

**FIRST AMENDMENT TO DESIGNATION OF UNIT  
MARBURGER FARM DAIRY B UNIT**

**COMMONWEALTH OF PENNSYLVANIA    §§  
   §§  
COUNTY OF BUTLER                       §§**

WHEREAS, XTO Energy Inc., on behalf of Phillips Exploration, Inc., a Pennsylvania corporation and a wholly owned subsidiary of XTO Energy Inc., pursuant to an unrecorded Agency Agreement dated June 2, 2011 between Phillips Exploration, Inc. and XTO Energy Inc. (the "Owner"), established The Marburger Farm Dairy B Unit (the "Unit"), containing 624.282 acres of land out of the Township of Forward, County of Butler, Commonwealth of Pennsylvania, as more particularly set forth in that certain Designation of Unit dated May 23<sup>rd</sup>, 2012, recorded at Instrument Number 201205250015060 in the Recorder of Deeds Office of Butler County, Pennsylvania (referred to herein as the "Designation of Unit");

WHEREAS, the Owner desires to amend the Unit to include additional oil and gas leases and lands covered thereby, or portions thereof, so that the Unit will cover the oil and gas leases described on Exhibit "A" attached hereto and the lands depicted on Exhibit "B" attached hereto.

NOW, THEREFORE, in consideration of the premises, Owner, as the current owner and holder of the Oil and Gas Leases subject to and described in the Designation of Unit, acting under and by virtue of the power and authority conferred and granted by the provisions of the leases and/or the amendments thereto, and in accordance with the Designation of Unit, hereby amends the Designation of Unit by replacing the originally attached Exhibit "A" with the revised Exhibit "A" attached hereto, and including the Exhibit "B" attached hereto, so that the Unit now covers 625.322 acres. Owner hereby pools, consolidates, combines and unitizes the oil and gas leases described on Exhibit "A" attached hereto on the terms and provisions of the Designation of Unit, as amended.

Owner reserves the right to make any other corrections or revisions, including but not limited to, the right to commit to the Unit any newly acquired leases covering any unleased or non-pooled tract or tracts of land, or interest(s) therein, if any, located within the Unit boundaries. Owner specifically reserves the right to further amend or revise this Unit in any manner provided for in the leases committed thereto, as herein amended, and in such event an appropriate amendment or instrument shall be filed for record in the appropriate county.

All of the terms and provisions of the Designation of Unit shall remain in full force and effect, except as may have previously been amended and as herein amended, and the terms and provisions hereof shall be binding upon and inure to the benefit of the affected parties hereto, their heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, this Designation of Unit is executed on this \_\_\_\_ day of August, 2013.

**OWNER:**

**XTO ENERGY INC.**

Edwin S. Ryan, Jr.

By: Edwin S. Ryan, Jr.

Senior Vice President – Land Administration

**PHILLIPS EXPLORATION, INC.**

Edwin S. Ryan, Jr.

By: Edwin S. Ryan, Jr.

Vice President BA

STATE OF TEXAS        §§  
                                     §§  
COUNTY OF TARRANT §§

On this 23 day of August, 2013, before me, a Notary Public, the undersigned officer, personally appeared Edwin S. Ryan, Jr., and acknowledged himself to be the Senior Vice President – Land Administration of XTO Energy Inc., a Delaware corporation, and the Vice President of Phillips Exploration, Inc., a Pennsylvania corporation, and that he as such Senior Vice President – Land Administration of XTO Energy Inc. and Vice President of Phillips Exploration, Inc., being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Michael Scott Pence  
Notary Public, State of Texas



I hereby CERTIFY  
that this document is  
recorded in the  
Recorder's Office  
of Butler County,  
Pennsylvania

