

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

DOCKET NO: 94-1024-0479

REPORT OF THE BOARD

NOTICE OF EXPIRATION/TERMINATION OF VIRGINIA GAS AND OIL BOARD (herein "Board") ORDERS IN VGOB DOCKET NO.94-1024-0479 FOR THE POOLING OF INTERESTS IN A DRILLING UNIT TO BE SERVED BY PROPOSED WELL VC-3230, LOCATED IN THE ROARING FORK COALBED METHANE GAS FIELD, NORTON QUADRANGLE, GLADEVILLE MAGISTERIAL DISTRICT, WISE COUNTY VIRGINIA (the "Subject Lands" are more particularly described on Exhibit 'A', attached hereto and made a part hereof.

1. **This Notice of Expiration/Termination** is entered by the Board after hearing upon its own motion for the purpose of providing notice that the Board orders in the above-styled docket number which are more particularly set forth and described in Paragraph 2 hereof expired and became terminated by their own terms on November 12, 1995 except for any cash sums becoming payable thereunder.
- 2.
3. **Findings:** The Board finds that:
 - (a) In VGOB Docket No. 94-1024-0479, the Board entered a pooling order pursuant to Va. Code 45.1-361.21 and 45.1-361.22 on November 12, 1994 for the pooling of an 80-acre coalbed methane gas drilling unit to be served by proposed well VC-3230, located in the Roaring Fork Coalbed Methane Gas Field (herein "Pooling Order"). The Pooling Order was recorded with the Clerk of the Circuit Court of Wise County, Virginia in Deed Book 791 at Page 330 on November 17, 1994. Paragraph 14 of the Pooling Order provided that Equitable Resources Exploration n/k/as Equitable Resources Energy Company ("Unit Operator") was to commence operations for the drilling of the well in the pooled drilling unit within 365 days from the date of the entry of the Pooling Order, i.e., by November 12, 1995. The Pooling Order further provided that if Unit Operator did not commence operations for the drilling of said well within 365 days from the entry of the Pooling Order, then the Pooling Order would terminate, except for any cash sums becoming payable thereunder.
 - (b) In VGOB Docket No.94-1024-0479, on April 4, 1996 the Board entered its Supplemental Order Regarding Elections for the pooled Drilling Unit (herein "Supplemental Order") which Supplemental Order was recorded on April 11, 1996 with the Clerk of the Circuit Court of Wise County at Deed Book 822 at Page 069.
 - (c) The Unit Operator did not commence operations for the drilling of the well which was to serve the pooled drilling unit within 365 days from the entry of the Pooling Order; therefore on November 12, 1995 the Pooling Order and the Supplemental Order terminated by their own terms.
3. **Order:** By this Order which is to be recorded with the Clerk of the Circuit Court of Wise County, Virginia, the Board gives notice that the Pooling Order and the Supplemental Order expired and terminated by their own terms on November 12, 1995 except for any cash sums becoming payable thereunder. Notwithstanding the fact that the Pooling Order and the Supplemental Order heretofore expired and terminated on November 12, 1995, any funds heretofore paid by the Unit Operator into the escrow account created by the Pooling Order and/or the Supplemental Order shall be held by the Escrow Agent for the exclusive use of, and sole benefit of the persons entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code 45.1-361.21.D.
4. **Mailing of Order:** The Unit 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 was pooled by the Pooling Order and whose interest or claim was subject to escrow 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.

Done and executed this 28th day of October, 1997, by the Chairman of the Virginia Gas and Oil Board.

[Signature]
Chairman, Benny R. Wampler

STATE OF VIRGINIA)
COUNTY OF WISE)

Acknowledged on this 23rd day of October, 1997, 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.

[Signature]
Susan G. Garrett
Notary Public

My Commission expires 7/31/98

Done and performed this 23rd day of October, 1997 by Order of this Board.

