

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA
§ 45.1-361.26

VIRGINIA:

BEFORE THE GAS AND OIL BOARD

APPLICANTS:

Equitable Production Company on behalf of Lonnie Rayford Counts, James Counts, William Counts, Linda Gail Chaffin, Kevin Counts, Lora Lee Counts, and Range Resources-Pine Mountain Inc.

DOCKET NO.

98-0324-0642-01

RELIEF SOUGHT:

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
Action: Amending Prior Orders Affecting Drilling VC-702835,
Tract 4
(Referenced herein as "the Subject Drilling Unit")

Location: Russell County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit VC-702835 by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling

REPORT OF THE BOARD**FINDINGS AND ORDER**

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on March 17, 2009 at the Russell County Government Center in Lebanon, VA.
2. **Appearances:** James E. Kaiser esq. of Wilhoit & Kaiser LLC appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract sub accounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract sub accounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and authority to disburse funds from the Escrow Account** provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. On March 24, 1998 the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Russell County on April 15, 1998, Deed Book 474, Page 279 to 299 Instrument Number 0000942. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk of the Circuit Court of Russell County on July 16, 1998, Deed Book 478, Page 110 to 131 Instrument Number 00001917.
- 4.2. To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Range Resources-Pine Mountain Inc, and the gas ownership interests of certain of Lonnie Rayford Counts, James Counts, William Counts, Linda Gail Chaffin, Kevin Counts, Lora Lee Counts in Tract 4 in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3. The Unit Operator's Miscellaneous Petition regarding Tract 4 a copy of which is attached to and made a part hereof, states under oath that Range Resources-Pine Mountain Inc. and the Applicants have entered into an agreement with regards to Tract 4, that by the terms of the agreements, Range Resources-Pine Mountain Inc. has entered into a split agreement (25% / 75%) regarding Tract 4 and escrow regarding these individual conflicting claims detailed herein, is no longer required for these parties.
- 4.4. The Unit Operator gave notice to Range Resources-Pine Mountain Inc. and the applicants that the Board would consider its disbursement authorization at its hearing on March 17, 2009 and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to Tract 4 identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 4 relative to the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.
- 4.5. The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

- (1) Range Resources-Pine Mountain Inc. and certain individuals including Lonnie Rayford Counts, James Counts, William Counts, Linda Gail Chaffin, Kevin Counts, Lora Lee Counts in Tract 4 in the Subject Drilling Unit are the owners of coal /coalbed methane and gas acreage estate underlying VGOB Tract 4 of the Subject Drilling Unit.

(2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

| | | As Given | | | | |
|-----------------------------------|--------------|---|------------------|-----------------|-------|---------------------|
| | | Average Fraction | Acreage Interest | Split Agreement | Acres | % of Escrowed Funds |
| VGOB Approved Disbursement | | | | | | |
| VGOB 98-0324-0642-01 | | | | | | |
| Table 1 | | | | | | |
| Tract 4 (3.29 acres total) | | | | | | |
| Item | Tract | Disbursement Table | | | | |
| | | Heirs of Elsie Mae Kiser Counts (0.0911 acres in unit) | | | | |
| | | 0.0911 | | | 0.82 | |
| 1 | 4 | Linda Gail Chaffin; 2009 New Garden Rd; Scottsville, Virginia 24590 | 1/54 | 0.0017 | 75.0% | 0.00127 0.15504% |
| 2 | 4 | Range Resources - Pine Mountain Inc.; Dept. 8054; PO Box 650002; Dallas Texas, 75265-0002 | | 0.0017 | 25.0% | 0.00042 0.05168% |
| 3 | 4 | James E. Counts; 1358 DC Caney Ridge Road, Clintwood, Virginia 24226 | 1/54 | 0.0017 | 75.0% | 0.00127 0.15504% |
| 4 | 4 | Range Resources - Pine Mountain Inc.; Dept. 8054; PO Box 650002; Dallas Texas, 75265-0002 | | 0.0017 | 25.0% | 0.00042 0.05168% |
| 5 | 4 | Kevin Counts; 8897 Dante Mountain Road, Dante Virginia 24237 | 1/216 | 0.0004 | 75.0% | 0.00032 0.03876% |
| 6 | 4 | Range Resources - Pine Mountain Inc.; Dept. 8054; PO Box 650002; Dallas Texas, 75265-0002 | | 0.0004 | 25.0% | 0.00011 0.01292% |
| 7 | 4 | Lonnie Rayford Counts; 8824 Dante Mountain Road, Dante Virginia 24237 | 1/54 | 0.0152 | 75.0% | 0.01139 1.39552% |
| 8 | 4 | Range Resources - Pine Mountain Inc.; Dept. 8054; PO Box 650002; Dallas Texas, 75265-0002 | | 0.0152 | 25.0% | 0.00380 0.46517% |
| 9 | 4 | Lora Lee Counts 9967 Dante Mountain Road, Dante Virginia 24237 | 1/216 | 0.0004 | 75.0% | 0.00032 0.03876% |
| 10 | 4 | Range Resources - Pine Mountain Inc.; Dept. 8054; PO Box 650002; Dallas Texas, 75265-0002 | | 0.0004 | 25.0% | 0.00011 0.01292% |
| 11 | 4 | William Counts; 158 Coal Lane; Rt 1 Box 276 Cleveland, Virginia 24225 | 1/54 | 0.0152 | 75.0% | 0.01139 1.39552% |
| 12 | 4 | Range Resources - Pine Mountain Inc.; Dept. 8054; PO Box 650002; Dallas Texas, 75265-0002 | | 0.0152 | 25.0% | 0.00380 0.46517% |