Michele M. Mustello  
Michele M. Mustello - Recorder of Deeds

**EXHIBIT "A"**

**TO THAT CERTAIN FIRST AMENDMENT TO DESIGNATION OF UNIT**

**MARBURGER FARM DAIRY B UNIT**

Tract No. Depicted on Exhibit B	Instrument No.	Lessor	Lessee	County	Township	State	Tax Parcel No.	Acres
2	200812080026804	Agnes C. Udit, a widow, and Henry R. Scheibel and Esther M. Scheibel, husband and wife	PC Exploration, Inc.	Butler	Forward	PA	160-3F72-10	18.000
3	200812080026805	Agnes C. Udit, a widow, and Henry R. Scheibel and Esther M. Scheibel, husband and wife	PC Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-10A	36.823 acres out of 68.720 acres
4	201004060007015	John R. Cuzzo and Linda R. Cuzzo, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-11A1	15.882 acres out of 18.510 acres
5	201004060007014	Dennis L. Zeitler and Jennifer J. Zeitler, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-11A	25.558 acres out of 31.080 acres
6	201002190003561	Paul Shuttleworth and Nancy Shuttleworth, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-11A2	1.232 acres out of 3.680 acres
7	201002190003562	David E. McBrien and Christine A. McBrien, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-11A2B	1.451 acres out of 5.000 acres
8	201106130014008	William R. Langbauer, Jr., and Lillie C. Wilson, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-13 (160-3F72-13H)	20.123
9	201002230003805	Joseph R. Stanger and Neva L. Stanger, husband and wife	R. E. Gas Development, LLC	Butler	Forward	PA	160-3F72-14G 160-3F72-14C 160-3F72-13D	21.057
10	201006090012548	William J. Atkins, a single man	R. E. Gas Development, LLC	Butler	Forward	PA	160-3F72-13G1	9.996
11	201104270010061	Edward F. Yeager and Carrie D. Yeager, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-13G1A	10.000
12	201104270010068	Joseph W. Scherer and Jean M. Scherer, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-13G2	10.067
13	201004200008166	Robert G. Theberge and Nancy Jean Theberge, husband and wife	R. E. Gas Development, LLC	Butler	Forward	PA	160-3F72-13G4	11.562
14	201007120015360	Nancy J. Christy and Gary R. Christy, her husband	R. E. Gas Development, LLC	Butler	Forward	PA	160-3F72-13G5	22.200
16	201005060009585	Robert Nicholas Matoka, Jr.	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-14BB	3.810
17	201005060009584	John D. Mabold and Jennifer Lynn Mabold, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-14BA	3.900
18	201002190003558	Anthony S. Ferrigno and Lisa M. Ferrigno, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-14B	11.340
19	201004230008465	William J. Marree and Marlene Marree, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-14F	4.070
20	201002190003555	Kenneth J. Gahagan and Elizabeth A. Gahagan, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-15	63.000
21	201204240011203	Marburger Farm Dairy, Inc.	XTO Energy Inc.	Butler	Forward	PA	160-3F72-16	98.578
22	201002080002704	Garrie R. Wearing and Margaret A. Wearing, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-16A	3.150
24	201103040005818	David G. Johnston	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-17DA	1.570
25	201104270010058	J. Richard Baron and Dolores M. Baron, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-17DB 160-3F72-17DC	3.120
26	200808130018623	Michael N. Wagner and Mary Jo Wagner, husband and wife, and Amy L. Blazier, a married woman dealing in her sole and separate property	Phillips Production Company	Butler	Forward	PA	160-3F72-28	31.485

Tract No. Deplcted on Exhibit B	Instrument No.	Lessor	Lessee	County	Township	State	Tax Parcel No.	Acres
27	201104270010059	R. Wayne McCombs	Phillips Exploration, Inc.	Butler	Forward	PA	160-S3-H1	2.690
28	201101100000775	Lisa Robinson and Kurt Robinson, wife and husband	Phillips Exploration, Inc.	Butler	Forward	PA	160-S3-H2 160-S3-H3	5.340
29	201012200030127	John R. Senn and Kathleen Sue Senn, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-S3-H4	1.650
30	201101100000763	Scott B. Short and Deborah A. Raida Short, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	160-S3-H6	2.260
31	201002080002705	Charles E. Wood or Gwendolyn T. Wood, Trustees of the Charles E. Wood and Gwendolyn T. Wood Revocable Living Trust	Phillips Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-12B	0.511 of an acre out of 3.000 acres
32	201002190003556	Charles L. Hines and Cheryl A. Hines, his wife	Phillips Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-12	5.284 acres out of 11.010 acres
33	201001290002084	Christopher J. Armstrong and Lynn A. Armstrong, husband and wife	Phillips Exploration, Inc.	Butler	Forward	PA	P/O 160-3F72-11A2A	0.083 of an acre out of 3.190 acres
34	200708070020679	William E. Bond, Virginia D. Kaltenbach and Nancy L. Bishop	Phillips Production Company	Butler	Forward	PA	160-3F72-18	75.000
35	201202030003244	J. Richard Baron, a/k/a Richard J. Baron, and Delores M. Baron (husband and wife)	Phillips Exploration, Inc.	Butler	Forward	PA	160-3F72-17E	22.800
36	200810080022896	Philip C. Thackray, a single man	Phillips Production Company	Butler	Forward	PA	160-3F72-17	79.110
37	201101100000776	Andrew Jespersen and Kirsten M. Jespersen (husband and wife)	Phillips Exploration, Inc.	Butler	Forward	PA	160-S3-H5	1.580
38	201210040028789	Richard C. Lipp and Karen L. Lipp (husband and wife)	XTO Energy Inc.	Butler	Forward	PA	160-3F72-18A	1.0400

