

## AMENDMENT AND EXTENSION OF OIL AND GAS LEASE

THE STATE OF NEW MEXICO }

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF LEA }

WHEREAS, MPM Family LP, by Richard T. Sink, Trustee of the Grace Peckham Vincent Mineral Trust, the General Partner, of PO BOX 180, Wichita Falls, TX 76307-0180, as Lessor, made, executed and delivered unto W. B. Robbins, III, as Lessee, an Oil and Gas Lease dated July 24, 2001, recorded in Volume 1124 at Page 76, of the Official Records of Lea County, New Mexico, covering the following described lands in Lea County, New Mexico, to-wit:

T-20-S, R-38-E, N.M.P.M.

Section 4: SE/4SW/4.

WHEREAS, said Oil & Gas Lease is now owned by Assignment of record and by merger of record, in favor of JTD Resources, LLC, whose address is P. O. Box 3422, Midland, Texas 79702.

WHEREAS, said Oil and Gas Lease provides that the Lease shall be for a three (3) year primary term from November 14, 2001, and, it is the purpose of this Agreement by and between Lessor and Lessee to extend the primary term of the aforesaid Oil and Gas Lease for an additional period of three (3) years from and after the end of said original three (3) year primary term, insofar as it covers those lands specifically described hereinabove;

NOW THEREFORE, for and in consideration of the premises, and of Ten Dollars (\$10.00) cash in hand paid to the undersigned, receipt and sufficiency of which is hereby acknowledged, we, the undersigned, do hereby agree that the primary term of said Lease is hereby extended for a period of three (3) years from and after said initial three (3) year primary term; as hereby extended, the primary term of said Lease insofar as it covers the lands specifically described hereinabove, shall run through November 13, 2007, rather than, and instead of November 13, 2004, as originally provided for in said Lease.

WHEREAS, it is further provided by this Amendment that wherever the original Oil & Gas Lease referred to three-sixteenths (3/16) royalty, it shall be increased to one-fifth (1/5) when and if drilling operations are commenced after the November 13, 2004, expiration date of the original Oil & Gas Lease as described hereinabove.

THE AFORESAID consideration is to be in lieu of the next delay rental payment following execution of this extension of term, but it is understood that any delay rental provisions of the original Lease shall thereafter apply under the original Lease as extended.

The above described Lease is hereby amended and hereby ratified and declared to be in full force and effect, and the undersigned hereby grant, lease, let and demise the lands described in and said Lease unto the record owners and holders of said Lease, their heirs, successors and assigns, upon the terms and conditions set out in said Lease as herein amended.

IN WITNESS WHEREOF, this instrument is executed this 26th day of July, 2004.

LESSOR:  
MPM FAMILY LP

LESSEE:  
JTD RESOURCES, LLC.

By: Richard T. Sink  
Richard T. Sink, Trustee of the  
Grace Peckham Vincent Mineral Trust,  
the General Partner.  
Tax ID #75-2644311

By: Dan M. Leonard  
Dan M. Leonard, Manager

Oil Conservation Division  
Case No. 38  
Exhibit No. 38

ACKNOWLEDGMENTS

THE STATE OF TEXAS }  
COUNTY OF WICHITA }

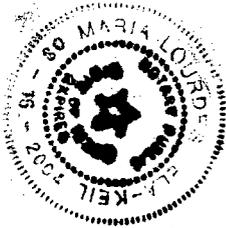
This instrument was acknowledged before me on the 29<sup>th</sup> day of July, 2004, by RICHARD T. SINK, in the capacity therein stated.



Sue Beaver  
Notary Public, in the state of TEXAS.  
Notary's printed name: Sue Beaver  
My commission expires: 1-5-07

THE STATE OF TEXAS }  
COUNTY OF MIDLAND }

This instrument was acknowledged before me on the 9<sup>th</sup> day of August, 2004, by Dan M. Leonard, acting in his capacity as Manager of JTD Resources, LLC.



Maria Lourdes Vela-Ke  
Notary Public, in and for the State of TEXAS.  
Notary's printed name: Maria Lourdes Vela-Ke  
My commission expires: 8-15-04

STATE OF NEW MEXICO  
COUNTY OF LEA  
FILED

SEP 02 2004  
at 11:21 o'clock A M  
and recorded in Book 1327  
Page 151  
Melinda Hughes, Lea County Clerk  
By DJ Deputy

61318

