

INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: Clara R. Smith, Executrix of the Estate of )  
James O. Smith )

RELIEF SOUGHT: Issuance of an Amended Supplemental )  
Order Amending Prior Orders Affecting )  
Drilling Unit VC-504637 Located in the Nora )  
Coalbed Gas Field, Dickenson County, VA )  
(herein "Subject Drilling Unit: to Provide )  
(1) Calculation of Funds Unit Operator )  
Deposited into the Escrow Account for )  
Subject Drilling Unit by Tract Subaccounts; )  
(2) to Petitioners, a Royalty Accounting; and )  
(3) Disbursement to Petitioners )  
in Accordance with Their Ownership )  
Interests in Those Funds Deposited by the )  
Unit Operator into Subject Drilling Unit's )  
Escrow Subaccount for VGOB Tract )

DOCKET NO.  
01-1016-0968-01

TAX MAP IDENTIFICATION  
NUMBERS: TAX MAP  
IDENTIFICATION NUMBERS  
FOR ALL PARCELS AFFECTED  
BY THIS ORDER ARE SHOWN  
ON EXHIBIT(S) \_\_\_\_\_  
WHICH IS/ARE ATTACHED TO  
AND A PART OF THIS ORDER.

*not paid  
Order  
revised*

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") on August 21, 2007 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** Jim Kaiser, Esquire, 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 subaccounts, 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 subaccounts. 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 tract in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. On November 19, 2001, the Board executed its order pooling all 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 §§ 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 Dickenson County on November 29, 2001 in Deed Book 370 at page 554. The Board designated Equitable Production Company as the Unit Operator of the Subject Drilling Unit. The Pooling Order was amended and supplemented by the Board's Supplemental Order regarding elections executed on March 1, 2002 that was filed with the Dickenson County Circuit Court Clerk's Office on March 8, 2002 in Deed Book 373 at page 461 ("Supplemental Order"). (hereafter the Pooling Order and the Supplemental Order are collectively referred to as the Pooling Order).
- 4.2. To the extent claims to the Gas were in conflict, pursuant to Va. Code § 45.1-361-22 payments attributable to said conflicting claims/interests were ordered deposited by the Unit Operator into the escrow account established by the Pooling Order (herein "Escrow Account"). According to the Pooling Order, the coalbed methane ownership of Pine Mountain Oil and Gas, Inc. and the oil and gas fee ownership of Clara R. Smith, Executrix of the Estate of James O. Smith or their predecessors in title in a 3.79-acre tract known as VGOB Tract 4 in Subject Drilling Unit VC-504637 were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3. The Petitioners' Miscellaneous Petition for the release of escrowed funds, dated June 15, 2007, a copy of which is attached to and made a part hereof, and sworn testimony attested that Pine Mountain Oil and Gas, Inc. and Clara R. Smith, Executrix of the Estate of James O. Smith have entered into a royalty split agreement, and that by terms of that agreement, escrow regarding the conflicting claims of said parties was no longer required.
- 4.4. The Unit Operator notified Pine Mountain Oil and Gas and Clara R. Smith, Executrix of the Estate of James O. Smith that its Miscellaneous Petition requested that the Board consider: (1) entering an Order to release the escrow funds attributable to Tract 4 and the interests of Clara R. Smith, Executrix of the Estate of James O. Smith being held by the Escrow Agent; and (2) delete the requirement that the Unit Operator place future royalties attributable to Clara R. Smith, Executrix of the Estate of James O. Smith in Tract 4 in the Escrow Account.
- 4.5. The Unit Operator filed the attached accountings for Subject Drilling Unit's Escrow Account with the Board ("Accountings").

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 tract 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 The Petitioners have certified and represented to the Board that:

- (1) Clara R. Smith, Executrix of the Estate of James O. Smith are the owners of 1/6 of the oil and gas estate underlying VGOB Tract 4 of the subject Drilling Unit.