Together with all amendmets, ratifications, corrections, and/or modifications of the Oil and Gas Leases described herein, and INSOFAR as said Oil and Gas Leases cover all depths.

END OF EXHIBIT “A”

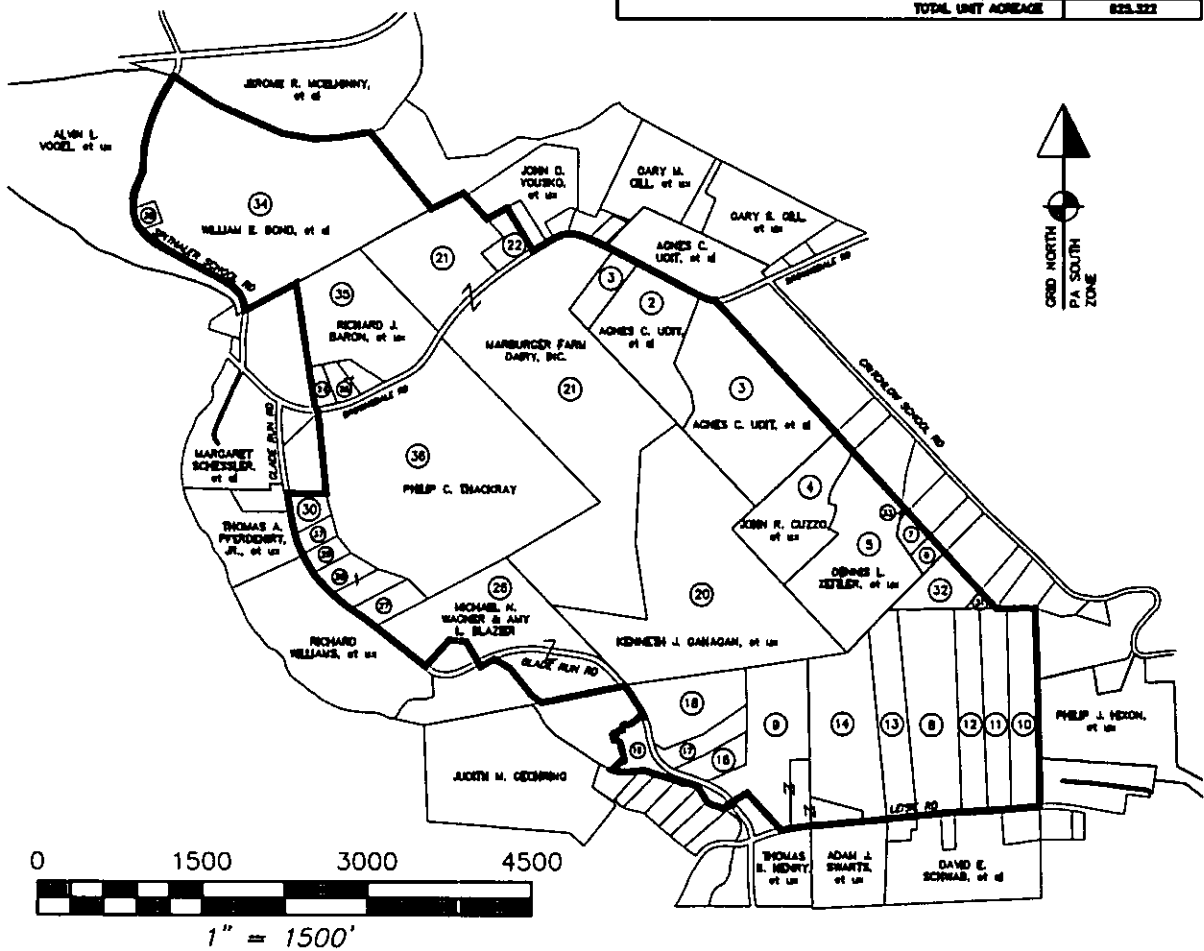
EXHIBIT "B"

