

deposited as part of said Fund pursuant to Paragraph C of Section 4.01 and the sum transferred to said Fund pursuant to the final paragraph of this Section, amounts aggregating not less than \$138,735,504; it being understood that all sums deposited with the Corporate Trustee as part of said Fund pursuant to Paragraph D of said Section 4.01 shall be credited against the Company's obligation under this paragraph.

None of the deposits required under the provisions of this Section shall be made out of funds in the Current Construction Fund for the Loop Line Project or the Current Construction Fund for the San Juan Project.

Forthwith upon the execution and delivery of the Tenth Supplemental Indenture, the Corporate Trustee shall, without the necessity of any application or other action on the part of the Company, transfer to the Permian-San Juan Construction Fund the sum of \$514,496 heretofore deposited by the Company with the Corporate Trustee pursuant to the provisions of clause (3) of the first paragraph of Section 9.06 and now held by said Trustee, and the sum so transferred shall thereafter be held and applied by the Corporate Trustee as a part of the Permian-San Juan Construction Fund pursuant to the provisions of this Article Six C.

SECTION 6C.03. Subject to the provisions of Section 6C.06 and Section 6C.09 hereof, any moneys held by the Corporate Trustee from time to time in the Permian-San Juan Construction Fund may be withdrawn by the Company from time to time to reimburse the Company for expenditures made or indebtedness incurred (exclusive of indebtedness for money borrowed), whether before or after the date of execution of the Tenth Supplemental Indenture, on account of the cost of acquisition or construction and completion of the Permian-San Juan Project, including the acquisition, drilling, testing, completion and/or equipping of gas or gas and oil wells on acreage owned by the Company or in which it has an interest (or on acreage communitized with acreage owned by the Company or in which it has an interest) and located in the Blanco (Mesaverde) Field or in the Fulcher-Kutz, West Kutz, Aztec or South Blanco-Dogie Canyon (Pictured Cliffs) Fields in San