

## Declaration of Pooling

WHEREAS, the undersigned parties are the owners of the Oil and Gas Leases described in Exhibit "A", attached hereto and made a part hereof, insofar as said leases cover lands lying within the unit herein below designated, and;

WHEREAS, the provisions of each of said lease(s) as originally written, or as amended, grant the Lessee the right and power to pool and combine the lands covered by each of said leases, or portion or portions thereof, with other lands for the exploration and development thereof and the production there from of oil, gas and other hydrocarbons associated therewith;

NOW, THEREFORE, pursuant to the rights granted by law and under each of the leases described in Exhibit "A", attached hereto, and as a result of the successful completion of the Martin 5-25-7-45 well located in the SWNW, Section 25, T7N, R45W as a well capable of producing oil and gas in paying quantities from the Niobrara formation, the undersigned parties hereby consolidate and pool the following described lands into a single unit for the production of oil, gas and associated hydrocarbons from the formation described below, exclusively for the Martin 5-25-7-45 (the "Pooled Unit"), situated in Phillips County, Colorado, to wit:

Township 7 North, Range 45 West, 6<sup>th</sup> P.M.  
Section 25: S/2 of NW/4 and the N/2 of SW/4  
Limited to the depth from the surface of the earth to the base of the Niobrara Formation

IN WITNESS WHEREOF: this Declaration of Pooling is executed as of this 29th day of June, 2010, but shall be effective for all purposes as of the date of first production of oil and gas produced from the Pooled Unit. This agreement may be executed in any number of counterparts, each of which shall be considered an original for all purposes.

Ominex Petroleum, Inc.



By: Cliff Williams

Title: Land Manager

EXHIBIT "A"

Attached to and made a part of that certain Declaration of Pooling covering:

Township 7 North, Range 45 West, 6<sup>th</sup> P.M.  
Section 25: S/2 of NW/4 and the N/2 of SW/4

**Phillips County, Colorado**

Lessor:	Raymond P. Gerk and Diana K. Gerk
Lessee:	Omimex Petroleum, Inc.
Lease Date:	September 1, 2001
Lands Covered:	80 acres in S/2 of the NW/4, Section 25; T7N, R45W
Recording Data:	Doc. 216282
Lessor:	Delmer B. Moss and Eileen F. Moss
Lessee:	Omimex Petroleum, Inc.
Lease Date:	October 31, 2001
Lands Covered:	80 acres in N/2 of the SW/4; Section 25, T7N, R45W.
Recording Data:	Doc. 216142