

THIRD AMENDMENT TO SURFACE DAMAGE AGREEMENT

This Third Amendment to Surface Damage Agreement is made and entered into between Bert W. Dow as trustee of the Bert W. Dow Revocable Trust dated March 6, 2003 ("Owner"), whose address is 63 Dow Road, Sheridan, WY 82801, and J. M. Huber Corporation ("Operator"), whose address is P. O. Box 6850, Sheridan WY 82801.

RECITAL

Operator and Owner entered into an unrecorded Surface Damage Agreement dated February 12, 2004, that was amended on November 11, 2004 to add additional acreage. The November 11, 2004 amendment was recorded with the Clerk of Sheridan County, Wyoming at Book 461, Page 0070. The parties further amended the Surface Damage Agreement to include additional lands by a Second Amendment to Surface Damage Agreement dated January 5, 2007, that was recorded with the clerk of Sheridan County, Wyoming at Book 482, Page 0337 (as so amended, the "Agreement"). The parties desire to amend the Agreement to include additional lands. The parties further desire to consolidate on one instrument a description of all acreage now subject to the Agreement as so amended.

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Subject to paragraph 3 below, Exhibit "A" to the Agreement shall be, and hereby is, further amended, restated and supplemented so that all of the lands described on the attached Exhibit "A", which are located in Sheridan County, Wyoming, are covered by the Agreement.
2. Operator is hereby granted, as to all of the acreage described in paragraph 1 above, all of the rights set forth in the Agreement.
3. The parties acknowledge and agree that the Agreement has been assigned in part to Pennaco Energy. The Agreement, as amended, is operative only as to acreage that Operator did not assign to Pennaco Energy.

612468 AGREEMENT
BOOK 496 PAGE 0518
RECORDED 06/17/2008 AT 09:45 AM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

Dated to be effective this 8th of June, 2007.

Bert W. Dow Revocable Trust dated March 6, 2003

Bert W. Dow
Bert W. Dow, Trustee

J. M. Huber Corporation

By: Jeffrey J. Ellena
Jeffrey J. Ellena
Chief Financial Officer, Natural Resources &
Technology Based Services

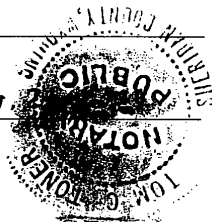
STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 8th day of June, 2007,
by Bert W. Dow, as Trustee of the Bert W. Dow Revocable Trust dated March 6, 2003.

Witness my hand and official seal.

Tom C. Jones
Notary Public

My commission expires: 7/07



STATE OF TEXAS)
) ss.
COUNTY OF HARRIS)

The foregoing instrument was acknowledged before me this 13 day of June, 2007,
by Jeffrey J. Ellena, as Chief Financial Officer, Natural Resources and Technology Based
Services of J. M. Huber Corporation, a New Jersey corporation.

Witness my hand and official seal.

Sandra J. Smith
Notary Public

My commission expires: 6/2/11

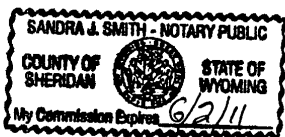


EXHIBIT A

Legal Description

Township 58 North, Range 82 West, 6th P.M.

- Sections 19: Lot 1(29.56), SE1/4SW1/4,
SW1/4SE1/4, NE1/4SE1/4
- Section 20: Lots 1(28.68), 2(28.87), 3(29.07),
4(29.23), S1/2NE1/4, and that portion
of the N1/2SE1/4 lying North and East
of the Badger Creek County Road
- Section 21: S1/2NW1/4, SW1/4NE1/4, SE1/4,
NE1/4SW1/4 and that portion of the
NW1/4SW1/4, S1/2SW1/4 lying
Northeast of the Badger Creek County
Road; Also including that portion of
the SE1/4SW1/4 of Section 21 lying
Southwest of the Badger Creek County
Road and Southeast of a tract of land
described in Book 283 of Deeds, Page
528
- Section 27: Lots 2 (31.16 acres), 3 (31.00 acres)
and 4 (30.84 acres), and all that part of
Lot 1 (31.32 acres), except that portion
conveyed to Gilt Edge Mining
Corporation in Book 326 of Deeds,
Page 363
- Section 28: NE1/4NE1/4, NW1/4NE1/4,
S1/2NE1/4, SE1/4, NE1/4SW1/4,
SW1/4NW1/4, and all that part of the
N1/2NW1/4 and SE1/4NW1/4
described in the Special Warranty
Deed from Metropolitan Life
Insurance Company to Jack C. Dow
and Dorothy L. Dow recorded in Book
332 of Deeds at Page 201
- Section 30: NE1/4NE1/4, E1/2NW1/4
- Section 33: Lots 1(40.24), 2(40.72), 3(40.72), and
4(40.24)
- Section 34: Lots 1 (30.73 acres), 2 (30.66 acres),
NW1/4SE1/4, NE1/4NW1/4,
SE1/4NW1/4