

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING  
ELECTIONS, UNIT: VC-2277  
(herein "Subject Drilling Unit")

DOCKET NUMBER VGOB-93/01/19-0317

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992 at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirements of § 7.c of the Virginia Gas and Oil Board Regulations, VR 480-05-22.2 by supplementing the Order previously issued by the Board for the subject Docket on February 12, 1993 and recorded at Deed Book 290, Page 031 in the Office of the Clerk of the Circuit Court, Dickenson County, Virginia on March 5, 1993, (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interests in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.

2. Findings: The Board finds that:

(a) The Board Order directed Equitable Resources Exploration (herein the "Designated Operator"), to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by said Board Order;

(b) The Designated Operator filed its affidavit of mailing dated March 17, 1993 disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

(c) The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated May 5, 1993 in accordance with 7.c of the Virginia Gas and Oil Board Regulations and VR 480-05-22.2 (herein "Affidavit of Election"), wherein it has, for each Respondent whose interests, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii)

whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Designated Operator;

(d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator filed said Statement of Interest dated May 5, 1993. A copy of which is attached hereto.

(e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Tazewell National Bank, P. O. Box 909, Tazewell, Virginia 24651, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow.

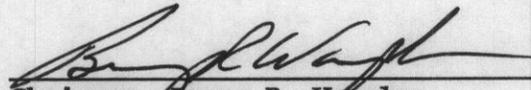
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Tazewell National Bank, P. O. Box 909, Tazewell, Virginia 24651, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said Affidavits to receive such funds and account to the Board therefore.

4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed within seven (7) days from the date of receipt of this Order to each person whose interest or claim is subject to escrow and whose address is known.

5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 3rd day of August 1994, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

STATE OF VIRGINIA)  
COUNTY OF WISE )

Acknowledged on this 3rd day of August, 1994, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Susan G. Garrett  
Susan G. Garrett  
Notary Public

My commission expires 7/31/98

DONE AND PERFORMED this 3rd day of August 1994 by Order of this Board.

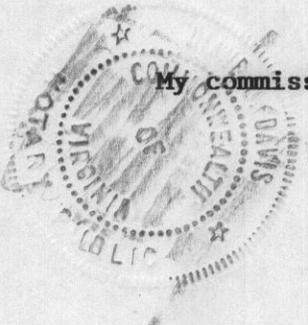
Byron Thomas Fulmer  
Byron Thomas Fulmer  
Principal Executive to the Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA  
COUNTY OF WASHINGTON

Acknowledged on this 3rd day of August, 1994, personally before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis  
Diane J. Davis  
Notary Public

My commission expires 9/30/97



VIRGINIA:

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Equitable Resources Exploration for Forced Pooling of Interests in Unit Number VC-2277, VGOB Docket No. VGOB-93-0119-0317 in the Ervinton Magisterial District of Dickenson County, Virginia

AFFIDAVIT OF HUNTER, SMITH & DAVIS, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is a partner in the law firm of Hunter, Smith & Davis, the Agent for the Designated Operator, with offices located at 1212 North Eastman Road, Kingsport, Tennessee 37664, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on February 12, 1993, by the Virginia Gas and Oil Board regarding the captioned Coalbed Methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on March 5, 1993;
5. That the Designated Operator, by and through their agent, HUNTER, SMITH & DAVIS, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election period:

Name	Election	Date
1) Marsha Nolan Chadwick	Cash Consideration	4-11-93
2) Betty & Virgil Sykes	Cash Consideration	3-29-93
3) Connie & Doug Alfred	Cash Consideration	3-26-93

