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Michele Mustello T20140010079  
Butler County Recorder MLXTO ENER

## DESIGNATION OF UNIT

### DREHER B UNIT

COMMONWEALTH OF PENNSYLVANIA §§  
COUNTY OF BUTLER §§

#### KNOW ALL MEN BY THESE PRESENTS:

1. **Designation of Unit.** XTO Energy Inc., and Phillips Exploration, Inc., a wholly owned subsidiary of XTO Energy Inc., and successor by merger to Phillips Production Company, are the owners (collectively referred to herein as the "Owner") of the valid and subsisting oil, gas and mineral leases as described on Exhibit A attached hereto and made a part hereof (together with all amendments and corrections thereto, the "Leases"), insofar as the Leases cover and affect the land and depths described on Exhibit A. Pursuant to the provisions of the Leases and based upon the judgment of Owner that it is necessary and advisable to pool and combine the Leases and the lands and depths described on Exhibit A, and with the consent of the lessors of the Leases where required, the Owner hereby pools, consolidates, combines and unitizes the Leases and the lands and depths described on Exhibit A and all associated leasehold rights, overriding royalty, royalty interests and any other interest to the extent Owner has the authority to pool, for the purpose of drilling for, development, and production of gas and liquid hydrocarbons (including condensate, distillate and other liquids) from the Unit (as defined below). If at any time any tract of land or interest within the Unit is not properly pooled or unitized hereby or is not otherwise committed to the Unit, such fact shall not affect, terminate, impair or invalidate the Unit as to any interest properly pooled or unitized hereby or otherwise.

2. **Description of the Unit.** The unit ("Unit") includes the Leases, or portions thereof, and the interval(s), if any, as described on Exhibit A, and depicted on the plat attached hereto as Exhibit B. If no depth limitations are set forth in Exhibit A, the Unit shall cover all depths. The Owner intends to designate and pool all leases owned by Owner covering the lands depicted on Exhibit B regardless of whether the Leases are listed on Exhibit A or are improperly described on Exhibit A.

3. **Production from the Unit.** This Designation of Unit covers all operations and production from the land and depths described on the attached Exhibits A and B, which is produced from any well drilled to the unitized interval underlying the Unit area to the effect that operations on and production from any tract within the Unit shall be considered operations on and production from all tracts within the Unit. Production from the Unit shall be allocated proportionately among all of the tracts within the Unit in the proportion that the number of surface acres in each of such tracts bears to the total number of surface acres in the Unit.

4. **Amendment.** The Owner reserves the right to amend this Designation of Unit from time to time, and at any time, in order to correct any error herein or to include in this Unit any newly

acquired interests within the Unit boundaries or to enlarge or reduce the Unit area in accordance with the applicable rules and regulations of any governmental regulatory body or agency having jurisdiction insofar as such right is granted in the Leases, by appropriate amendments or instruments.

**5. Counterpart Signatures.** This instrument may be executed as one document signed by all parties, or parties named herein may join herein by execution of a counterpart or ratification, with the same effect as if all parties executed this instrument. Executed signature pages from different originals may be combined to form a single original instrument for recording purposes. The failure of any one or more persons owning an interest in the Unit to execute this instrument or a counterpart or ratification thereof shall not in any manner affect the validity of same as to the parties who do execute this instrument. The Unit may not be ratified or joined in by any party who is not named below without the consent of the parties hereto.


**6. Effective Date.** The Unit shall be effective as of the date it is filed for record in the official public records of the county and state aforesaid, and shall remain in force as long as the pooled minerals are being produced from the Unit, or so long as the Leases covering the Unit are maintained in force by payment or tender of shut-in royalties or by any other means, in accordance with the terms of the Leases.

This Designation of Unit shall be binding on the Owner and all other owners of the interests pooled hereby and their respective representatives, successors and assigns.

IN WITNESS WHEREOF, this Designation of Unit is executed on this 2<sup>nd</sup> day of May, 2014.

