

**STATE OF OHIO  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL AND GAS RESOURCES MANAGEMENT**

In re the Matter of the Application of :  
XTO Energy Inc. for Unit Operation :  
: Application Date: February 17, 2016  
:  
Kurth Unit D :

**SUPPLEMENTAL AFFIDAVIT OF OWNERSHIP**

I, Matthew Midkiff, being first duly cautioned and sworn, do hereby depose and state as follows:

1. My name is Matthew Midkiff and I am a Landman with XTO Energy Inc. ("Applicant"). My day-to-day responsibilities include overseeing and directing lease acquisition for the Applicant in the State of Ohio, and I have personal knowledge of the facts stated herein.

2. Pursuant to Ohio Revised Code § 1509.28, the Applicant has filed an application with the Chief of the Division of Oil and Gas Resources Management requesting an order authorizing Applicant to operate the Unit Formation and applicable land area, identified as the Kurth Unit D, according to the Unit Plan attached thereto (the "Application") ( as those terms are used and defined therein). The Kurth Unit D is located in Richland and Pultney Townships, Belmont County, Ohio, and consists of one hundred thirty-eight (138) separate tracts of land covering approximately 626.8766 acres.

3. As of the Application Date and the date of this Supplemental Affidavit, the Applicant and the Working Interest Owners supporting the Application are the owners, as that term is defined in Ohio Revised Code § 1509.01(K), of at least 65% of the land overlaying the Unitized Formation, as defined in the Application.

Further Affiant sayeth naught.

  
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Sworn to and subscribed before me this 29<sup>th</sup> day of April, 2016.

  
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Notary Public