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

- 1) Bonnie B. & Peter P. Sedler  
(heirs of Verna Bowman, deceased)  
Conflicting claimants to Coalbed Methane  
.07¢ bonus cash consideration (\$5.00 per net mineral acre)  
.0000307 royalty interest (1/594 X 12.5% X 14.55%)
- 2) Edwin G. & Janice G. Bowman  
(heirs of Verna Bowman, deceased)  
Conflicting claimants to Coalbed Methane  
.07¢ bonus cash consideration (\$5.00 per net mineral acre)  
.0000307 royalty interest (1/594 X 12.5% X 14.55%)
- 3) Mabel A. & Phillip E. Taylor  
(heirs of Verna Bowman, deceased)  
Conflicting claimants to Coalbed Methane  
.07¢ bonus cash consideration (\$5.00 per net mineral acre)  
.0000307 royalty interest (1/594 X 12.5% X 14.55%)
- 4) Elmer & Olga Bowman  
(heirs of Verna Bowman, deceased)  
Conflicting claimants to Coalbed Methane  
.07¢ bonus cash consideration (\$5.00 per net mineral acre)  
.0000307 royalty interest (1/594 X 12.5% X 14.55%)
- 5) Eugene W. & Jean O. Bowman  
(heirs of Verna Bowman, deceased)  
Conflicting claimants to Coalbed Methane  
.07¢ bonus cash consideration (\$5.00 per net mineral acre)  
.0000307 royalty interest (1/594 X 12.5% X 14.55%)

- 6) Zinna L. & James T. Combs  
 (heirs of Verna Bowman, deceased)  
 Conflicting claimants to Coalbed Methane  
 .07¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000307 royalty interest (1/594 X 12.5% X 14.55%)
- 7) Roy Sutherland  
 Conflicting claimants to Coalbed Methane  
 .04¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000184 royalty interest (1/990 X 12.5% X 14.55%)
- 8) Alice Hunt  
 Conflicting claimants to Coalbed Methane  
 .04¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000184 royalty interest (1/990 X 12.5% X 14.55%)
- 9) Richard & Leola Quesenberry  
 Conflicting claimants to Coalbed Methane  
 .04¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000184 royalty interest (1/990 X 12.5% X 14.55%)
- 10) Maynard & Jeannie Quesenberry  
 Conflicting claimants to Coalbed Methane  
 .04¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000184 royalty interest (1/990 X 12.5% X 14.55%)
- 11) Bob & Dorothy Quesenberry  
 Conflicting claimants to Coalbed Methane  
 .04¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000184 royalty interest (1/990 X 12.5% X 14.55%)
- 12) Betty and Buddy Moore  
 Conflicting claimants to Coalbed Methane  
 .04¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000184 royalty interest (1/990 X 12.5% X 14.55%)
- 13) Georgia Eden  
 Conflicting claimants to Coalbed Methane  
 .01¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000061 royalty interest (1/2970 X 12.5% X 14.55%)
- 14) Iris & Richard Zeuschner  
 Conflicting claimants to Coalbed Methane  
 .01¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000061 royalty interest (1/2970 X 12.5% X 14.55%)

- 15) David and Robin Pfohl  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000061 royalty interest (1/2970 X 12.5% X 14.55%)
- 16) Earl & Marilyn Sharon  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000061 royalty interest (1/2970 X 12.5% X 14.55%)
- 17) Michael & Gail Kinnick  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000061 royalty interest (1/2970 X 12.5% X 14.55%)
- 18) Charlene S. Kinnick  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000061 royalty interest (1/2970 X 12.5% X 14.55%)
- 19) Harold & Margaret Spangler  
Conflicting claimants to Coalbed Methane  
.02¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000093 royalty interest (1/1980 X 12.5% X 14.55%)
- 20) Thomas B. Nolan  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000018 royalty interest (1/1990 X 12.5% X 14.55%)
- 21) Marsha Nolan Chadwick  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000018 royalty interest (1/1990 X 12.5% X 14.55%)
- 22) Connie & Doug Allred  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000018 royalty interest (1/1990 X 12.5% X 14.55%)
- 23) Gary Nolan  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000018 royalty interest (1/1990 X 12.5% X 14.55%)

