

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: Equitable Production Company

DIVISION OF GAS AND OIL
DOCKET NO. VGOB 89-0126-0009-37

RELIEF SOUGHT: MODIFICATION OF NORA COALBED GAS UNIT NOS.:

AK-76 (VC-536612), **AK-77** (VC-536618), **AK-78** (VC-537051), **AK-79** (VC-537052), **AL-76** (VC536613), **AL-77** (VC-537049), **AL-78** (VC-537050), **AL-79** (VC-536626) **AM-76** (VC-536614), **AM-77** (VC-537048), **AM-78** (VC-536623), **AM-79** (VC-536627) **AN-76** (VC-536615), **AN-77** (VC-536619), **AN-78** (VC-536624), **AN-79** (VC-536628) **AO-76** (VC-536616), **AO-77** (VC-536620), **AO-78** (no existing well in this unit), **AO-79** (VC-536629)

AFFECTED UNITS: (See Attached Exhibit A)

APPLICATION

1. Applicant and its counsel: Applicant is **Equitable Production Company** 1710 Pennsylvania Ave., Charleston, West Virginia, 25302, (800) 926-1759. Applicant's Counsel is James E. Kaiser 220 Broad Street, Suite 210, Kingsport, TN 37660 (423) 578-3838.

2. Relief sought: (1) Modification of the Nora Coalbed Methane Gas Field Rules, to allow one additional coalbed gas well to be drilled within each of the 58.77 acre Nora Units identified above. (2) For an administrative order providing that additional well permits may be issued in the Nora Field after this application is filed and while it is pending.

3. Legal authority: 4 VAC 25-160-50 and § 45.1-361.20 of the Code of Virginia.

4. Proposed provisions of order sought: That one additional coalbed methane gas well may be drilled in each of the above referenced Nora Units; that the second well be located at least 600 feet from the nearest coalbed methane well; (and that production/royalties from each coalbed methane well drilled in the said Units shall continue to be allocated solely to the owners and claimants of and to the coalbed methane within the Unit in which the well is located.)

5. Type of wells and field: Coalbed methane frac wells within the portion of the Nora Coalbed Gas Field described above, and as depicted in the attached Exhibit A.

6. Formations subject to application: All coal beds and coal seams including all Pennsylvania aged coals from the top of the Raven, but not limited to Jawbone, Greasy Creek, C-Seam, War Creek, Beckley, Lower Horsepen, X-Seam, Poca 6, Poca 5, Poca 3, Poca 2, and any unnamed coal seams and other associated formations known as the Nora Coalbed Gas Field.

7. Description of interest/claim of persons being notified: Coalbed methane.

8. Estimated ultimate recovery in each Nora Unit identified above: 430 MMCF

9. Plat: See Exhibit A annexed hereto.

10. The boundaries and acreage affected: see Exhibit A annexed hereto.

11. Attestation: The foregoing application to the best of my knowledge, information and belief is true and correct.

Equitable Production Company

By: 

