

## OVER-PRODUCTION AND UNDER-PRODUCTION OF GAS

Notwithstanding anything in this Assignment to the contrary, it is expressly agreed that in the event Assignor's gas production, if any, from the Assigned Property is in excess of or less than Assignor's interest in the Property, then Assignee shall acquire Assignor's interest subject to that over-production or under-production. In the case of under-production, Assignee shall acquire all of Assignor's right to recoup such under-production whether pursuant to a gas balancing agreement or otherwise, subject to applicable royalty and tax burdens. In the event of over-production, Assignee shall acquire the property subject to the over-production and shall indemnify Assignor with regard to the obligation to balance production, either in-kind or in-cash, with the under-produced parties.

**sample  
Form**