6. Relief Granted:

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, **and**, because there are no other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to close the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. Conclusion:

Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

8. **Appeals:**

Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

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

DONE AND EXECUTED this 31 day of August, 2009 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 31st day of August, 2009 by an Order of this Board.

David E. Asbury Jr.
David E. Asbury Jr.,
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF RUSSELL)

Acknowledged on this 31st day of August, 2009, personally before me a notary public in and for the Commonwealth of Virginia, appeared **Bradley C. Lambert**, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and **David E. Asbury Jr.**, 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 #174394

My commission expires: 09 / 30 / 2009



0902250

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 9-4, 2009. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:17 o'clock P.M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK
BY: *Jennifer Kendrick* D. CLERK

Original returned this date to: Tina Neal

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANTS: Equitable Production Company on behalf of Lonnie Rayford Counts, James Counts, William Counts, Linda Gail Chaffin, Kevin Counts, Lora Lee Counts and Range Resources-Pine Mountain Inc.

DOCKET NUMBER: VGOB 98/03/24-0642-01

RELIEF SOUGHT: Supplemental Order for Disbursement of Escrowed Funds on behalf of Lonnie Rayford Counts, James Counts, William Counts, Linda Gail Chaffin, Kevin Counts, Lora Lee Counts and Range Resources-Pine Mountain Inc.

LEGAL DESCRIPTIONS: Drilling Unit Number 702835 created by Board Order Dated April 14, 1998, VGOB 98/03/24-0642 in Russell County, Virginia.

HEARING DATE: March 17, 2009.

MISCELLANEOUS PETITION

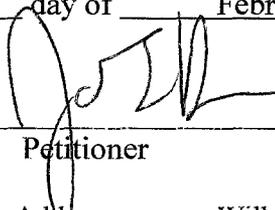
1. Party: Applicant herein is: Lonnie Rayford Counts, (hereinafter "Plaintiff"), whose address is: 8824 Dante Mountain Road, Dante, Virginia 24237; James Counts, (hereinafter "Plaintiff"), whose address is: 1358 DC Caney Ridge Road, Clintwood, Virginia 24226; William Counts, (hereinafter "Plaintiff"), whose address is: 158 Coal Lane, Cleveland, Virginia 24225; Linda Gail Chaffin, (hereinafter "Plaintiff"), whose address is: 2009 New Garden Road, Cleveland, Virginia 24225; Kevin Counts, (hereinafter "Plaintiff"), whose address is: 8897 Dante Mountain Road., Dante, Virginia 24237; Lora Lee Counts, (hereinafter "Plaintiff"), whose address is: 9967 Dante Mountain Road, Dante, Virginia 24237; and Range Resources-Pine Mountain Inc., (hereinafter "Plaintiffs), whose address is P.O. Box 2136, Abingdon, VA 24212.
2. Facts:
 - a. Equitable was designated as the Operator and Applicants interests were Pooled in the 702835 Unit by Order of the Virginia Gas and Oil Board (hereinafter "Board") executed on April 14, 1998, pursuant to Docket No. VGOB 98/03/24-0642 and recorded in the Circuit Court Clerk's Russell County, Virginia on April 17, 1998, Deed Book 474, Page 279 (hereinafter "Order").