James E. Kaiser
220 Broad Street, Suite 210
Kingsport, TN 37660
(423) 578-3838

AFFIDAVIT OF DUE OF DILIGENCE

**COMMONWEALTH OF VIRGINIA
COUNTY OF DICKENSON**

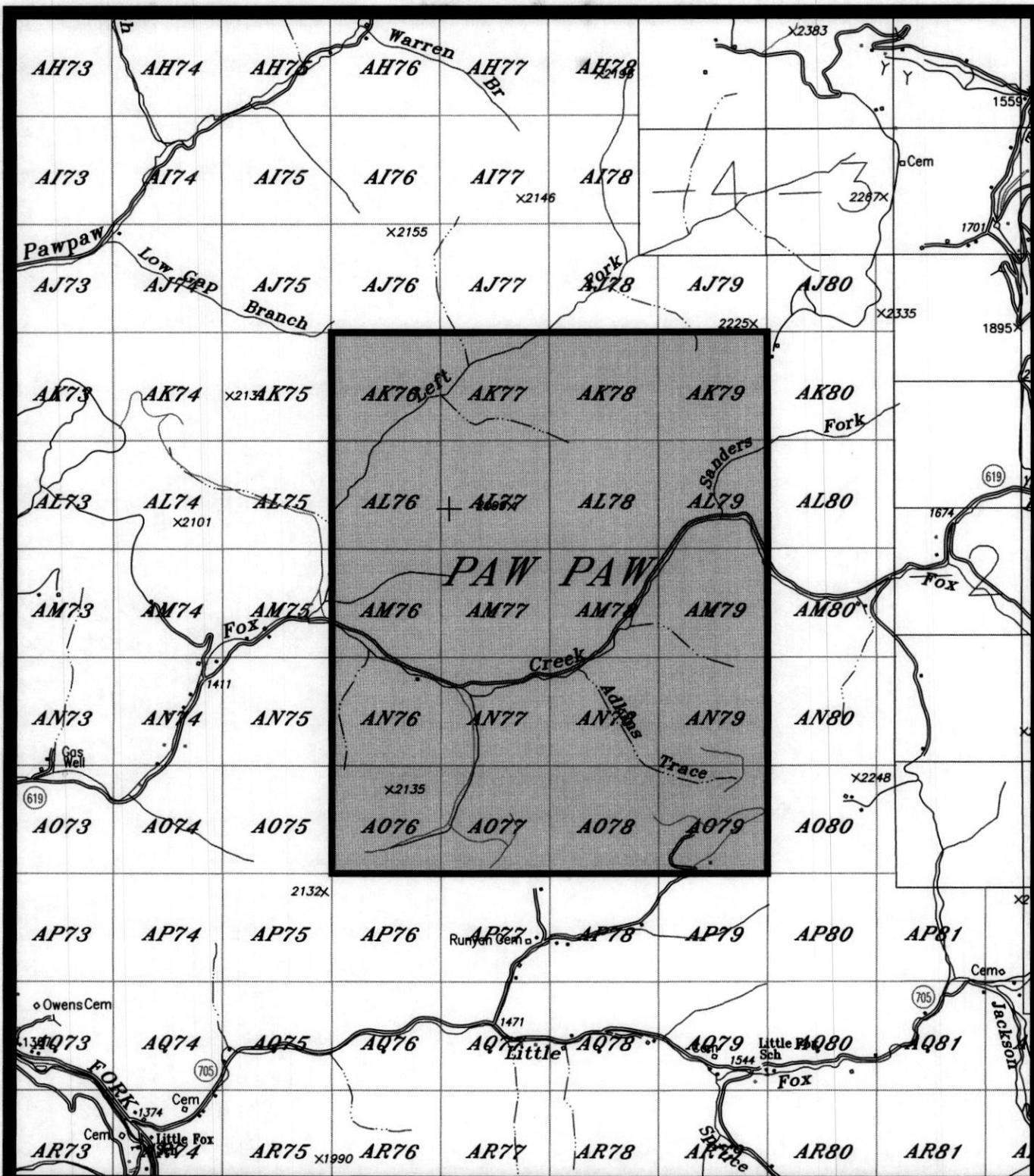
I, James E. Kaiser, after being duly sworn upon oath, state as follows:

1. I am responsible for the notification process required by VA. Code Ann. § 45.1-361.19 and VR 480-05-22.2 § 4.
2. That Equitable Production Company has exercised due diligence in attempting to locate and notice all owners and claimants who are unleased and/or who were not previously pooled by prior order(s) of the Virginia Gas and Oil Board regarding **the Nora Coalbed Gas Field**, all as required by Va. Code Ann. § 45.1-361.19 and VR 480-05-22.2.
3. That on **October 17, 2008** a true and correct copy of the Notice of Hearing with Exhibits will be mailed, via certified mail return receipt requested, to all owners and claimants listed in Exhibit B for whom mailing addresses were then available.
4. That Equitable Production Company will continue to exercise due diligence in attempting to locate and identify the names and/or addresses of any unknown of unlocatable parties and, if located or identified, will notify them of Equitable Production Company's application.

I have read the foregoing, and the information given above is true and correct to the best of my knowledge and belief.



James E. Kaiser
Counsel for
Equitable Production Company



*EXHIBIT A
PAW PAW
INCREASED DENSITY DRILLING NORA FIELD*

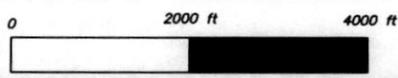


EXHIBIT "B"
Increased Density
Paw Paw

Mr John Mooney
Vice President & Regional Manager
ACIN, LLC
P. O. Box 2827 Huntington, WV 25727

Mr. Steve Smith
Vice President of VA/KY Engineering
Alpha Land & Reserves. LLC
and Maxim Shared Services, LLC
5703 Crutchfield Drive
Norton, VA 24273

