

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING
ELECTIONS, UNIT: V-2692
(herein "Subject Drilling Unit")

DOCKET NUMBER VGOB 93/01/19/0322

REPORT OF BOARDFINDINGS 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. This Supplemental Order, together with the Operator's affidavit, which is attached hereto and made a part hereof (herein "Affidavit"), 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 747, page 90 in the Office of the Clerk of Wise County, Virginia on February 23, 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 Paragraph 7 of the Affidavit. 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 Boards find 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 dated March 4, 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 the Board Order;

(c) The Board Order required each unleased Respondent whose interests were pooled by the terms of the 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 in accordance with § 7.c of the Virginia Gas and Oil Board Regulations, VR 480-05-22.2 wherein it stated that subsequent to the pooling hearing for subject docket held before the Board on September 12, 1992, the unleased Respondents identified in Paragraph 7 of the Affidavit had voluntarily come forward and leased their interest to the Operator; and that there remain no named Respondents who are entitled to make an election under the terms of the Board Order.

(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 furnished said Statement of Interests as part of its Affidavit and stated that no interests remain which are subject to escrow under the terms and provisions of the Board Order.

3. 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.

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

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

DONE AND EXECUTED this 22nd day of April, 1993, by a majority of the Virginia Gas and Oil Board.

Benny R. Wampler
Chairman, Benny R. Wampler

DONE AND PERFORMED this 22nd day of April, 1993, 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 WISE:)

Acknowledged on this 22nd day of April, 1993, personally before a notary public in and for the Commonwealth of Virginia, appeared Benny R. 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 7/31/94

STATE OF VIRGINIA)
COUNTY OF WISE:)

Acknowledged on this 22nd day of April, 1993, personally before 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.

Susan G. Garrett
Susan G. Garrett
Notary Public

My commission expires 7/31/94

VIRGINIA: In the Clerk's Office of Wise Circuit Court 4-23 1993
This deed was presented and upon the annexed Certificate of acknowledgement admitted to record at 12:37 P.M. The tax imposed by 58.54 1 of the Code has been paid in the amount of \$ — Recorded in Deed Book 750 and Page 576
Teste: C. Gary Rakes, Clerk Mary E. Adams Deputy Clerk
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V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Equitable Resources Exploration for Forced Pooling of Interest in Unit Number V-2692, VGOB Docket No. VGOB-93-0119-0322 in the Gladeville District of Wise County, Virginia

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

Douglas S. Tweed (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 conventional 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 February 23, 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:

None.

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:

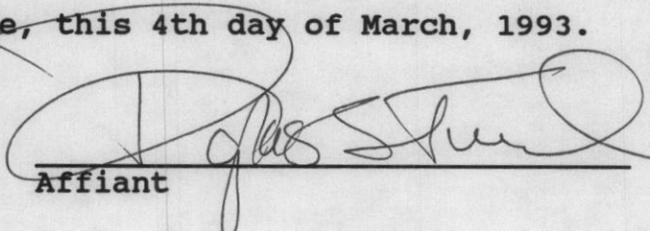
None.

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) Marion C. Shortt
Ayers P. Shortt
- 2) Rebecca W. Hughes
Hubert Ray Hughes

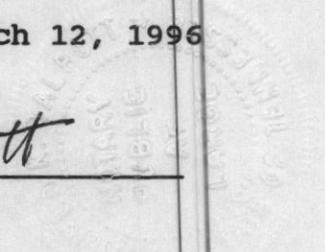
8. That pursuant to the provision of VR 480-05-22.27.C and VR 480-05-22.2.8, annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are not required in this matter pursuant to the terms of §§ 45.1-361.21.D, 45.1-361.22.A.3 and 4.

Dated at Kingsport, Tennessee, this 4th day of March, 1993.


Affiant

Taken, subscribed and sworn to before me by Douglas S. Tweed, the Agent of Equitable Resources Exploration, a corporation, on behalf of the corporation, this 4th day of March, 1993.

My commission expires: March 12, 1996

A faint circular notary seal is visible in the background, partially overlapping the signature. It contains the text "NOTARY PUBLIC" and "STATE OF TEXAS".
Ramela K. Talbott

Notary

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