- 24) Carla & Keith Berry  
 Conflicting claimants to Coalbed Methane  
 .01¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000018 royalty interest (1/1990 X 12.5% X 14.55%)
- 25) Richard and Rita Nickel  
 Conflicting claimants to Coalbed Methane  
 .02¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000092 royalty interest (1/1980 X 12.5% X 14.55%)
- 26) Frances & Dexter McPherson  
 Conflicting claimants to Coalbed Methane  
 .02¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000092 royalty interest (1/1980 X 12.5% X 14.55%)
- 27) Richard & Roma Edwards  
 Conflicting claimants to Coalbed Methane  
 .08¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000367 royalty interest (1/495 X 12.5% X 14.55%)
- 28) Ruth Rakes  
 Conflicting claimants to Coalbed Methane  
 .08¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000367 royalty interest (1/495 X 12.5% X 14.55%)
- 29) Fred Stanley (heir of Emma Cochran)  
 Conflicting claimants to Coalbed Methane  
 .01¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 30) Phillip Stanley (heir of Emma Cochran)  
 Conflicting claimants to Coalbed Methane  
 .01¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 31) Ronald Stanley (heir of Emma Cochran)  
 Conflicting claimants to Coalbed Methane  
 .01¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 32) Roger Stanley (heir of Emma Cochran)  
 Conflicting claimants to Coalbed Methane  
 .01¢ bonus cash consideration (\$5.00 per net mineral  
 acre)  
 .0000037 royalty interest (1/4950 X 12.5% X 14.55%)

- 33) Clinard Stanley (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 34) Manthalee Hopson (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 35) Luther Stanley, Jr. (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 36) Lillian Bach (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 37) Patsy Avery (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000037 royalty interest (1/4950 X 12.5% X 14.55%)
- 38) Dennis Stanley (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000012 royalty interest (1/14850 X 12.5% X 14.55%)
- 39) Gregory Stanley (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000012 royalty interest (1/14850 X 12.5% X 14.55%)
- 40) Dewayne Stanley (heir of Emma Cochran)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000012 royalty interest (1/14850 X 12.5% X 14.55%)
- 41) Bobby & Minnie Stanley  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)

- 42) Frank & Linda Stanley  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 43) Imogene & James Williams  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 44) Christene & Johnny Harrison  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 45) Evelyn & Louis Underwood  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 46) Judy & Edward Hopkins  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 47) Leonard & Eileen Branham  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 48) Sara Stanley  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 49) Frances & Warren Younce (Co-Guardian for Leon)  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 50) Kathleen & Adron Counts  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)

- 51) Burnard & Dorothy Younce  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 52) R.C. & Betty Younce  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 53) Betty & Virgil Sykes  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 54) Clifton & Margaret Younce  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 55) Larry & Barbara Younce  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 56) Shelia & Billy Branham  
Conflicting claimants to Coalbed Methane  
.01¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000046 royalty interest (1/3960 X 12.5% X 14.55%)
- 57) James & Mary Sue Sutherland  
Conflicting claimants to Coalbed Methane  
.08¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000367 royalty interest (1/495 X 12.5% X 14.55%)
- 58) Robert & Betty Sutherland  
Conflicting claimants to Coalbed Methane  
.08¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000367 royalty interest (1/495 X 12.5% X 14.55%)
- 59) Emma & Jim O'Quinn  
Conflicting claimants to Coalbed Methane  
.08¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000367 royalty interest (1/495 X 12.5% X 14.55%)

- 60) Peggy Craft  
Conflicting claimants to Coalbed Methane  
.08¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000367 royalty interest (1/495 X 12.5% X 14.55%)
- 61) H. Clayton Davis  
Conflicting claimants to Coalbed Methane  
.08¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000367 royalty interest (1/495 X 12.5% X 14.55%)
- 62) Mabel Hurst  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)
- 63) Kerry & Bertha Sutherland  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)
- 64) Opal Ashworth  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)
- 65) Kate Joyce Sutherland  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)
- 66) Grayson & Barbara Sutherland  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)
- 67) Charlene Sutherland  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)
- 68) Brenda Lee Sutherland  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)