- b. The Order and Supplemental Order required the Escrow Agent named and appointed therein to establish an interest-bearing escrow account for funds pertaining to the above-referenced Unit and subject to escrow pursuant to the terms of the Order.
- c. The Order and Supplemental Order further required the Operator to deposit bonus and royalty payments with the Escrow agent which could not be made because the person(s) entitled hereto could not be made certain due to conflicting claims of ownership.
- d. Pine Mountain Oil and Gas, Inc. was a conflicting claimant with the above-listed Plaintiffs with regard to Tract 4 as created by Board Order as VGOB 98/03/24-0642 is the applicable Tracts.
- e. To resolve this conflict, a Letters dated from November 20, 2008, December 5, 2008, & January 12, 2009, signed by Phil Horn, Land Manager of Pine Mountain Oil and Gas, Inc. is attached hereto and incorporated herein as Exhibit "A".
- f. The amounts deposited with the Escrow Agent regarding the Unit need to be determined and distributed accordingly.
- g. Any escrow amount, not yet deposited into the escrow account, held by Operator should also be determined, and distributed to Applicants/Plaintiffs herein, accordingly.
- h. Applicants/Plaintiffs herein do hereby request that the Board enter amended supplemental order for the Unit directing the Escrow Agent and the Operator to disburse to the aforesaid Plaintiff the funds attributable to the previous conflicting claim with Pine Mountain, held in escrow for the VGOB number as listed above.
 1. The Applicants certify that the matters set forth in the application, to the best of their knowledge, information, and belief, are true and correct and that the form and content of the Application and conform to the requirements of relevant Board regulations and orders.
 2. Legal Authority: Va Code Ann. §45.1-361.1 et seq., 4 VAC 25-160, and such other regulations and Board orders promulgated pursuant to law.
 3. Relief Sought: Applicants request that the Board issue amended supplement order amending all prior orders affecting the Unit which amended supplement order will provide as follows:
 - a. Determining the amount of funds attributable to the Applicants/Plaintiffs herein.

- b. Directing the Escrow Agent to determine the amount of funds attributable to Applicants/Plaintiffs herein, provide an accounting hereof, and disburse the funds on deposit with the Escrow Agent, including any applicable interest, pertaining to the interest in the Unit shown above for distribution.
- c. Directing the Operator to determine the amount of funds attributable to the Applicants/Plaintiffs herein, provide an accounting thereof, and disburse the units in its hands, if any, subject to escrow but not then on deposit with the Escrow Agent, including any applicable interest, at the time of the Supplemental Order requested therein is executed, attributable to the Applicants/Plaintiffs herein for distribution.
- d. Directing the Operator to disburse the funds, including any applicable interest, and provide an accounting thereof, which it may receive after the date of the execution of the amended supplemental order requested in the Application, if any, attributable to the Applicants/Plaintiff herein, and to discontinue the payment of such funds into Escrow.
- e. Granting such other relief as is merited by the evidence and is just and equitable whether or not such relief has been specifically requested herein.

Dated this 13th day of February, 2009.

By:



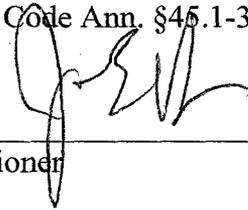
Petitioner

Address:

Wilhoit & Kaiser
 220 Broad St, Ste. 210
 Kingsport, TN 37660

CERTIFICATE

The foregoing application to the best of my knowledge, information and belief is true and correct. Notice was given pursuant to Va. Code Ann. §45.1-361.19.