Range Resources-Pine Mountain, Inc.
ATTN: Jerry Grantham
P.O. Box 2136
Abingdon, VA. 24212

Fairview Limited Partnership
4710 Hunterwood Circle
Richmond, TX. 77469

Carol Irvin and
John C. Irvin, W/H
4710 Hunterwood Circle
Richmond, TX. 77469

Elene Combs, widow
318 East Fincastle
Tazwell, VA. 24651

Martha E. Combs
P.O. Box 1404
Abingdon, VA 24212

John W. Pobst, Jr.
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469

Virginia Lee Linwick and
Phillip Linwick, W/H
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469

Richard K. Pobst
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469

EXHIBIT "B"
Increased Density
Paw Paw

Catherine Pobst
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469

Meridith Ellis Jennings
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469

CNX Gas Company, Lessee
P. O. Box 947
Bluefield, VA 24605

Levisa Coal Company
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX 77469

Joseph Dwayne Tiller
Route 1 Box 6
Honaker, Virginia 24260

Fate Gains Compton
251 Decatur Road
Stafford, Virginia 22554

Hurley & Betty Ratliff, Life Estate
Barbara Crouse & Lindy Duty
Route 2 Box 463
Vansant, VA 24656

Patricia Ann Compton
8240 Beatrice
Westland, Michigan 48185

Bobby H. Owens and Molly F. Owens
P.O. Box 1033
Lebanon, Virginia 24266

BEFORE THE VIRGINIA GAS AND OIL BOARD

**APPLICANT: Equitable Production Company DIVISION OF GAS AND OIL
DOCKET NO. 89-0126-0009-37**

**RELIEF SOUGHT: MODIFICATION OF
NORA COALBED GAS FIELD**

AFFECTED UNITS: Multiple (See Attached Exhibit A)

NOTICE OF HEARING

HEARING DATE: November 18, 2008
**PLACE: Southwest Virginia Higher Education Center
Campus of Virginia Highlands Community College
Abingdon, Virginia**
TIME: 9:00 a.m.

COMMONWEALTH OF VIRGINIA:

To: See Exhibit "B" attached hereto:

1. **Applicant and its counsel:** Applicant is Equitable Production Company, 1710 Pennsylvania Ave., Charleston, West Virginia, 25302, (800) 926-1759. Applicant's Counsel is James E. Kaiser, 220 Broad Street, Suite 210, Kingsport, TN 37660, (423) 578-3838.

2. **Relief sought:** (1) Modification of the Nora Coalbed Methane Gas Field Rules, to allow one additional coalbed gas well to be drilled within each of the 58.77 acre Nora Units identified above. (2) For an administrative order providing that additional well permits may be issued in the Nora Field after this application is filed and while it is pending.

3. **Legal authority:** 4 VAC 25-160-50 and § 45.1-361.20 of the Code of Virginia.

4. **Proposed provisions of order sought:** That one additional coalbed methane gas well may be drilled in each of the above referenced Nora Units; that the second well be located at least 600 feet from the nearest coalbed methane well; (and that production/royalties from each coalbed methane well drilled in the said Units shall continue to be allocated solely to the owners and claimants of and to the coalbed methane within the Unit in which the well is located.)



5. **Type of wells and field:** Coalbed methane frac wells within the portion of the Nora Coalbed Gas Field described above, and as depicted in the attached Exhibit A.

6. **Formations subject to application:** All coal beds and coal seams including all Pennsylvania aged coals from the top of the Raven, but not limited to: Jawbone, Greasy Creek, C-Seam, War Creek, Beckley, Lower Horsepen, X-Seam, Poca 6, Poca 5, Poca 3, Poca 2, and any unnamed coal seams and other associated formations known as the Nora Coalbed Gas Field.

7. **Description of interest/claim of persons being notified:** Coalbed methane.

8. **Estimated ultimate recovery in each Nora Unit identified above:** 430 MMCF

9. **Plat:** See Exhibit A annexed hereto.

10. **The boundaries and acreage affected:** See Exhibit A annexed hereto.

11. **Attestation:** The foregoing notice to the best of my knowledge, information and belief is true and correct.

NOTICE IS FURTHER GIVEN that this cause has been set for hearing and the taking of evidence at the time and place first stated above and that notice will be published as required by law and the Rules of the Virginia Gas and Oil Board.

