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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

MEMORANDUM OF OIL, GAS AND MINERAL LEASE

Texas Royalty Brokers

This memorandum of Oil, Gas and Mineral Lease is made and entered into this 9th day of August, 2010, by MITTIE P. THOMSON, whose address is, 5310 North Humble Camp Rd., Dickinson, Texas 77539, hereinafter referred to as "LESSOR", whether one or more and XTO ENERGY, INC., whose mailing address is 810 Houston Street, Fort Worth, Texas 76102-6298 hereinafter referred to as "LESSEE".

WITNESSETH:

Lessor has this day entered into an Oil, Gas and Mineral Lease (the "LEASE") covering lands described below which are located in San Augustine County, Texas (the"LANDS"), and grant exclusive exploration rights as therein described. The lease is for a primary term of three (3) years and so long thereafter as oil and gas is produced, subject to the terms of the lease.

LEASED PREMISES:

4.86 acres, more or less, being a portion of the H. H. McKinney Survey, A425 described as Tract 1 in a Deed without Warranty from Hardy B. Horn and wife, Ethel Horn to Kenneth B. Thomson and wife, Mittie P. Thomson dated January 31, 1997, recorded in Volume 302, Page 269 of the Deed Records of San Augustine County, Texas.

Any mortgage or deed of trust of any or any other agreement of any kind which could in any way burden, encumber or otherwise diminish the net revenue interest leased to Lessee which is entered into or created subsequent to the date of the agreement, shall be subordinate to the terms of this lease.

Lessor is executing this MEMORANDUM OF OIL, GAS AND MINERAL LEASE for the purpose of placing an instrument of record in San Augustine County, Texas to give constructive notice of all the terms of the lease and the agreement in its entirety.

Texas Royalty Brokers

IN WITNESS WHEREOF, this instrument is executed on the date first above written.

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LESSOR:

Mittie P. Thomson
MITTIE P. THOMSON

FILED FOR RECORD
August 31 2010
AT 2:36 O'CLOCK P M
DIANA KOVAR, COUNTY CLERK
SAN AUGUSTINE COUNTY
SAN AUGUSTINE, TEXAS
BY Margo Neale
DEPUTY

STATE OF } TEXAS

COUNTY OF } CHEROKEE

This instrument was acknowledged before me on the 19 day of AUGUST, 2010,
By; MITTIE P. THOMSON

Texas Royalty Brokers

Seal:

DAVID CRANFORD
Notary Public, State of Texas
My Commission Expires
May 23, 2011

Signature David A. Cranford
Notary Public

Printed DAVID A. CRANFORD
My commission expires: 5-23-2011

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