- 69) Larry & Margaret Sutherland  
Conflicting claimants to Coalbed Methane  
.05¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000229 royalty interest (1/792 X 12.5% X 14.55%)
- 70) Harry & Ethel Sutherland  
Conflicting claimants to Coalbed Methane  
.43¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0001837 royalty interest (1/99 X 12.5% X 14.55%)
- 71) Jerry & Mary Sutherland  
Conflicting claimants to Coalbed Methane  
.43¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0001837 royalty interest (1/99 X 12.5% X 14.55%)
- 72) Paul & Billy King  
Conflicting claimants to Coalbed Methane  
.43¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0001837 royalty interest (1/99 X 12.5% X 14.55%)
- 73) Donald & Nadine Farmer  
Conflicting claimants to Coalbed Methane  
.14¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000613 royalty interest (1/297 X 12.5% X 14.55%)
- 74) Richard Wright  
Conflicting claimants to Coalbed Methane  
.14¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000613 royalty interest (1/297 X 12.5% X 14.55%)
- 75) Gene Wright  
Conflicting claimants to Coalbed Methane  
.14¢ bonus cash consideration (\$5.00 per net mineral  
acre)  
.0000613 royalty interest (1/297 X 12.5% X 14.55%)
- 76) Unknown Heirs of Henry Sutherland  
Conflicting claimants to Coalbed Methane  
\$38.86 bonus cash consideration (\$5.00 per net mineral  
acre)  
.0165342 royalty interest (10/11 X 12.5% X 14.55%)
- 77) Clinchfield Coal Company  
Conflicting claimants to Coalbed Methane  
\$42.75 bonus cash consideration (\$5.00 per net mineral  
acre)  
.0181875 royalty interest (1/8 X 12.5% X 14.55%)

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims which are not subject to escrow:

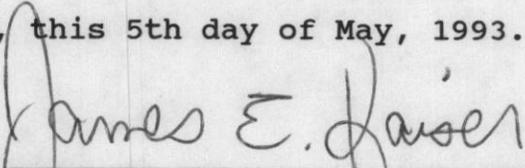
- 1) Thomas B. Nolan
- 2) Carla & Keith Berry
- 3) David & Robin Pfohl
- 4) Sara Stanley

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraphs 3 and 2(c) of the Order.

- 1) Michael & Gail Kinnick
- 2) Imogene & James Williams
- 3) Christene & Johnny Harrison
- 4) Evelyn & Louis Underwood
- 5) Judy & Edward Hopkins
- 6) Frances & Warren Younce
- 7) Burnard & Dorothy Younce
- 8) Peggy Craft
- 9) Donald & Nadine Farmer
- 10) Gene Wright
- 11) R.C. and Betty Younce
- 12) Clifton & Margaret Younce
- 13) Larry & Barbara Younce
- 14) Shelia & Billy Branham
- 15) James & Mary Sue Sutherland
- 16) Robert & Betty Sutherland
- 17) Emma & Jim O'Quinn
- 18) H. Clayton Davis
- 19) Richard Wright

9. That pursuant to the provision of VR 480-05-22.27.C and VR 480-05-22.2.8, annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth and identifies the conflicting claims and/or interest which require escrow of funds pursuant to the terms of §§ 45.1-361.21.D, 45.1-361.22.A.3 and 4.

Dated at Kingsport, Tennessee, this 5th day of May, 1993.

  
\_\_\_\_\_  
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Resources Exploration, a corporation, on behalf of the corporation, this 5th day of May, 1993.

My commission expires: March 12, 1996

*Camela K. Jacob*

Notary



[regulat\erex\election\january\vc-2277s.aff]

**EXHIBIT "B"**

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
<b><u>TRACT 1</u></b>				
Pine Mountain Oil & Gas Attn: Richard Brillhart P.O. Box 4000 Lebanon, VA 24266	Lsd-EREX Tract T-409 PO-148/241490	71.60	42.08	.0895
Equitable Resources Exploration				.6265
<b>Tract 1 Totals</b>		71.60	42.08	71.60%

<b><u>TRACT 2</u></b>				
Pine Mountain Oil & Gas Attn: Richard Brillhart P.O. Box 4000 Lebanon, VA 24266	Lsd-EREX Tract T-389 PO-148/241490	13.85	8.14	.0173125
Equitable Resources Exploration				.1211875
<b>Tract 2 Totals</b>		13.85	8.14	13.85%