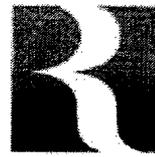
Petitioner

VC-2835

VG0B 98/03/24-0642

VC-702835

| TRACT NO. | OWNER NAME and ADDRESS | SPLIT % | OWNER NET INTEREST | TOTAL NET ESCROW INTEREST | TOTAL AMOUNT IN ESCROW 12/31/2008 | OWNER % IN ESCROW 12/31/2008 | OWNER AMOUNT IN ESCROW 12/31/2008 |
|-----------|---|---------|--------------------|---------------------------|--|------------------------------|-----------------------------------|
| 4 | Linda Gail Chaffin 2009 New Garden Road Scottsville, VA 24590 | 75% | 0.00003218 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 1.85208633% | \$15.21 |
| 4 | Range Resources - Pine Mountain, Inc. Dept. 8054 PO Box 650002 Dallas, TX 75265-0002 | 25% | 0.00001073 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.61755396% | \$5.07 |
| 4 | William Counts 158 Coal Lane Cleveland, Virginia 24225 | 75% | 0.00003218 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 1.85208633% | \$15.21 |
| 4 | Range Resources - Pine Mountain, Inc. Dept. 8054 PO Box 650002 Dallas, TX 75265-0002 | 25% | 0.00001073 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.61755396% | \$5.07 |
| 4 | Lonnie Rayford Counts 8824 Dante Mountain Road Dante, Virginia 24237 | 75% | 0.00003218 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 1.85208633% | \$15.21 |
| 4 | Range Resources - Pine Mountain, Inc. Dept. 8054 PO Box 650002 Dallas, TX 75265-0002 | 25% | 0.00001073 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.61755396% | \$5.07 |
| 4 | Kevin Counts 8897 Dante Mountain Road Dante, Virginia 24237 | 75% | 0.00000805 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.46330935% | \$3.81 |
| 4 | Range Resources - Pine Mountain, Inc. Dept. 8054 PO Box 650002 Dallas, TX 75265-0002 | 25% | 0.00000268 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.15424460% | \$1.27 |
| 4 | James Counts 1358 DC Caney Ridge road Clintwood, Virginia 24226 | 75% | 0.00003218 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 1.85208633% | \$15.21 |
| 4 | Range Resources - Pine Mountain, Inc. Dept. 8054 PO Box 650002 Dallas, TX 75265-0002 | 25% | 0.00001073 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.61755396% | \$5.07 |
| 4 | Lora Lee Counts 9967 Dante Mountain Road Dante, Virginia 24237 | 75% | 0.00000805 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.46330935% | \$3.81 |
| 4 | Range Resources - Pine Mountain, Inc. Dept. 8054 PO Box 650002 Dallas, TX 75265-0002 | 25% | 0.00000268 | 0.00173750 | Bank Total - \$821.34 Equitable Total -\$821.34 | 0.15424460% | \$1.27 |

**RANGE RESOURCES**

January 22, 2009

Ms. Nikki Atkison
EQUITABLE PRODUCTION COMPANY
225 North Shore Drive
Pittsburgh, PA 15212

RE: **Permanent Split of Royalty**
VC-1853, VC-2835, VC-502832, VC-536070, VC-551315, VC-501854,
VC-537965 and any future CBM Wells
H. F. Kiser Heirs 87.5 Acre Tract
Russell County, Virginia

Dear Ms. Atkison:

I enclose a copy of a letter dated January 12, 2009, between Range Resources – Pine Mountain, Inc. (hereinafter “RR-PM”), and Kevin Counts wherein the parties have agreed to a 75% (for Kevin Counts) /25% (for RR-PM) permanent split of escrowed royalty and all future royalty from the above wells that include a portion of the H. F. Kiser Heirs 87.5 acre lease. Please release the escrowed royalty to Kevin Counts and RR-PM and begin making all future payments to the parties pursuant to their agreement.

By copy of this letter, I am notifying Kevin Counts of RR-PM’s action on this matter. If you have any questions or comments, please do not hesitate to contact me by phone at (276) 619-2644 or by e-mail at aedmisten@rangeresources.com.

Sincerely,

RANGE RESOURCES - PINE MOUNTAIN, INC.