**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.**

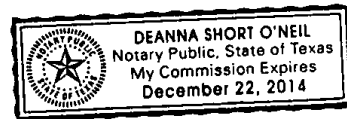
**Vice President**



STATE OF TEXAS       §  
                                  §  
COUNTY OF TARRANT §

On this 2nd day of May, 2014, 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.

  
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 - Recorder of Deeds

**EXHIBIT "A"**

**ATTACHED TO AND MADE A PART OF  
THAT CERTAIN DESIGNATION OF UNIT  
DREHER B UNIT**

Tract # Depicted on Exhibit B	Instrument #	Lessor	Lessee	County	Township	State	Tax Parcel #	Lease Acres in Unit
1	201007130015385	Stephen K. Dreher and Pamela G. Dreher	Phillips Exploration, Inc.	Butler	Summit	PA	290-1F151-7AB	Insofar as said lease covers 45.387 acres out of 58.00 acres being Tract 1 in said lease
2							290-1F151-7A	Insofar as said lease covers 2.237 acres out of 21.50 acres being Tract 2 in said lease
3	201212310037561	John M. Schaffner, a married man	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7AB1	0.52 acres being Parcel 2 in said lease
4							290-1F151-7J	0.50 acres being Parcel 1 in said lease
5	201303140007609	Marjorie J. Wahler, unmarried	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7H	1.50 acres
6	201303110007059	Larry R. Wahler	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7K	Insofar as said lease covers 3.48 acres out of 4.25 acres in said lease
7	201303110007060	Larry R. Wahler	XTO Energy, Inc.	Butler	Summit	PA	290-1F151- 10CA	0.66 acres
8	201306250018587	Pamela M. Ellenberger and Margaret M. Rock and Jeffrey E. Ellenberger and Ronald E. Ellenberger and Gregory R. Ellenberger, as tenants in common	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7E	1.33 acres
8	201303110007061	Tim M. Wahler and Lisa M. Wahler, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7E	1.33 acres being Parcel 1 in said lease
9							290-1F151-7K2	2.24 acres being Parcel 2 in said lease

10	201305150014080	Pamela M. Ellenberger and Margaret M. Rock and Jeffrey E. Ellenberger and Ronald E. Ellenberger and Gregory R. Ellenberger, as tenants in common	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-10	Insofar as said lease covers 13.02 acres out of 46.00 acres being Parcel 1 in said lease
11	201004050006836 201305150014081	Jean E. Fox	Phillips Exploration, Inc.	Butler	Summit	PA	290-1F151-11	Insofar as said lease covers 7.19 acres out of 55.00 acre tract being Parcel 1 in said lease
12							290-1F151-12A	Insofar as said lease covers 8.34 acres out of 32.18 acre tract being Parcel 2 in said lease
13	201210040028771	Ralph C. Oesterling, Jr. and Diana L. Oesterling, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-18D	6.09 acres
14	201301170002068	Daniel C. Focht and Margie J. Focht, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-18E	1.12 acres
15	201301170002067	Stephen L. Goslau and Kimberly A. Goslau, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-18F	2.71 acres
16	201212310037559	Denise R. Oesterling	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-18FA	1.17 acres
17	201301230002476	Frank G. Oesterling and Barbara Ann Oesterling, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-18C	2.28 acres being Parcel 2 in said lease
18							290-1F151-18A	2.01 acres being Parcel 1 in said lease
19	201212310037557	Brenda Joy Wick	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-18B	4.29 acres
20	201203160007337	Roger R. Collins and Juanita M. Collins Trustees of the Collins Revocable Trust	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19C	21.94 acres

