

UNIT DESIGNATION
EMMA REAGAN GAS UNIT

Accepted for Filing in:
Robertson County
On: Jul 24, 2008 at 04:03P
By: Carol Bancroft

STATE OF TEXAS ~

~ **KNOW ALL MEN BY THESE PRESENTS:**

COUNTY OF ROBERTSON ~

WHEREAS, XTO ENERGY INC., whose address is 810 Houston Street, Fort Worth, Texas 76102, (hereinafter called "Lessee") is the present owner and holder of the oil, gas and mineral leases (hereinafter collectively referred to as "Said Leases"), identified and described on Exhibit "A" which is attached hereto and made a part hereof for all purposes, insofar as Said Leases cover the lands included within the hereinafter described unit;

WHEREAS, each of Said Leases, as may be amended, provide that the Lessee shall have the right and power to designate, pool or combine, as to the gas rights therein and thereunder, the acreage covered thereby, or portions thereof, with other land, lease, or leases in the immediate vicinity thereof, in order to form a gas unit or units of the size and type hereinafter described, provided that the Lessee shall execute an instrument in writing identifying and describing such acreage;

WHEREAS, in the judgment of Lessee it is necessary and advisable to designate Said Leases and to pool and combine Said Leases, insofar as they cover the lands included in the said unit, in order to properly develop and operate the premises for the production of gas, and in order to promote the conservation of gas in, under and that may be produced from said unitized premises; and

NOW, THEREFORE, Lessee, acting under and by virtue of the power and authority conferred and granted by the provisions of the oil, gas and mineral leases, as may be amended, described in said Exhibit "A", does hereby designate, pool and combine Said Leases, as may be amended, supplemented and/or ratified, and associated leasehold rights, overriding royalty, and royalty interests, into a unit designated as the **EMMA REAGAN GAS UNIT** (hereinafter referred to as the "Unit"), containing 407.45 acres of land, more or less, being the land within the dashed outline on the Unit Plat marked Exhibit "B" and more fully described on Exhibit "C", said exhibits attached hereto and made a part hereof, for the purpose of developing and operating the lands and leases for the production, storage, processing, and marketing of gas and gas rights, all as provided for in and authorized by Said Leases, as amended. It is the intent to designate and pool all leases owned by Lessee covering said lands, regardless of whether said leases are listed on Exhibit "A".

Lessee reserves the right to amend this Unit Designation, from time to time, and at any time, in order to correct any error herein or to include in the Unit any newly acquired interest within the Unit boundary 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 Said Leases, or by appropriate amendments or agreements. The Unit may be dissolved by the Lessee, its successors or assigns, by instrument filed for record in the appropriate records of Robertson County, Texas, at any time after the cessation of production on the Unit insofar as provided in Said Leases, or by appropriate amendments thereto.

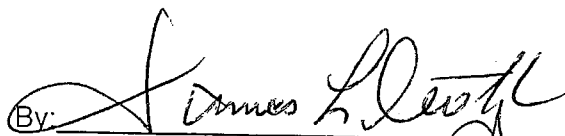
If at any time any tract of land or interest within the Unit is not properly pooled or unitized hereby, or is not otherwise committed to the Unit, such facts shall not affect, terminate, impair or invalidate the Unit as to any interest properly pooled or unitized hereby or otherwise.

Production from the Unit shall be allocated proportionately among all of the tracts within the Unit in the proportion which the number of surface acres in each of such tracts bears to the total number of surface acres in the Unit.

This Unit Designation may not be ratified or joined in by any party who is not a named party below, without the written consent of Lessee or its successors and assigns.

This instrument is signed by Lessee on the date its signature is acknowledged, but it is understood and agreed that same shall be effective as of the date it is filed of record in the Official Public Records of Robertson County, Texas. This instrument may be executed in any number of counterparts, each of which shall constitute an original instrument. Executed signature pages from one counterpart may be combined with signature pages from one or more other counterparts in order to form a single executed instrument.

XTO ENERGY INC.

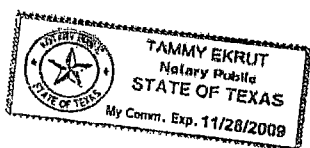
By: 
James L. Death
Senior Vice President – Land


ACKNOWLEDGEMENT

STATE OF TEXAS }

COUNTY OF TARRANT }

This instrument was acknowledged before me on the 23rd day of July, 2008, by James L. Death, as Senior Vice President – Land of XTO Energy Inc., a Delaware Corporation, on behalf of said corporation.




