

Assignment approved for land description indicated on reverse of this form

By \_\_\_\_\_  
(Authorized Officer)

\_\_\_\_\_  
(Title) (Date)

(continued on page 2)

**PART B: CERTIFICATION AND REQUEST FOR APPROVAL**

1. The Assignor certifies as owner of an interest in the above designated lease that he/she hereby assigns to the above assignee(s) the rights specified above.
2. Assignee certifies as follows: (a) Assignee is a citizen of the United States, an association of such citizens, a municipality, or a corporation organized under the laws of the United States or of any State or territory thereof. For the assignment of NPR-A leases, assignee is a citizen, national, or resident alien of the United States or association of such citizens, nationals, resident aliens or private, public or municipal corporations; (b) Assignee is not considered a minor under the laws of the State in which the lands covered by this assignment are located; (c) Assignee's chargeable interests, direct and indirect, in each public domain and acquired lands separately in the same State, do not exceed 246,080 acres in oil and gas leases (of which up to 200,000 acres may be in oil and gas options), or 300,000 acres in leases in each leasing District in Alaska of which up to 200,000 acres may be in options, if this is an oil and gas lease issued in accordance with the Mineral Leasing Act of 1920, or 51,200 acres in any one State if this is a geothermal lease; (d) All parties holding an interest in the assignment are otherwise in compliance with the regulations (43 CFR Group 3100 or 3200) and the authorizing Acts; (e) Assignee is in compliance with reclamation requirements for all Federal oil and gas lease holdings as required by sec. 17(g) of the Mineral Leasing Act; and (f) Assignee is not in violation of sec. 41 of the Mineral Leasing Act.
3. Assignee's signature to this assignment constitutes acceptance of all applicable terms, conditions, stipulations and restrictions pertaining to the lease described herein.

For geothermal assignments, an overriding royalty may not be less than one-fourth (1/4) of one percent of the value of output, nor greater than 50 percent of the rate of royalty due to the United States when this assignment is added to all previously created overriding royalties (43 CFR 3241).

I certify that the statements made herein by me are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20 08 Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20 08

Name of Assignor as shown on current lease: HERB EXPLORATION, L.L.C.  
Please type or print

Assignor or \_\_\_\_\_  
(Signature)

Assignee or \_\_\_\_\_ SEE ATTACHED  
Attorney-in-fact \_\_\_\_\_  
(Signature)

P.O. BOX 329  
(Assignor's Address)

JACKSON MS 39205-0329  
(City) (State) (Zip Code)

Public reporting burden for this form is estimated to average 30 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (1004-0034), Bureau Information Collection Clearance Officer, (WO-630), 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240

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

(Form 3000-3, page 2)

ASSIGNEES

Signature page to the Assignment of Record Title of Federal Lease No. N-65585 from Herrin Exploration, LLC., to Trail Mountain, Inc., Yates Drilling Company, Abo Petroleum Corporation, Myco Industries, Inc., Roy G. Barton, Jr. and Winn Exploration Co., Inc

Executed this 5<sup>th</sup> day of November, 2008

Trail Mountain, Inc.  
105 South Fourth Street  
Artesia, NM 88210

By: David Lanning *cam*  
David Lanning, Attorney-in-Fact

Attest: \_\_\_\_\_

Yates Drilling Company  
105 South Fourth Street  
Artesia, NM 88210

By: Peyton Yates  
Peyton Yates, Attorney-in-Fact

Abo Petroleum Corporation  
105 South Fourth Street  
Artesia, NM 88210

By: John A. Yates, Jr.  
John A. Yates, Jr., Attorney-in-Fact

Myco Industries, Inc.  
105 South Fourth Street  
Artesia, NM 88210

By: Frank Yates, Jr.  
Frank Yates, Jr., Attorney-in-Fact

Roy G. Barton, Jr.  
1919 N. Turner Street  
Hobbs, New Mexico 88240

By: Roy G. Barton, Jr.

Attest: \_\_\_\_\_

Winn Exploration Co., Inc.  
800 N. Shoreline Blvd.,  
19<sup>th</sup> floor North Tower  
Corpus Christi, TX 78401-3700

By: Michael W. Calley

Michael W. Calley  
Executive Vice President

Acknowledgment page to Assignment of Record Title of Federal Lease No. N-65585 from Herrin Exploration, LLC., to Trail Mountain, Inc., Yates Drilling Company, Abo Petroleum Corporation, Myco Industries, Inc., Roy G. Barton, Jr. and Winn Exploration Co., Inc.

ACKNOWLEDGMENT

STATE OF MS )  
COUNTY Rankin ) ss.

The foregoing instrument was acknowledged before me this 22 day of September, 2008, by Carol Herrin as, Member for Herrin Exploration, a Mississippi Corporation, on behalf of said Corporation.

Patricia L. Mills  
Notary Public

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
BY COMMISSION EXPIRES OCT. 29, 2010  
RECORDED THRU STEGALL NOTARY SERVICE

STATE OF NEW MEXICO )  
COUNTY OF EDDY ) ss.

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of November, 2008, by David Lanning, Attorney-in-Fact; Trail Mountain, Inc.; Frank Yates, Jr., Attorney-in-Fact of Myco Industries, Inc.; Peyton Yates, Attorney-in-Fact of Yates Drilling Company; John A. Yates, Jr., Attorney-in-Fact of Abo Petroleum Corporation, New Mexico corporations, on behalf of said corporations.



OFFICIAL SEAL  
**Melinda Natividad**  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 5-17-11

Melinda Natividad  
Notary Public

STATE OF TEXAS )  
COUNTY OF NUECES ) ss.

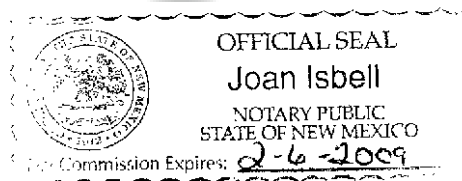
The foregoing instrument was acknowledged before me this 2nd day of October, 2008, by Michael W. Calley as, Executive Vice President Winn Exploration Co., Inc., a Texas Corporation, on behalf of said Corporation.



Katherine M. Coffman  
Notary Public

STATE OF NEW MEXICO )  
COUNTY LEA ) ss.

The foregoing instrument was acknowledged before me this 13th day of October, 2008, by Roy G. Barton, Jr.



Joan Isbell  
Notary Public



0212724

United States  
Department of the Interior  
Bureau of Land Management

ASSIGNMENT OF RECORD TITLE INTEREST IN A LEASE  
FOR OIL AND GAS OR GEOTHERMAL RESOURCES

Eureka County, Nevada

LEASE SERIAL NO. N-65585

ASSIGNOR: HERRIN EXPLORATION, LLC

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PART A.1. ASSIGNMENT

<u>ASSIGNEE*:</u>	<u>INTEREST CONVEYED</u>
Trail Mountain, Inc. 105 South Fourth Street Artesia, NM 88210	1.160265%
Yates Drilling Company 105 South Fourth Street Artesia, NM 88210	2.113245%
Abo Petroleum Corporation 105 South Fourth Street Artesia, NM 88210	2.113245%
Myco Industries, Inc. 105 South Fourth Street Artesia, NM 88210	2.113245%
Roy G. Barton, Jr. 1919 N. Turner Street Hobbs, New Mexico 88240	0.833333%
Winn Exploration Co., Inc. 800 N. Shoreline Blvd., 19 <sup>th</sup> Floor North Tower Corpus Christi, TX 78401-3700	4.166667%

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TOTAL: 12.500000%



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