21	201203160007335	Eric P. Collins and Carrie E. Collins, husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19CA	1.56 acres Insofar as said lease covers depths below 3,578'
22	201203160007336	Patrick A. Pettinato and Amy J. Pettinato, husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19E	1.95 acres Insofar as said lease covers depths below 3,578'
23	201007130015387	Paul E. Rodgers and Charlotte E. Rodgers, husband and wife	Phillips Exploration, Inc.	Butler	Summit	PA	290-1F151-17	27.403 acres
24	201303010006253	Michael S. Guidotti and Shannon M. Guidotti, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-17B	0.727 acres being Parcel 2 in said lease
41							290-1F151-20B	Insofar as said lease covers 6.043 acres Being Parcel 1 in said lease
25	201211200033570	Ethan Lewis Fike and Margaret Holly Fike, husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-17A	0.87 acres
26	201301030000301	Robert B. Waltman and Tracy Lynn Waltman, husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19A	1.20 acres
27	201210040028779	Ralph J. Bergbigler	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19	6.80 acres
28	201301170002075	The Eury Family Trust	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19D	9.71 acres
29	201210040028777	Robert S. McLafferty and Karen S. McLafferty, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19B1	4.89 acres
30	201211070032020	Joseph J. Pistorius, Jr.	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-19B	6.05 acres
31	201212310037562	Charles G. Wagner and Mary Louise Wagner, as Joint Tenants with Right of Survivorship	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-22	Insofar as said lease covers 74.12 acres out of 75.00 acres
32	201204240011206	James A. Wobb and Melissa A. Wobb, F.K.A. Melissa A. Deal, husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-20F1A	2.29 acres

33	201205150013816	Robert L. Deal and Pyh;is A. Deal	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-20F1	7.16 acres Tract 2 in said lease
35							290-1F151-20	10.23 acres tract 1 in said lease
34	201204240011197	Jerome P. Nordquist and Caroline HJ. Nordquist, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-20E	6.00 acres
36	201204240011194	William C. Deal, single man	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-20G	4.74 acres
37	201009090020403 201305020012759	Bryan P. Michel, a single man	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-23	Insofar as said lease covers 21.48 acres out of 50.06 acres
38	201204240011192	Henry L. Deal, a single man	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-20H	4.74 acres
39	201303140007598	Ronald Edward Deal, Jr. and Beth Ann Deal, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-20J	9.79 acres
40	201205040012632	Robert H. Orioski and Robrt W. Orioski	Phillips Exploration, Inc.	Butler	Summit	PA	290-1F151-20C	Inso far as lease covers 56.82 acres out of 80.00 acres
42	201210040028772	Darrell G. Nebel and Cynthia E. Nebel, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-16	Insofar as said lease covers 16.16 acres out of 40.30 acres
43	201303110007062	Claudia Brzoska	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-16L	1.50 acres
44	201301170002074	Walter A. Neubauer, Jr. and Crystal L. Neubauer, husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-16K	1.50 acres
47							290-1F151-7U	1.0 acres
45	201302140004849	Steven Karenbauer, a married man	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-16E	0.575 acres
46	201302050003936	Landon P. Fleeger, single	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-16EA	0.575 acres
48	201302140004848	Walter R. Cooper and Jean L. Cooper, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7R	1.00 acres

49	201211070032017	Jeffrey M. Karenbauer and Cathy L. Karenbauer, husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7P	1.25 acres
50	201301150001764	Gail Scott and Rodney Scott	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7B	2.43 acres
51	201301150001763	Eugene E. Scott and Jennifer L. Scott, his wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7C	1.77 acres
52	201301170002064	Marlen P. Land	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-15A	2.88 acres
53	201302210005433	William A. Yost, a widower	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7W	Insofar as lease covers 1.336 acres out of 3.04 acres
54 55	200810080022841	Timothy J. Regis and Lenore ERegis husband and wife	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7Y	Insofar as lease covers 5.030 acres out of 5.437 acres  Insofar as lease covers 57.511 acres out of 61.973 acres
56	201303010006252	W.R. Capenos	XTO Energy, Inc.	Butler	Summit	PA	290-1F151-7S	1.00 acres