[Signature]
Byron Thomas Fulmer
Principal Executive to the Staff
Of the Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

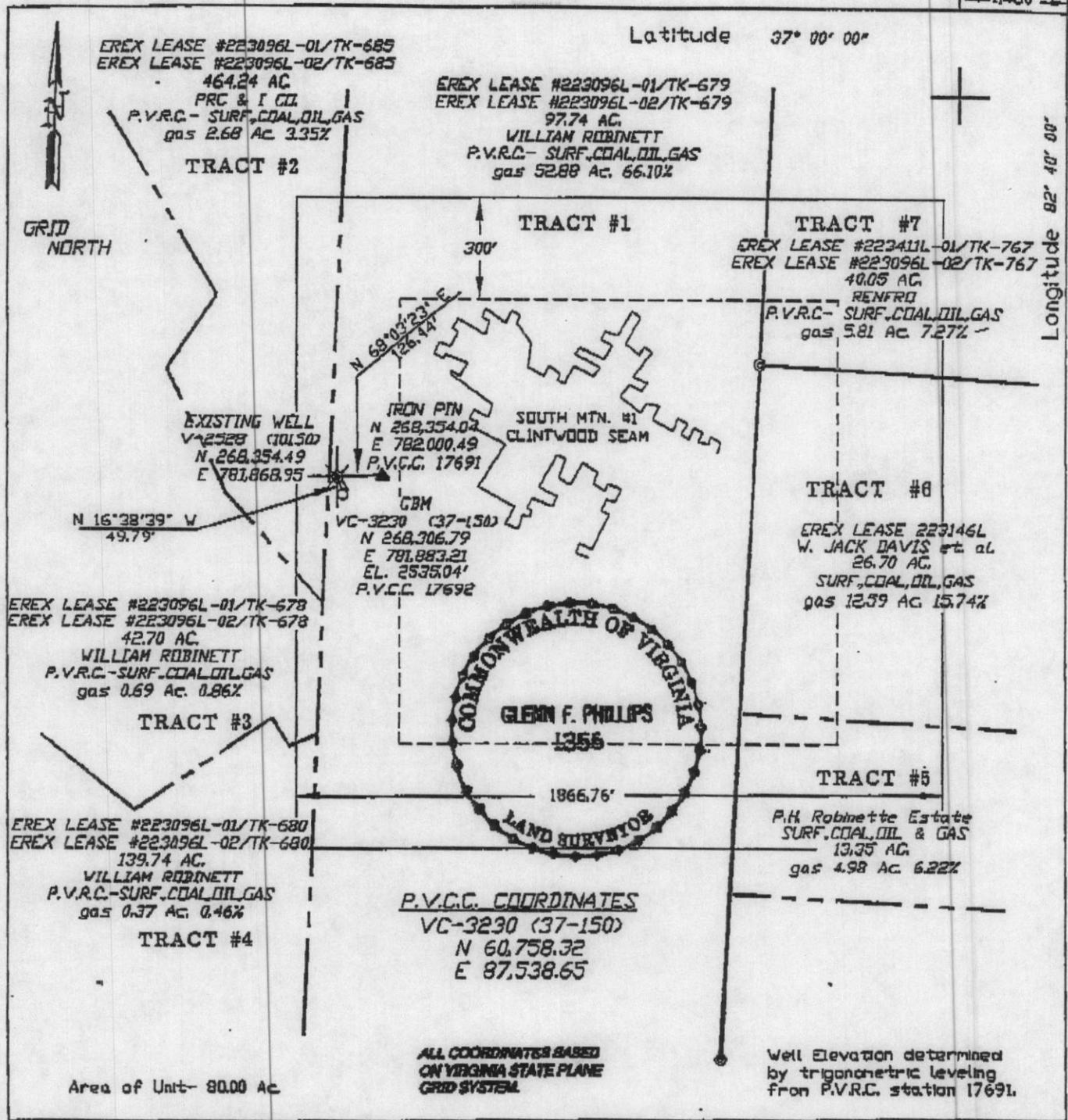
Acknowledged on this 23rd day of October, 1997, personally appeared before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

[Signature]
Diane Davis
Notary Public

My Commission expires 9/30/2001

INSTRUMENT #970004358
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
OCTOBER 27, 1997 AT 03:12PM
J. JACK KENNETH, JR., CLERK

BY: [Signature] DEPUTY CLERK



WELL LOCATION PLAT

Company EQUITABLE RESOURCES EXPLORATION Well Name and Number VC-3230 (37-150)
 Tract No. 679 Elevation 2535.04' Quadrangle NORTON
 County WISE District GLADEVILLE Scale: 1 = 400' Date 07/05/94

This plat is a new plat an updated plat or a final location plat
 Denotes the location of a well on United States topographic Maps, scale 1 to 24,000, latitude and longitude lines being represented by border lines as shown.

Glenn F. Phillips
 Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)