**TRACT 3**  
Heirs of Henry Sutherland

Oil and Gas Estate Only

* Verna V. Sutherland Bowman 7771 St. Andrews Road Lake Worth, FL 33467	Lsd-EREX 244312L33			
* Bonnie B. Sedler Peter P. Sedler 7771 St. Andrews Road Lake Worth, FL 33467		.0245	.014395	.0000307
* Edwin G. Bowman Janice G. Bowman #40 24th Street Bristol, TN 37620		.0245	.014394	.0000307

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
* Mabel A. Taylor Phillip E. Taylor 3090 Patch Drive Bloomfield Hills, MI 48304		.0245	.014394	.0000307
* Elmer L. Bowman Olga Bowman 4501 East Route 40 Lewisburg, OH 45338		.0245	.014394	.0000307
* Eugene W. Bowman Jean O. Bowman 1196 Evansdale Newark, OH 43055		.0245	.014394	.0000307
* Zinnia L. Combs James T. Combs 1125 Sharon Avenue Kettering, OH 45429		.0245	.014394	.0000307
* Roy Sutherland P.O. Box 1502 Libby, MT 59923	Lsd-EREX 244312L04	.0147	.008636	.0000184
* Alice Hunt 325 South Main Street Livingston, MT 59047	Lsd-EREX 244312L30	.0147	.008636	.0000184
* Richard & Leola Quesenberry 1520 N. 16th Avenue Pasco, WA 99301	Lsd-EREX 244312L15	.0147	.008636	.0000184
* Maynard & Jeannie Quesenberry P.O. Box 586 Avalon, CA 90704	Lsd-EREX 244312L16	.0147	.008636	.0000184
* Bob & Dorothy Quesenberry Route 85, Box 4058 Livingston, MT 59047	Lsd-EREX 244312L08	.0147	.008636	.0000184
* Betty & Buddy Moore Route 2, Box 177-E Toccoa, GA 30577	Lsd-EREX 244312L26	.0147	.008636	.0000184

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
* Georgia Eden P.O. Box 203 Livingston, MT 59047	Lsd-EREX 244312L27	.004803	.002879	.0000061
* Iris and Richard Zeuschner 120 North D. Street Livingston, MT 59047	Lsd-EREX 244312L21	.004803	.002879	.0000061
* David and Robin Pfohl Route 38, Box 2056-A Livingston, MT 59047	Lsd-EREX 244312L34	.004803	.002879	.0000061
* Earl and Marilyn Sharon P.O. Box 684 Conner, MT 59827	Lsd-EREX 244312L31	.004803	.002879	.0000061
* Michael and Gail Kinnick 12 Hatfield Avenue Sidney, NY 13838	Unleased	.004803	.002879	.0000061
* Charlene S. Kinnick 2207 96th Avenue, Apt. F Oakland, CA 94603	Lsd-EREX 244312L13	.004803	.002879	.0000061
* Harold & Margaret Spangler 3307 S.E. 2nd Avenue Camas, WA 98607	Lsd-EREX 244312L14	.007203	.004318	.0000093
* Thomas B. Nolan 18316 N.E. 4th Plain Rd. Vancouver, WA 98682	Lsd-EREX 244312L37	.0015	.000864	.0000018
* Marsha Nolan Chadwick 3105 Bridge St., Apt. B Vancouver, WA 98661	Unleased	.0015	.000864	.0000018
* Connie and Doug Allred 6709 N.E. 109th Avenue Vancouver, WA 98662	Unleased	.0015	.000864	.0000018
* Gary Nolan 10511 N.E. 47th Street Vancouver, WA 98682	Lsd-EREX 244312L28	.0015	.000864	.0000018
* Carla and Keith Berry 2215 N.E. 112th Avenue Vancouver, WA 98684	Lsd-EREX 244312L36	.0015	.000864	.0000018