488.104 acres

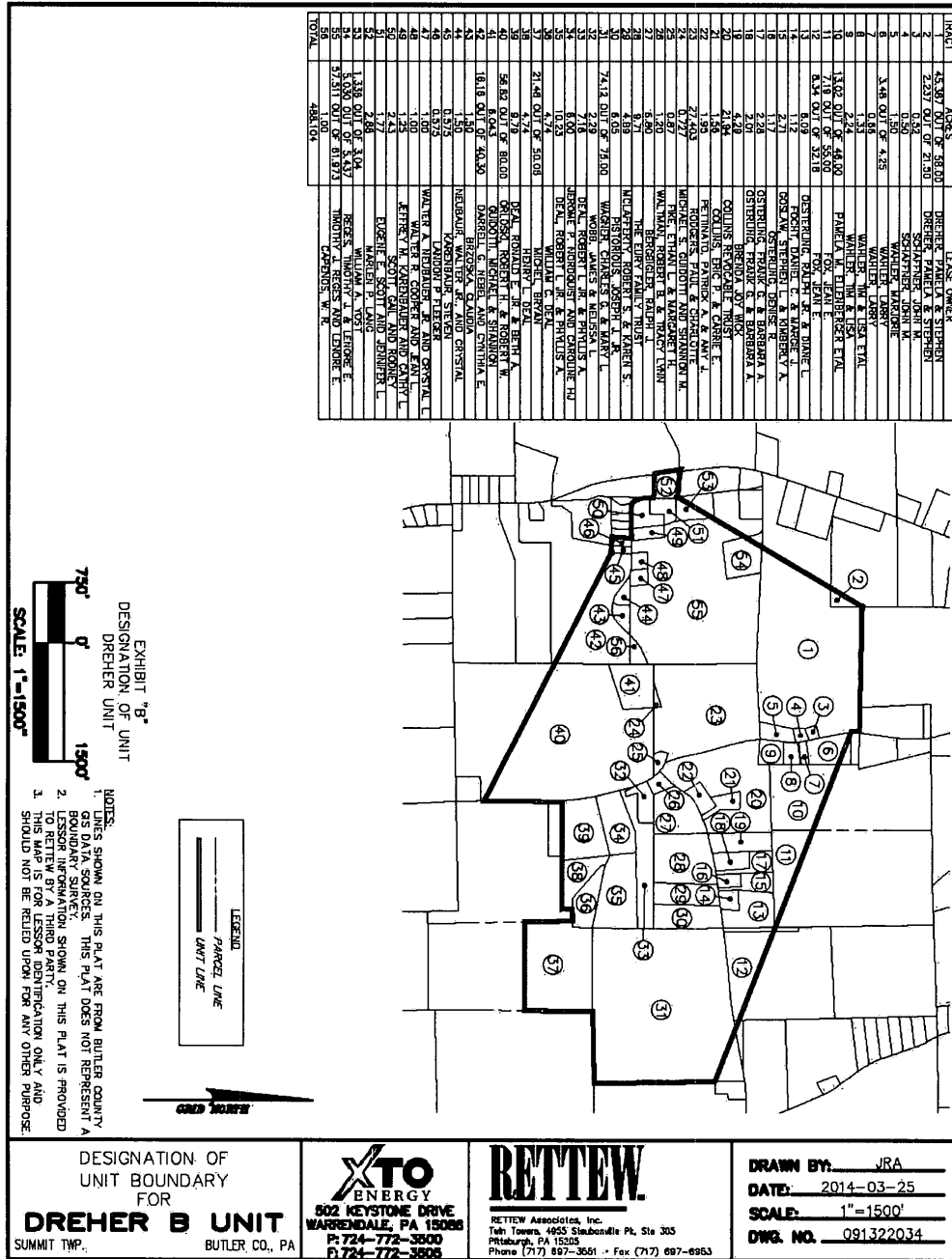
**Together with all amendments, ratifications, corrections, and/or modifications of the Oil and Gas Leases described herein, and INSO FAR as to those depths and formations covered by the Leases below a depth of 4,400 feet below the surface.**

**END OF EXHIBIT "A"**



# EXHIBIT "B"

## ATTACHED TO AND MADE A PART OF THAT CERTAIN DESIGNATION OF UNIT DREHER B UNIT



Return to:  
XTO Energy Inc.  
810 Houston Street  
Fort Worth, TX 76102-6298  
ATTN: Land Department - KB