

SECOND AMENDMENT TO SURFACE USE AND DAMAGE AGREEMENT

This Second Amendment to Surface Use Agreement is made and entered into this 1st day July, 2010 by and between Mary V. Hutton, a married woman, dealing with her sole and separate property whose address is P.O. Box 4007, Sheridan, WY 82801 and Stella M. Barker, dealing with her sole and separate property whose address is P.O. Box 888, Sheridan, WY 82801 ("Owners") and J.M. Huber Corporation, whose address is 1050 17th Street, Suite 800, Denver, CO 80265 ("Operator").

RECITALS

A. Owner and Operator are parties to that certain Surface Use Agreement dated October 11, 2002, that was amended by the parties on August 18, 2008 to add additional lands, a memorandum of the amendment was recorded with the Clerk of Sheridan County, Wyoming, on September 25, 2008, at Book 500 Page 69, covering real property in Sheridan County, Wyoming.

B. Owner and Operator wish to further amend the Agreement to add additional lands.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants herein, Owner and Operator agree as follows:

1. Amendment to Agreement. The lands described in paragraph 1 of the Agreement shall be amended and restated as follows:

TOWNSHIP 56 NORTH, RANGE 83 WEST, 6TH P.M., SHERIDAN COUNTY, WY

Section 18: E2SW4, NW4SE4, South 550 feet of the S2NE4 and the South 550 feet of the SE4NW4 and that part of the S2SE4 and the NE4SE4 lying West of the Railroad Right-Of-Way

Section 19: That certain tract of land being more fully described in that particular Warranty Deed from Margaret Alice Hammond, a widow, to Bertha M. Scrutchfield, dated January 10, 1945, recorded January 18, 1945, in Book 58 at page 110, of the records of the Sheridan County Clerk, LESS AND EXCEPT that certain tract more fully described in that particular Warranty Deed from Bertha M. Scrutchfield, a widow to the NX Bar Ranch, Inc., dated June 6, 1978, recorded June 14, 1978 in Book 231 at page 94 of the records of Sheridan County Clerk, Sheridan County, Wyoming

675804 AMENDMENT
BOOK 517 PAGE 0746
RECORDED 08/02/2010 AT 03:50 PM
EDA S. THOMPSON, SHERIDAN COUNTY CLERK

TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY, WY

Section 13: S2NW4

Section 14: SE4SE4

Section 23: NE4NE4

Section 24: NW4, NW4SW4, N2NE4, S2SW4, NE4SW4

As to the lands added by this amendment, Operator is hereby granted all the rights and shall assume all the obligations set forth in the Agreement.

2. No Other Amendments. Except as expressly provided for in this Amendment, the Agreement shall not be deemed to have been otherwise amended or modified.

3. Binding Effect. The Agreement as amended hereby is binding upon the parties hereto and shall inure to the benefit of their respective heirs, personal representatives, administrators, successors and assigns.

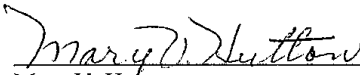
4. Effective Date. This Amendment is effective July 1, 2010.

5. Recording. Operator shall record a copy of this amendment with the Clerk of Sheridan County.

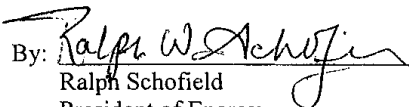
OWNER

OPERATOR

J.M. HUBER CORPORATION



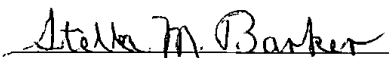
Mary V. Hutton

By: 

Ralph Schofield
President of Energy

RTM

OWNER



Stella M. Barker

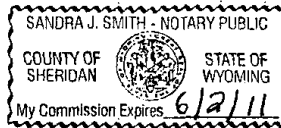
ACKNOWLEDGMENTS

STATE OF WYOMING)
) ss.
 COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 19 day of July, 2010,
 by Mary V. Hutton, a married woman dealing in her sole and separate property.

Witness my hand and official seal.

My commission expires: 6/2/11



(SEAL)

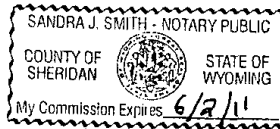
Sandra J. Smith
 Notary Public
 Name: Sandra J. Smith

STATE OF WYOMING)
) ss.
 COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 19 day of July, 2010,
 by Stella M. Barker, a married woman dealing in her sole and separate property.

Witness my hand and official seal.

My commission expires: 6/2/11



(SEAL)

Sandra J. Smith
 Notary Public
 Name: Sandra J. Smith

STATE OF TEXAS)
) ss.
COUNTY OF HARRIS)

The foregoing instrument was acknowledged before me this 30th day of July, 2010,
by Ralph Schofield, President of Energy of J.M. Huber Corporation, a New Jersey corporation.

Witness my hand and official seal.

My commission expires: 12/22/10

(SEAL)



Catherine J Zito
Notary Public
Name: Catherine J Zito