TO THAT CERTAIN FIRST AMENDMENT TO DESIGNATION OF UNIT  
MARBURGER FARM DAIRY B UNIT

MARBURGER FARM DAIRY B UNIT BOUNDARY

TRACT #	OWNER	PARCEL #	ACREAGE
2	AGNES C. UOIT, et al	160-3F72-10	18
3	AGNES C. UOIT, et al	P/O 160-3F72-10A	36.823 OUT OF 68.72
4	JOHN R. CUZZO, et ux	P/O 160-3F72-11A1	15.882 OUT OF 18.51
5	DENNIS L. ZITLER, et ux	P/O 160-3F72-11A	23.558 OUT OF 31.08
6	PAUL SHUTTLEWORTH, et ux	P/O 160-3F72-11A2	1.232 OUT OF 3.88
7	DAVID C. MCBREN, et ux	P/O 160-3F72-11A2B	1.451 OUT OF 5.0
8	WILLIAM R. LANGBAUER, et ux	160-3F72-13 & 13A	20.123
9	JOSEPH R. STANGER, et ux	160-3F72-140	17
9	JOSEPH R. STANGER, et ux	160-3F72-14C	2.057
9	JOSEPH R. STANGER, et ux	160-3F72-130	2
10	WILLIAM J. ATOMS	160-3F72-1301	9.996
11	EDWARD F. YEAGER, et ux	160-3F72-1301A	10
12	JOSEPH W. SCHERER, et ux	160-3F72-1302	10.067
13	ROBERT G. THEBERGE, et ux	160-3F72-1304	11.562
14	NANCY J. CHRISTY, et vx	160-3F72-1303	22.20
16	ROBERT M. MATOKA, JR.	160-3F72-148B	3.81
17	JOHN D. MABOLD, et ux	160-3F72-148A	3.90
18	ANTHONY S. FERROGNO, et ux	160-3F72-148	11.34
19	WILLIAM J. MARREE, et ux	160-3F72-14F	4.07

TRACT #	OWNER	PARCEL #	ACREAGE
20	KENNETH J. GANAGAN, et ux	160-3F72-15	83
21	MARBURGER FARM DAIRY, INC.	160-3F72-16	98.578
22	CARRIE R. WEARING, et ux	160-3F72-16A	3.15
24	DAVID G. JOHNSTON	160-3F72-170A	1.57
25	J. RICHARD BARON, et ux	160-3F72-170B	1.56
25	J. RICHARD BARON, et ux	160-3F72-170C	1.56
26	MICHAEL N. WAGNER, et al	160-3F72-28	31.483
27	R. WAYNE MCCOMBS	160-S3-H1	2.59
28	LISA ROBINSON, et vx	160-S3-H2	2.83
28	LISA ROBINSON, et vx	160-S3-H3	2.51
28	JOHN R. SENN, et ux	160-S3-H4	1.63
30	SCOTT B. SHORT, et ux	160-S3-H8	2.26
31	WOOD REVOCABLE LIVING TRUST, et al	P/O 160-3F72-12B	0.511 OUT OF 3.0
32	CHARLES L. HINES, et ux	P/O 160-3F72-12	5.284 OUT OF 11.01
33	CHRISTOPHER J. ARMSTRONG, et ux	P/O 160-3F72-11A2A	0.063 OUT OF 3.19
34	WILLIAM E. BOND, et al	160-3F72-18	75
35	J. RICHARD BARON, et ux	160-3F72-17E	22.80
36	PHILIP C. THACKRAY	160-3F72-17	79.11
37	ANDREW JESPERSEN, et ux	160-S3-H5	1.58
38	RICHARD C. LIPP, et ux	160-3F72-18A	1.04
TOTAL UNIT ACREAGE			823.522



J.H. HICKMAN SURVEYING, LLC.  
107 BELLTOP DRIVE  
KITANNING, PA 16201  
PHONE: 412-549-0733

UNIT BOUNDARY MAP  
MARBURGER FARM DAIRY B UNIT  
FORWARD TOWNSHIP, BUTLER COUNTY  
FOR  
XTO ENERGY, INC.

DATE:  
AUGUST 22, 2013  
SHEET NO.  
L-1  
PROJECT NO.  
6345-12  
SCALE:  
1" = 1500'

Mail to: XTO Energy, Inc.  
502 Keystone Drive  
Warrendale, PA 15086