Ann Edmisten, CLAS
Land Technician

Enclosure

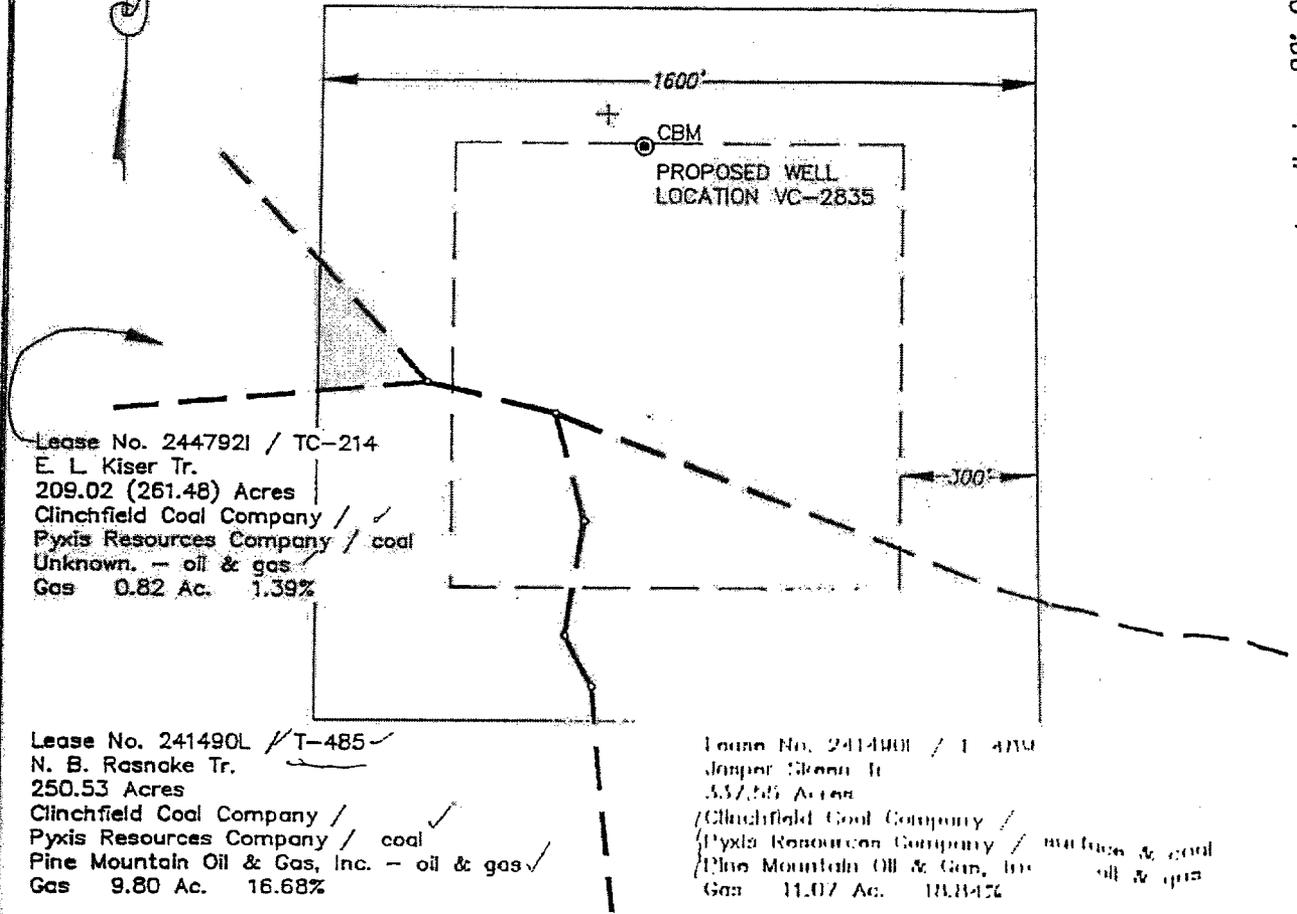
cc: Kevin Counts
Wanda (PMOG) w/original enclosure
D. Louthian (PMOG) w/enclosure
P. Horn (PMOG) w/enclosure
R. Barrett (EPC) w/enclosure (rbarrett@eqt.com)

Note: Elevation determined by
Trigometric leveling from
Barn Monument.

Latitude 37° 02' 30"

Lease No. 241490L / T-483
Robert Rasnake Tr.
519.46 Acres
{Clinchfield Coal Company /
Pyxis Resources Company / surface & coal
Pine Mountain Oil & Gas, Inc. - oil & gas
Gas 37.08 Ac. 63.09%

Longitude 82° 07' 30"



Lease No. 2447921 / TC-214
E. L. Kiser Tr.
209.02 (261.48) Acres
Clinchfield Coal Company /
Pyxis Resources Company / coal
Unknown. - oil & gas
Gas 0.82 Ac. 1.39%

Lease No. 241490L / T-485
N. B. Rasnake Tr.
250.53 Acres
Clinchfield Coal Company /
Pyxis Resources Company / coal
Pine Mountain Oil & Gas, Inc. - oil & gas
Gas 9.80 Ac. 16.68%

Lease No. 241490L / T-484
Janet Glenn Tr.
537.55 Acres
{Clinchfield Coal Company /
Pyxis Resources Company / surface & coal
Pine Mountain Oil & Gas, Inc. - oil & gas
Gas 11.07 Ac. 10.14%

- LEGEND**
- ⊙ Proposed Well Loc.
 - ⊕ Offset Well
 - Mineral Line
 - Surface Line

Area of Unit = 58.77 Ac.

Well Coordinates: (VA St. Plane S. Zone,
Calculated from UTM coordinates)
N = 273,542 E = 9,33,689
Well Coordinates: (Clinchfield Coal Co.)
S = 26,205.82 E = 67,023.88

WELL LOCATION PLAT

COMPANY Equitable Resources Energy Company WELL NAME AND NUMBER VC-2835
TRACT NO. T-483 ELEVATION 2524.82 QUADRANGLE Duty
COUNTY Russell DISTRICT Castlewood SCALE 1" = 400' DATE 08-22-97