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
* Rita and Richard Nickel 3606 Q Street Washougal, WA 98671	Lsd-EREX 244312L18	.007203	.004318	.0000092
* Frances & Dexter McPherson P.O. Box 557 Carson, WA 98610	Lsd-EREX 244312L17	.007203	.004318	.0000092
* Richard and Roma Edwards Route 1, Box 293 Haysi, VA 24256-9746	Lsd-EREX 244312L03	.0294	.017273	.0000367
* Ruth Rakes P.O. Box 411 Clintwood, VA 24228	Lsd-EREX 244312L02	.0294	.017273	.0000367
* Emma Cochran Route 1, Box 313-A Haysi, VA 24256	Lsd-EREX 244312L23			
* Fred Stanley P.O. Box 247 Shipbottom, NJ 08008		.00294	.0017273	.0000037
* Phillip Stanley P.O. Box 887 Clintwood, VA 24228		.00294	.0017273	.0000037
* Ronald Stanley Rt 2 Box 290F Alto, GA 30510		.00294	.0017273	.0000037
* Roger Stanley P.O. Box 412 Haysi, VA 24256		.00294	.0017273	.0000037
* Clinard Stanley RT 1 Box 313A Haysi, VA 24256		.00294	.0017273	.0000037
* Manthalee Hopson Rt 1 Box 224 Haysi, VA 24256		.00294	.0017273	.0000037

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
* Luther Stanley, Jr. 6648 Fairfield Garden City, MI 48135		.00294	.0017273	.0000037
* Lilian Bach 1004 Blairmore Dr Virginia Beach, VA 23454		.00294	.0017273	.0000036
* Patsy Avery 419 Pinewood Drive Virginia Beach, VA 23451		.00294	.0017373	.0000036
* Dennis Stanley Road 3 Box 0A43 Felton, DE		.00098	.0005758	.0000012
* Gregory Stanley P.O. Box 384 Clincho, VA 24266		.00098	.0005758	.0000012
* Dwayne Stanley Box 289 Haysi, VA 24256		.00098	.0005757	.0000012
* Bobbie & Minnie Stanley 7587 Gerwig Court Westerville, OH 43081	Lsd-EREX 244312L12	.0037	.002159	.0000046
* Frank and Linda Stanley 125 Big Ben Court Franklin, TN 37064	Lsd-EREX 244312L22	.0037	.002159	.0000046
* Imogene & James Williams 241 N. U.S. Highway 1 Ormond Beach, FL 32174	Unleased	.0037	.002159	.0000046
* Christene & Johnny Harrison Route 1, Box 239 Haysi, VA 24256	Unleased	.0037	.002159	.0000046
* Evelyn and Louis Underwood 344 Quinn Avenue Galena, OH 43021	Unleased	.0037	.002159	.0000046
* Judy and Edward Hopkins 13910 Center Village Road Galena, OH 43021	Unleased	.0037	.002159	.0000046

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
* Leonard & Eileen Branham Route 2, Box 156 Honaker, VA 24260	Lsd-EREX 244312L29	.0037	.002159	.0000046
* Sara Stanley 3827 Alpert Drive Orlando, FL 32810	Lsd-EREX 244312L35	.0037	.002159	.0000046
* Frances & Warren Younce Co-Guardians for Leon Earl Younce P.O. Box 367 Clinchco, VA 24226	Unleased	.0037	.002159	.0000046
* Kathleen & Adron Counts 3645 Township Road 26 Cardington, OH 43315	Lsd-EREX 244312L25	.0037	.002159	.0000046
* Burnard & Dorothy Younce Route 1, Box 296-A Haysi, VA 24256	Unleased	.0037	.002159	.0000046
* R.C. and Betty Younce Route 1, Box 257 Haysi, VA 24256	Unleased	.0037	.002159	.0000046
* Betty and Vergil Sykes 14442 S.E. 30th Terrace Summerfield, FL 32691	Unleased	.0037	.002159	.0000046
* Clifton and Margaret Younce 12121 S.E. Highway 441 Bellevue, FL 32620	Unleased	.0037	.002159	.0000046
* Larry & Barbara Younce Route 1, Box 338 Haysi, VA 24256	Unleased	.0037	.002159	.0000046
* Shelia & Billy Branham Route 1, Box 300 Haysi, VA 24256	Unleased	.0037	.002159	.0000046
* James & Mary Sue Sutherland P.O. Box X Haysi, VA 24256	Unleased	.0294	.017273	.0000367