Notary Public, State of Texas

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EXHIBIT "A"

1. Oil, Gas and Mineral Lease dated April 20, 2007, by Memorandum of Oil, Gas and Mineral Lease dated April 20, 2007, recorded in Volume 993, Page 532, Official Public Records, Robertson County, Texas, from Emma Agnes Reagan to XTO Energy Inc. **(Unit Tract Nos. 1 & 3)**
2. Oil, Gas and Mineral Lease dated January 12, 2006, by Memorandum of Oil, Gas and Mineral Lease dated January 12, 2006, recorded in Volume 935, Page 19, Official Public Records, Robertson County, Texas, from Keith Padgett and wife, Theresa Padgett to XTO Energy Inc.; said lease having been amended by Memorandum of Extension of Oil, Gas and Mineral Lease dated February 18, 2008, effective as of date of the Notice, recorded in Volume 1025, Page 109, Official Public Records, Robertson County, Texas. **(Unit Tract No. 2)**
3. Oil, Gas and Mineral Lease dated April 20, 2007, by Memorandum of Oil, Gas and Mineral Lease dated April 20, 2007, recorded in Volume 993, Page 529, Official Public Records, Robertson County, Texas, from Erwin U. Reagan to XTO Energy Inc. **(Unit Tract No. 3)**
4. Oil, Gas and Mineral Lease dated April 19, 2007, by Memorandum of Oil, Gas and Mineral Lease dated April 19, 2007, recorded in Volume 993, Page 526, Official Public Records, Robertson County, Texas, from John S. Reagan to XTO Energy Inc. **(Unit Tract No. 3)**
5. Oil, Gas and Mineral Lease dated March 1, 2007, by Memorandum of Oil, Gas and Mineral Lease dated April 3, 2008, recorded in Volume 1033, Page 642, Official Public Records, Robertson County, Texas, from Thomas E. Phillips to XTO Energy Inc. **(Unit Tract No. 4)**

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XTO ENERGY INC.
FRAZIER GAS UNIT

290.24 Ac.
G. H. Ingram, Jr., et al
201/111

10.76 Ac.
15 Ac.
202/344
1/2" IPF

110.51 Ac.
Mary Ruth King
686/209

69/609

MARIA DE LA CONCEPCION
MARQUEZ SURVEY
A-25

173.24 Ac.
G. H. Ingram, Jr., et al
207/313

XTO ENERGY INC.
MARY KING GAS UNIT

60.68 Ac.
G. H. Ingram, Jr., et al
245/658

XTO ENERGY INC.
EMMA REAGAN GAS UNIT
407.45 ACRES

94.96 Ac.
Erwin U. Reagan, et al
449/37

93.43 Ac.
Erwin U. Reagan, et al
449/39

32.74 Ac.
Thomas E. Phillips,
Individually and as Trustee
373/466

289.01 Ac.
G. H. Ingram, Jr., et al
207/313

33.67 Ac.
Erwin U. Reagan, et al
361/64

XTO ENERGY INC.
THOMAS PHILLIPS GAS UNIT

280.1 Ac.
Thomas E. Phillips,
Individually and as Trustee
148/541



FOR THE EXCLUSIVE USE OF
XTO ENERGY INC.

STATE OF TEXAS - - - COUNTY OF SMITH
I, E. L. Sartain, Registered Professional Land
Surveyor, do hereby certify the above plat to be
true and correct to the best of my knowledge.
Date: July 9, 2008 Tyler, Texas.

Harry L. Johnson & Associates
E.L.S. Surveying & Mapping, Inc.

Registered Professional Land Surveyor No. 1978

Acres shown hereon are determined from occupation as it exists
on the ground and from deed record data provided by others
and is not intended to be definitive in determining title boundaries

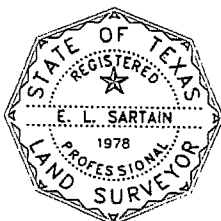


EXHIBIT "B"
UNIT PLAT
XTO ENERGY INC.

EMMA REAGAN GAS UNIT
MARIA DE LA CONCEPCION
MARQUEZ SURVEY, A-25
ROBERTSON COUNTY, TEXAS

1000' 500' 0 1000'
1" = 1000'

From the Office of E.L.S. Surveying & Mapping, Inc./
Harry L. Johnson & Associates - Tyler, Texas

EXHIBIT "C"

Unit Tract No. 1: One Hundred Two and Forty-Four/One-Hundredths (102.44) Acres, more or less, (called 103.186 Acres, more or less), located in the Maria de la Concepcion Marquez Eleven League Grant, Abstract No. 25, Robertson County, Texas, being the same lands described in a Corrected Executor's Deed dated November 5, 2005, recorded in Volume 925, Page 239, Official Public Records, Robertson County, Texas, from Erwin Reagan, Independent Executor of the Estate of J. C. Reagan, Deceased to Emma Agnes Reagan, being the same lands formerly described as 84.406 Acres, more or less, being 101.5 Acres, more or less, described in two (2) tracts, being "Second Tract" (4 Acres) and "Third Tract" (97.5 Acres), described in a Warranty Deed dated December 9, 1937, recorded in Volume 115, Page 571, Deed Records, Robertson County, Texas, from The Federal Land Bank of Houston to J. C. Reagan, Jr.; **LESS AND EXCEPT:** 17.094 Acres, more or less, being the same lands described in a Warranty Deed dated October 28, 1998, recorded in Volume 722, Page 584, Official Records, Robertson County, Texas, from J.C. Reagan Jr. and wife, Christine Reagan to Keith Padgett and wife, Theresa Padgett.