This Plat is a new plat X; 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

Greg Walker

Licensed Professional Engineer or Licensed Land Surveyor



VC-536070 PLAT
TRACT OWNERSHIP INFORMATION SCHEDULE
4/15/2004

1. Lease No. 243912L
G. W. Kiser Heirs - oil & gas (3/4 int.)
46.00 Acres
Lease No. 241640L / T2-177
Heartwood Forestland Fund IV, L.P. - surface
ACIN LLC - coal
Alpha Land & Reserves LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Coal Company LLC - coal lessee
Pine Mountain Oil & Gas, Inc. - oil, gas (1/4 int.) & CBM
Gas 25.35 Ac. 43.13%
2. Lease No. 243912L
G. W. Kiser Heirs - oil & gas (3/4 int.)
7.52 Acres
Lease No. 241640L / T2-177
ACIN LLC - coal
Alpha Land & Reserves LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Coal Company LLC - coal lessee
Pine Mountain Oil & Gas, Inc. - oil, gas (1/4 int.) & CBM
Gas 1.78 Ac. 3.03%
3. Lease No. 241490L / T-430
S. J. Tiller
164.31 Acres
ACIN LLC - coal
Alpha Land & Reserves LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Coal Company LLC - coal lessee
Pine Mountain Oil & Gas, Inc. - oil, gas & CBM
Gas 0.14 Ac. 0.24%
4. Lease No. 243912L
G. W. Kiser Heirs - oil & gas (3/4 int.)
111 Acres
Lease No. 241640L / T2-177
ACIN LLC - coal
Alpha Land & Reserves LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Coal Company LLC - coal lessee
Pine Mountain Oil & Gas, Inc. - oil, gas (1/4 int.) & CBM
Gas 3.29 Ac. 5.60%

- 5 . Lease No. 244332L
H. F. Kiser Heirs - oil & gas
87.50 Acres
Lease No. 244792L / TC-214
ACIN LLC - coal
Alpha Land & Reserves LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Coal Company LLC - coal lessee
Pine Mountain Oil & Gas, Inc. - CBM
Gas 9.00 Ac. 15.31%
- 6 . Lease No. 241490L / T-866
Daniel Kiser
172.50 Acres
Heartwood Forestland Fund IV, L.P. - surface
ACIN LLC - coal
Alpha Land & Reserves LLC - coal lessee
WBRD LLC - coal
Dickenson-Russell Coal Company LLC - coal lessee
Pine Mountain Oil & Gas, Inc. - oil, gas & CBM
Gas 19.21 Ac. 32.69%

EXHIBIT "E"
VC-2835
VGOB 98/03/24-0642
Revised 2-6-09

| <u>TRACT</u> | <u>LESSOR</u> | <u>LEASE STATUS</u> | <u>INTEREST WITHIN UNIT</u> | <u>GROSS ACREAGE IN UNIT</u> | <u>NET REVENUE INTEREST</u> |
|--------------------------------|--|--------------------------|-----------------------------|------------------------------|-----------------------------|
| <u>Gas Estate Only</u> | | | | | |
| <u>H. F Kiser Heirs</u> | | | | | |
| 4 | Nettie G Kiser Wilson, Widow P O Box 294 Cleveland, VA 24225 | Leased-EREC 244332L01 | 0.025741% | 0.0152 | 0.00003218 RI |
| | Roland Delmer Kiser, Single P O Box 194 Cleveland, VA 24225 | Deemed Leased | 0.025741% | 0.0152 | 0.00003218 RI |
| | Ruby Ethel Kiser, Single Route 2 Box 85 Cleveland, VA | Leased-EREC 244332L09 | 0.025741% | 0.0152 | 0.00003218 RI |
| | Kennie O'Dell Kiser & Thelma Kiser, h/w P O Box 62 Cleveland, VA 24225 | Leased-EREC 244332L11 | 0.025741% | 0.0152 | 0.00003218 RI |
| | Alma Simerley, Widow P O Box 1624 Honaker, VA 24260 | Leased-EREC 244332L15 | 0.025741% | 0.0152 | 0.00003218 RI |
| | Delphia Wilson & Roy Lee Wilson, w/h HC 4 Box 304 Bee, VA 24217 | Leased-EREC 244332L29 | 0.003677% | 0.0022 | 0.00000460 RI |
| | Alden Wilson & Ella Wilson, h/w 1867 E Old Philadelphia Rd Elkton, MD 21921 | Deemed Leased | 0.003677% | 0.0022 | 0.00000460 RI |
| | Curtis Wilson & Connie Wilson, h/w 1867 E Old Philadelphia Rd Elkton, MD 21921 | Deemed Leased | 0.003677% | 0.0022 | 0.00000460 RI |
| | Lonnie Wilson & Pam Wilson, h/w 462 Jolly Rd Lexington, NC 27292 | Deemed Leased | 0.003677% | 0.0022 | 0.00000460 RI |
| | Giles Wilson & Charlotte Wilson, h/w Route 1 Box 338 Cleveland, VA 24225 | Deemed Leased | 0.003677% | 0.0022 | 0.00000460 RI |

