

BOOK 438 PAGE 40-43  
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EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO.

FEES 42<sup>00</sup>

**205291**

JUNE 12, 2006

AMENDMENT TO MEMORANDUM OF OIL AND GAS LEASE

BY AND BETWEEN:

BLACK STONE MINERALS COMPANY, L.P. "LESSOR" AND  
LACY PROPERTIES, LTD. AND TRAIL MOUNTAIN, INC. "LESSEES"

DATED APRIL 10, 2006

LACY PROPERTIES, LTD.  
222 EAST TYLER STREET  
P.O. BOX 2146  
LONGVIEW, TX. 75606

(903)758-8276

**AMENDMENT TO  
MEMORANDUM OF OIL AND GAS LEASE**

STATE OF NEVADA       §  
                                     §  
COUNTY OF EUREKA   §

THIS Amendment to Memorandum of Oil and Gas Lease, by and between **BLACK STONE MINERALS COMPANY, L.P.**, a Delaware limited partnership, whose address is 1001 Fannin, Suite 2020, Houston, Texas 77002-6709, hereinafter sometimes referred to as "Lessor," and **LACY PROPERTIES, LTD.**, a Texas limited partnership, whose address is 222 East Tyler Street, Longview, Texas 75606, and **TRAIL MOUNTAIN, INC.**, a New Mexico corporation, whose address is 105 South Fourth Street, Artesia, New Mexico 88210, hereinafter sometimes referred to collectively as "Lessees".

**WITNESSETH:**

**WHEREAS**, that Lessor, for a valuable consideration and in consideration of the covenants of the Lessees set forth in that certain Amendment to Oil and Gas Lease dated April 10, 2006, by and between the parties hereto, has granted, leased and let unto Lessees' and by these presents does grant, lease and let unto said Lessees', the right to explore, drill for and to produce, extract, take and remove all oil, gas and constituent substances produced therewith, hereinafter sometimes referred to as "substances," contained in the Lands, to store said substances upon the Lands, to locate, erect, construct, maintain, replace and operate upon the Lands, such facilities and structures as may be necessary in the production, treatment, storage or transportation of said substances from the Lands as revised by the said Amendment to Oil and Gas Lease, and as more particularly described as follows:

<u><b>TOWNSHIP 30 NORTH, RANGE 51 EAST M.D.M.</b></u>		<u><b>ACRES</b></u>
Section 3:	All.	<b>639.86</b>
<u><b>TOWNSHIP 31 NORTH, RANGE 50 EAST, M.D.M.</b></u>		
Section 13:	All.	640.00
Section 23:	All.	640.00
Section 25:	All.	640.00
Section 35:	All.	733.36
		<b>2,653.36</b>
<u><b>TOWNSHIP 31 NORTH, RANGE 51 EAST, M.D.M.</b></u>		
Section 15:	NE/4; S/2NW/4; S/2.	560.00
Section 17:	SE/4NE/4; S/2SW/4.	120.00
Section 19:	Lots 1-4; E/2 (All).	527.20
Section 21:	E/2E/2; NW/4NE/4; NE/4NW/4. SE/4SW/4; SW/4SE/4.	320.00
Section 23:	W/2.	320.00
Section 27:	All.	640.00
Section 29:	E/2E/2; W/2NW/4; SW/4; SW/4SE/4.	440.00
Section 31:	All.	1,203.12
Section 33:	All.	1,203.08
Section 35:	Lots 3, 4, 5 and 6,	201.93
		<b>5,535.33</b>

and containing a total of **8,828.55 acres**, more or less, **Eureka County, Nevada**, which


IN WITNESS WHEREOF, the parties hereto have entered into this Amendment to Memorandum of Oil and Gas Lease this 10<sup>th</sup> day of April 2006.

EXECUTED AND EFFECTIVE this 10<sup>th</sup> day of April, 2006.

**LESSOR:**

**BLACK STONE MINERALS COMPANY, L.P.**


By: **Black Stone Interests, L.L.C.**  
Its General Partner

By:   
Mark E. Robinson  
Vice President  
Minerals Management and Legal

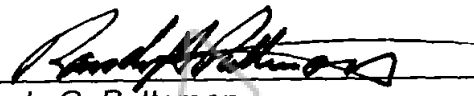
**LESSEES'**

**LACY PROPERTIES, LTD.**

By: **Lacy Property Management, Inc.**  
Its General Partner

By:   
Neal A. Hawthorn  
Vice President

**TRAIL MOUNTAIN, INC.**

By:   
Randy G. Patterson  
Attorney-In-Fact

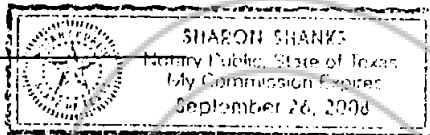
## ACKNOWLEDGEMENTS

STATE OF TEXAS           §  
                                  §  
COUNTY OF HARRIS     §

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Mark E. Robinson, known to me to be the person and office whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said **Black Stone Interests, L.L.C., General Partner of BLACK STONE MINERALS COMPANY, L.P.**, a Delaware limited partnership, and that he executed the same as the act of said partnership for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal this the 13<sup>th</sup> day of April 2006.

My Commission Expires:

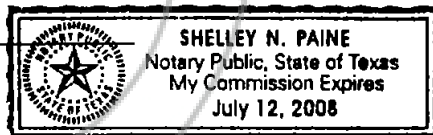


Sharon Shanks  
Notary Public, State of Texas

STATE OF TEXAS           §  
                                  §  
COUNTY OF GREGG     §

This instrument was acknowledged before me on this 18<sup>th</sup> day of April, 2006, by Neal A. Hawthorn, Vice President of **Lacy Property Management, Inc., General Partner for Lacy Properties, LTD.**, a Texas limited partnership, on behalf of said limited partnership.

My Commission Expires:



Shelley N. Paine  
Notary Public, State of Texas

STATE OF NEW MEXICO   §  
                                  §  
COUNTY OF EDDY       §

The foregoing instrument was acknowledged before me this 6 day of ~~April~~ <sup>June</sup>, 2006, by Randy G. Patterson, Attorney-In-Fact of **Trail Mountain, Inc.**, a New Mexico corporation, on behalf of said entity.