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
* Robert & Betty Sutherland P.O. Box J Haysi, VA 24256	Unleased	.0294	.017273	.0000367
* Emma & Jim O'Quinn P.O. Box D Haysi, VA 24256	Unleased	.0294	.017273	.0000367
* Peggy Craft 11408 Orchard Lane Reston, VA 22090	Unleased	.0294	.017273	.0000367
* H. Clayton Davis 302 Memorial Boulevard Narrows, VA 24124	Unleased	.0294	.017273	.0000367
* Mabel S. Hurst Route 2, Box 4 Grundy, VA 24614	Lsd-EREX 244312L10	.0184	.010795	.0000229
* Kerry and Bertha Sutherland 80 Ruby Court Christiansburg, VA 24073	Lsd-EREX 244312L24	.0184	.010795	.0000229
* Opal Ashworth 430 Edgewood Avenue Welch, WV 24801	Lsd-EREX 244312L20	.0184	.010795	.0000229
* Kate Joyce Sutherland Route 2, Box 4 Grundy, VA 24614	Lsd-EREX 244312L06	.0184	.010795	.0000229
* Grayson & Barbara Sutherland P.O. Box 817 Grundy, VA 24614	Lsd-EREX 244312L11	.0184	.010795	.0000229
* Charlene Sutherland Route 2, Box 4 Grundy, VA 24614	Lsd-EREX 244312L19	.0184	.010795	.0000229
* Brenda Lee Sutherland Route 2, Box 4 Grundy, VA 24614	Lsd-EREX 244312L09	.0184	.010795	.0000229
* Larry & Margaret Sutherland 323 Honeysuckle Lane Private Drive Kingsport, TN 37664	Lsd-EREX 244312L07	.0184	.010795	.0000229

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<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTERESTS</u>
* Harry & Ethel Sutherland 1623 Millard Avenue Royal Oak, MI 48073	Lsd-EREX 244312L01	.147	.086364	.0001837
* Jerry & Mary Sutherland P.O. Box K Haysi, VA 24256	Lsd-EREX 244312L32	.147	.086364	.0001837
* Paula and Billy King 585 Third Street Christiansburg, VA 24073	Lsd-EREX 244312L05	.147	.086364	.0001837
* Donald and Nadine Farmer Route 3, Box 97 Stone Mountain Estates Abingdon, VA 24210	Unleased	.049	.028788	.0000613
* Richard Wright 2777 East Sunset Road Las Vegas, NV 89120	Unleased	.049	.028788	.0000613
* Gene Wright 2777 East Sunset Road Las Vegas, NV 89120	Unleased	.049	.028788	.0000613
* Unknown Heirs of Henry Sutherland	Unleased	13.227273	7.772727	.0165342
	Coal Estate Only			
* Clinchfield Coal Company Paul Guild, Chief Engineer P.O. Box 7 Dante, VA 24237	Lsd-EREX Tract T2(C)-241 8.55 acres			.0181875
Equitable Resources Exploration				.1273125
<b>Tract 3 Totals</b>		14.55	8.55	14.55%
<b>TOTALS</b>		100.00	58.77	100.00%

\* Indicates conflicting claimants as to the coalbed methane.

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF DICKENSON COUNTY, August 5, 1994. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:27 o'clock A.M. after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to Diane Davis

TESTE: JOE TATE, CLERK  
BY: Luba Large D. CLERK

Clerk's Office Circuit Court  
Dickenson County, Virginia  
Filed and admitted to record,

this 5 day of Aug., 19 94  
at \_\_\_\_\_ P. M.

Recorded: Deed Book \_\_\_\_\_ P. \_\_\_\_\_  
039 State Tax \$ \_\_\_\_\_  
213 County Tax \$ \_\_\_\_\_  
212 Transfer \$ \_\_\_\_\_  
301 Recording \$ 32.00  
145 VSLF \$ 1.00  
038 State Tax \$ \_\_\_\_\_  
\$ 58-54(b) \$ \_\_\_\_\_  
220 Local Tax \$ \_\_\_\_\_  
\$ 58-54(b) \$ \_\_\_\_\_  
223 Local Tax \$ \_\_\_\_\_  
\$ 58-54(b) \$ 33.00

Teste: \_\_\_\_\_, Clerk  
By: Lula Gorge, D.C.