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| Johnny Lee Rosenbaum, Single 1730 Clifton Rd Bristol, TN 37621 | Deemed Leased | 0.001226% | 0.0007 | 0.00000153 RI |
| Joe Canter Address Unknown | Deemed Leased | 0.001226% | 0.0007 | 0.00000153 RI |
| Alicia Rosenbaum, Single 18484 Woodland Hills Rd Abingdon, VA 24210 | Deemed Leased | 0.001226% | 0.0007 | 0.00000153 RI |
| Wanda Loudermilk Jones 995 E Old Philadelphia Rd Elkton, MD 21921 | Deemed Leased | 0.000919% | 0.0005 | 0.00000115 RI |
| Carolyn Rinehart & Richard Rinehart, w/h 1656 Pricipia Rd Port Deposit, MD 21904 | Deemed Leased | 0.000919% | 0.0005 | 0.00000115 RI |
| Sharon Jones & Bobby Jones, w/h Address Unknown | Deemed Leased | 0.000919% | 0.0005 | 0.00000115 RI |
| Randall Head & Teresa A Head, h/w 1279 Old Elk Neck Rd Elkton, MD 21921 | Deemed Leased | 0.000919% | 0.0005 | 0.00000115 RI |
| Dallas Brooks Kiser, Single Star Route Box 25 Cleveland, VA 24225 | Leased - EREC 244332L13 | 0.154444% | 0.0911 | 0.00019306 RI |
| Ama Kiser Vance, Widow Route 1 Box 427 Bluefield, VA 24605 | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |
| James Kiser & Christine Kiser, h/w 719 St Paul Street Newport News, VA 23605 | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |
| Nellie Kiser Wells, Single Address Unknown | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |
| Lila Elizabeth Kiser, Single 2416 Lamberts Ave Richmond, VA 23234 | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |
| Margaret Marie Kiser Heirs Address Unknown | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |
| Elaine Craft Heirs Address Unknown | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |
| William Arthur Kiser & Sylvia Kiser, h/w 421 Beauregard Dr Chesapeake, VA 23322 | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |
| Woodrow Childs, Widower Address Unknown | Deemed Leased | 0.019306% | 0.0114 | 0.00002412 RI |

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| Delphia Musick Ball, Widow P O Box 58 Davenport, VA 24239 | Leased - EREC 244332L30 | 0.014040% | 0.0083 | 0.00001755 RI |
| Willard Wilson, Single Route 2 Box 332 Cleveland, VA 24225 | Leased - EREC 244332L12 | 0.014040% | 0.0083 | 0.00001755 RI |
| Sarah Musick, Widow Route 1 Box B2 Cleveland, VA 24225 | Leased - EREC 244332L10 | 0.014040% | 0.0083 | 0.00001755 RI |
| Betty Musick, Widow Route 2 Box 167 Cleveland, VA 24225 | Leased - EREC 244332L14 | 0.014040% | 0.0083 | 0.00001755 RI |
| Thelma Musick, Widow Address Unknown | Deemed Leased | 0.014040% | 0.0083 | 0.00001755 RI |
| Elwood Musick, Single 15177 Douglas Street Culpeper, VA 22701 | Leased - EREC 244332L31 | 0.014040% | 0.0083 | 0.00001755 RI |
| Ina Musick, Widow Route 1 Box 427 Piney Flats, TN 37688 | Deemed Leased | 0.014040% | 0.0083 | 0.00001755 RI |
| Hubert Musick & Jo Anne Musick, h/w P O Box 202 Honaker, VA 24260 | Leased - EREC 244332L18 | 0.014040% | 0.0083 | 0.00001755 RI |
| Dorothy Johnson, Single Route 4 Box 177-B Lebanon, VA 24266 | Leased - EREC 244332L16 | 0.014040% | 0.0083 | 0.00001755 RI |
| Scarlet Baker & Henry Baker, w/h P O Box 2374 Lebanon, VA 24266 | Leased - EREC 244332L27 | 0.002808% | 0.0017 | 0.00000351 RI |
| Sparker Floyd Musick & Dolly Musick, h/w 17085 Brumley Gap Road Abingdon, VA 24210 | Leased - EREC 244332L28 | 0.002808% | 0.0017 | 0.00000351 RI |
| Raymond Musick & Patsy Musick, h/w Box 1245 Stewart, VA 24171 | Deemed Leased | 0.002808% | 0.0017 | 0.00000351 RI |
| Samuel Musick & Linda Musick, h/w 1085 Bellamy Lane Portsmouth, OH 45663 | Deemed Leased | 0.002808% | 0.0017 | 0.00000351 RI |
| Milton Musick, Single 1370 Sulpher Creek Road Stout, OH 45684-9706 | Leased - EREC 244332L22 | 0.002808% | 0.0017 | 0.00000351 RI |
| Mildred Kendrick & Claude Kendrick, w/h Address Unknown | Deemed Leased | 0.002340% | 0.0013 | 0.00000293 RI |
| Edith Matson, Widow 5678 SR 133 Batavia, OH 45103 | Deemed Leased | 0.002340% | 0.0013 | 0.00000293 RI |

