

Section 4. Term of the Production Payment. When the full aggregate sum of the amounts specified in all Subdivisions of Section 2 has been received by the Owner of the Production Payment from the proceeds of Production Payment Hydrocarbons, the Production Payment shall be fully discharged; except and provided, however, that if the Owner of the Production Payment shall be compelled, for any reason whatsoever (specifically including, without limitation, compliance with any rule, regulation or requirement of the Federal Power Commission), either before or after receipt of said full aggregate sum, to make any payment or restitution on account of proceeds of any Production Payment Hydrocarbons theretofore received by the Owner of the Production Payment, then the unliquidated balance of the Primary Sum shall be increased or restored or reinstated by an amount equal to such payment or restitution, plus any and all amounts which the Owner of the Production Payment shall be compelled to pay in the nature of interest, damages and penalties, and provided further, that the Production Payment shall in any event forthwith terminate whenever twenty-one (21) years shall have elapsed after the death of the last to die (i.e. the survivor) of the following persons or their children, all of whom were living at the date of this instrument, namely: John H. Garner, Jerry Van Kyle and L. E. Frazier, Jr. Upon discharge of the Production Payment as above provided, all rights, titles, interests, powers, remedies and privileges herein reserved shall, subject to the restoration and reinstatement provisions set out above, terminate and vest in Grantee.

When the Production Payment has been discharged, the Owner of the Production Payment, upon request by Grantee, shall execute and deliver such instrument or instruments as may be necessary to evidence the discharge and termination of the Production Payment expressly subject, however, to its right to have the Production Payment reinstated and restored in the event it should be compelled to restore or repay any of the funds which had been received for application to the Production Payment. Whenever used herein the term "unliquidated balance of the Primary Sum" shall be deemed to include any increase or restoration thereto as referred to in Section 3 hereof or in this Section 4, even if the resulting amount of said unliquidated balance shall exceed the Primary Sum.