NOTICE IS FURTHER GIVEN that you may attend this hearing, with or without an attorney, and offer evidence or state any comments you have. For further information or a copy of the application and any exhibits thereto, you may contact the Virginia Gas and Oil Board, State Oil and Gas Inspector, Department of Mines, Minerals and Energy, Division of Gas and Oil, P.O. Box 1416, Abingdon, Virginia 24410, (276) 676-5423 or the Applicant at the address shown below.

Equitable Production Company

By: 

James E. Kaiser
220 Broad Street, Suite 210
Kingsport, TN 37660
(423) 578-3838

BEFORE THE VIRGINIA GAS AND OIL BOARD

Applicant: Equitable Production Company)
)
)
Relief Sought: Modification of the Nora Coalbed Methane) Docket No.
Gas Field Rules, to allow more than one coalbed gas well to) VGOB-89-0126-0009-37
be drilled and an order providing additional well permits)
)
)

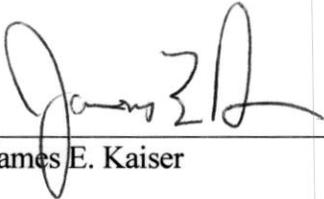


AFFIDAVIT OF MAILING
(CERTIFICATE OF SERVICE)

STATE OF TENNESSEE)
)
COUNTY OF SULLIVAN)

James E. Kaiser, of lawful age, being duly sworn, upon oath, deposes and says:

- (1) He is a partner with WILHOIT & KAISER, Agent for Equitable Production Company ("EPC") and makes this affidavit on behalf of EPC.
- (2) Based upon information and belief, the names and last-known addresses, where such addresses are known, of the parties owning an interest in the oil and gas in this cause are set forth and attached hereto.
- (3) On the 17th day of October, 2008, true and correct copies of the Application and the Notice of Hearing in this matter were placed in the United States mail in Kingsport, TN, certified mail, return receipt requested, postage prepaid, duly addressed to the unleased parties at their respective addresses as set forth in the attached Exhibit B which is hereby made a part of this Affidavit.
- (4) Notice of this cause has therefore been served by mail pursuant to the applicable statutes and rules of the Board.


James E. Kaiser

SUBSCRIBED AND SWORN TO before me this 11th day of November, 2008.


Susan Peterson, Notary


My commission expires: October 24, 2012.

Tracking

EXHIBIT "B"
Increased Density
Paw Paw

Mr John Mooney
Vice President & Regional Manager
ACIN, LLC
P. O. Box 2827 Huntington, WV 25727
99273137/10-24-08

Mr. Steve Smith
Vice President of VA/KY Engineering
Alpha Land & Reserves, LLC
and Maxxim Shared Services, LLC
5703 Crutchfield Drive
Norton, VA 24273

Range Resources-Pine Mountain, Inc.
ATTN: Jerry Grantham
P.O. Box 2136
Abingdon, VA. 24212
99273151/10-21-08

Fairview Limited Partnership
4710 Hunterwood Circle
Richmond, TX. 77469
99273168/10-24-08

Carol Irvin and
John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469
99273175/10-24-08

Elene Combs
318 East Fincastle
Tazwell, VA. 24651
99273182/10-24-08

Martha E. Combs
P.O. Box 1404
Abingdon, VA 24212
99273199/10-24-08

John W. Pobst, Jr.
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469
99273205/10-24-08

Virginia Lee Linwick and
Phillip Linwick
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469
99273212/10-24-08

Richard K. Pobst
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469
99273229/10-24-08

EXHIBIT "B"
Increased Density
Paw Paw

Catherine Pobst
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469

99273234/10-24-08

Meridith Ellis Jennings
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX. 77469

99273243/10-24-08

CNX Gas Company
P. O. Box 947
Bluefield, VA 24605

99273250/11-6-08/Unclaimed

Levisa Coal Company
c/o John C. Irvin
4710 Hunterwood Circle
Richmond, TX 77469

99273267/10-24-08

Joseph Dwayne Tiller
Route 1 Box 6
Honaker, Virginia 24260

99273274/10-23-08/Unclaimed

Fate Gains Compton
251 Decatur Road
Stafford, Virginia 22554

99273281/10-24-08

Hurley & Betty Ratliff, Life Estate
Barbara Crouse & Lindy Duty
Route 2 Box 463
Vansant, VA 24656

99273298/10-27-08

Patricia Ann Compton
8240 Beatrice
Westland, Michigan 48185

99273304/10-30-08

Bobby H. Owens and Molly F. Owens
P.O. Box 1033
Lebanon, Virginia 24266