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|---|----------------------------|-----------|--------|------------|----|
| Sally Musick, Widow Route 1 Box 710 Cleveland, VA 24225 | Leased - EREC 244332L17 | 0.002340% | 0.0013 | 0.00000293 | RI |
| Cecil Musick & Irene Musick, h/w Route 2 Box 114 Cleveland, VA 24225 | Leased - EREC 244332L07 | 0.002340% | 0.0013 | 0.00000293 | RI |
| James H. Musick & Annie Bea Musick, h/w Route 2 Box 76B Cleveland, VA 24225 | Leased - EREC 244332L08 | 0.002340% | 0.0013 | 0.00000293 | RI |
| Fred Musick & Allie Musick, h/w Address Unknown | Deemed Leased | 0.002340% | 0.0013 | 0.00000293 | RI |
| Velva Kiser Breeding & Cloid Breeding, w/h Route 1 Box 441 Cleveland, VA 24225 | Leased - EREC 244332L23 | 0.154444% | 0.0911 | 0.00019306 | RI |
| Gladys Gilbert, Widow 8809 Portner Ave Apt #2 Manassas, VA 20110 | Deemed Lease | 0.038612% | 0.0228 | 0.00004827 | RI |
| Pauline Butler, Single 334 S Rogers St Aberdeen, MD 21001 | Leased - EREC 244332L05 | 0.038612% | 0.0228 | 0.00004827 | RI |
| Pridemore Powers & Betty Powers, h/w 3265 Grand Ave Abilene, TX 79675 | Deemed Lease | 0.038612% | 0.0228 | 0.00004827 | RI |
| Maynard Powers, Deceased Address Unknown | Deemed Lease | 0.038612% | 0.0228 | 0.00004827 | RI |
| Bertie Counts, Widow Box 61 Castlewood, VA 24224 | Leased - EREC 244332L24 | 0.030889% | 0.0182 | 0.00003861 | RI |
| <u>Julie Kiser Heirs</u> | | | | | |
| Anita Conaway & Wayne Conaway, w/h HCR 01 Box 409 Birchleaf, VA 24225 | Leased - EREC 244332L19 | 0.015445% | 0.0091 | 0.00001931 | RI |
| Donnie Kiser & Diann Kiser, h/w P O Box 72 Lawndale, NC 28090 | Leased - EREC 244332L26 | 0.015444% | 0.0091 | 0.00001931 | RI |
| Maudie Stevens, Single HCR 01 Box 405 Birchleaf, VA 24220 | Leased - EREC 244332L20 | 0.030889% | 0.0182 | 0.00003861 | RI |
| Donald Kiser, Single Star Route Box 38 Cleveland, VA 24225 | Leased - EREC 244332L21 | 0.030889% | 0.0182 | 0.00003861 | RI |
| Vadie Blankenship & Edwin Blankenship, w/h 26934 Watauga Rd Abingdon, VA 24211-7356 | Deemed Leased | 0.030889% | 0.0182 | 0.00003861 | RI |

Anne J. Campbell, Widow
Route 1 Box 42
Cleveland, VA 24225

Leased - EREC
244332L03

0.051481%

0.0304

0.00006435 RI

Delphia Combs, Widow
General Delivery
Cleveland, VA 24225

Leased - EREC
244332L04

0.051481%

0.0304

0.00006435 RI

Equitable Resources Energy Company

0.01216250 WI

Tract 4 Totals

1.338519%

0.7896

0.01383565

TOTAL GAS ESTATE

99.948519%

58.7700

0.999936

Coal Estate Only

4 Pittston Company
c/o Clinchfield Coal Company
Attn: Steve Smith
P O Box 7
Dante, VA 24237

Leased - EREC
241490L01
Tract TC-214

1.390000%

0.8200

0.00173750 RI

Equitable Resources Energy Company

0.01216250 WI

Tract 4 Totals

1.390000%

0.8200

0.01390000

TOTAL COAL ESTATE

100.000000%

58.7700

1.00000000