Unit Tract No. 2: Seventeen and Twenty-Three/One-Hundredths (17.23) Acres, more or less, (called 17.094 Acres, more or less), located in the Maria de la Concepcion Marquez Eleven League Grant, Abstract No. 25, Robertson County, Texas, being the same land described in a Deed dated October 28, 1998, recorded in Volume 722, Page 584, Official Public Records, Robertson County, Texas, from J.C. Reagan Jr. and wife, Christine Reagan to Keith Padgett and wife, Theresa Padgett.

Unit Tract No. 3: Two Hundred Fifty-Five and Four/One-Hundredths (255.04) Acres, more or less, (called 258.820) Acres, more or less, located in the Maria de la Concepcion Marquez Eleven League Grant, Abstract No. 25, Robertson County, Texas, and being the same lands more particularly described in three (3) tracts as follows, to-wit:

TRACT ONE: Sixty-Six and Sixty-Five/One-Hundredths (66.65) Acres, more or less, (called 68.75 Acres, more or less), in the Maria de la Concepcion Marquez Eleven League Grant, Abstract No. 25, Robertson County, Texas, and being the same land described in a Deed dated December 25, 1984, recorded in Volume 449, Page 32, Public Records, Robertson County, Texas, from J.C. Reagan, Jr. and wife, Christine N. Reagan to Emma Agnes Reagan. ✓

TRACT TWO: Ninety-Four and Ninety-Six/One-Hundredths (94.96) Acres, more or less, (called 96 Acres, more or less), in the Maria de la Concepcion Marquez Eleven League Grant, Abstract No. 25, Robertson County, Texas, being the same land described in a Deed dated December 25, 1984, recorded in Volume 449, Page 37, Public Records, Robertson County, Texas, from J.C. Reagan, Jr. and wife Christine N. Reagan to John S. Reagan.

TRACT THREE: Ninety-Three and Forty-Three/One-Hundredths (93.43) Acres, more or less, (called 93.56 Acres, more or less), in the Maria de la Concepcion Marquez Eleven League Grant, Abstract No. 25, Robertson County, Texas, being the same land described in a Deed dated December 25, 1984, recorded in Volume 449, Page 39, Public Records, Robertson County, Texas, from J.C. Reagan, Jr. and wife, Christine N. Reagan to Erwin Reagan.

EXHIBIT "C"

Page 1 of 2

Unit Tract No. 4: BEING 32.74 acres of land situated in the Maria De La Concepcion Marquez Survey, Abstract No. 25, Robertson County, Texas and being a part of that certain called 50 acre tract described in a deed from George E. Phillips to Thomas E. Phillips as recorded in Volume 373, Page 466 of the Deed Records of Robertson County, Texas, said 32.74 acre tract being all of said called 50 acre tract SAVE & EXCEPT the portion of said called 50 acre tract that lies within the boundaries of XTO Energy Inc. and Encana Oil & Gas' "Thomas Phillips Gas Unit" as recorded in Volume 941, Page 623 of the Deed Records of Robertson County, Texas, said 32.74 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a fence corner at the westernmost corner of said called 50 acre tract, the southernmost corner of a certain called 96 acre tract described in a deed to J. C. Reagan as recorded in Volume 115, Page 571 of the Deed Records of Robertson County, Texas, said fence corner also being in the northeast line of a certain called 280.1 acre tract described in a deed to Thomas E. Phillips, Trustee as recorded in Volume 148, Page 541 of the Deed Records of Robertson County, Texas;

THENCE South 37°28'48" East with the southwest line of said called 50 acre tract and the northeast line of said called 280.1 acre tract a distance of **1120.42 feet** to a point in same;

THENCE North 56°06'14" East across said called 50 acre tract a distance of **1281.54 feet** to a point in the northeast line of said called 50 acre tract and the southwest line of a certain called 93.56 acre tract described in a deed to Erwin Reagan as recorded in Volume 449, Page 39 of the Deed Records of Robertson County, Texas, from said point a fence corner in said line brs South 38°07'00" East a distance of 138.62 feet;

THENCE North 38°07'00" West with said line a distance of **1121.27 feet** to a cross-tie fence corner at the northernmost corner of said called 50 acre tract, the westernmost corner of said called 93.56 acre tract and being in the southeast line of said called 96 acre tract;

THENCE South 56°06'14" West with the northwest line of said called 50 acre tract and the southeast line of said called 96 acre tract a distance of **1269.06 feet** back to the **PLACE OF BEGINNING** and containing **32.74 ACRES OF LAND**.

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