- (2) Pine Mountain Oil and Gas, Inc. is the owner of 100% of the coal owner claim to coalbed methane under VGOB Tract 4 of the Subject Drilling Unit.
- (3) Pine Mountain Oil and Gas, Inc. and Clara R. Smith, Executrix of the Estate of James O. Smith have entered into a royalty split agreement specifying that 25% of escrowed funds are to be disbursed to Pine Mountain Oil and Gas Company and 75% of escrowed funds are to be disbursed to Clara R. Smith, Executrix of the Estate of James O. Smith. The agreement further specifies that all future royalties will be split in the same manner.
- (4) The net interests attributable and to be disbursed to Clara R. Smith, Executrix of the Estate of James O. Smith in Tract 4 are shown in Table 1, below.

TABLE-1			
Tract # <u>4</u> Owner Names	% Split	Net Interest in Unit	% Interest in VGOB 01-1016- 0968 balance
Clara R. Smith, Executrix of the Estate of James O. Smith 7905 Sequoia Drive Roanoke, VA 24019	75%	1/6 of 3.79 acres	1.6847%

6. **Relief Granted:**

For the reasons set forth in Paragraphs 4 and 5 above, and based upon the Accounting, the Escrow Agent is ordered to, within 10 days of receipt of this executed order: (1) Disburse escrowed funds attributable to VGOB Tract 4 and the interests of Clara R. Smith, Executrix of the Estate of James O. Smith according to the percentages shown in Table 1, above, and mail attributable proceeds to the address shown in the table.

Exhibits to the Pooling Order, showing owners subject to escrow, are deleted in toto and replaced with the Exhibit E attached hereto. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the coalbed methane ownership of Pine Mountain Oil and Gas, Inc. and the oil and gas fee ownership of Clara R. Smith, Executrix of the Estate of James O. Smith in Tract 4 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue 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 18<sup>th</sup> day of October, 2007, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

DONE AND PERFORMED this 18<sup>th</sup> day of October, 2007, by an Order of this Board.

  
B. R. Wilson  
Principal Executive to the Staff  
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA )  
COUNTY OF ~~WISE~~ )

Washington 18<sup>th</sup> day of October, 2007, personally before me 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  
Notary Public

My Commission expires: 9/30/09

COMMONWEALTH OF VIRGINIA )  
COUNTY OF WASHINGTON )

Acknowledged on this 18<sup>th</sup> day of October, 2007, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, 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  
Notary Public 174394

My commission expires: 9/30/09

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANTS: Equitable Production Company on behalf of Clara R. Smith,  
Executrix of the Estate of James O. Smith

DOCKET NUMBER: VGOB 01/10/16-0968-01

RELIEF SOUGHT: Supplemental Order for Disbursement of Escrowed  
Funds on behalf of James O. Smith and Clara Smith

LEGAL DESCRIPTIONS: Drilling Unit Number 504637 created by Board  
Order Dated November 28, 2001 VGOB 01/10/16-0968 in  
Dickenson County, Virginia.

HEARING DATE: July 17, 2007

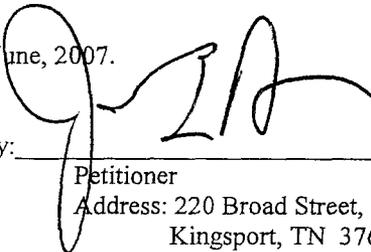
MISCELLANEOUS PETITION

1. Party: Applicants herein are Clara R. Smith, Executrix of the Estate of James O. Smith ,  
(hereinafter "Plaintiffs), whose address 241 Springbeauty Street NW, Roanoke, VA 24012.
2. Facts:
  - a. Equitable was designated as the Operator and Applicants interests were Pooled in the 504637  
Unit by Order of the Virginia Gas and Oil Board (hereinafter "Board") executed on  
November 28, 2001, pursuant to Docket No. VGOB 01/10/16-0968 and recorded in the  
Circuit Court Clerk's Office Russell County, Virginia on November 29, 2001, Deed Book  
370, Page 554 (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 01/10/16-0968 is the applicable  
Tract.
  - e. To resolve this conflict, a Letter dated February 22, 2007 signed by Phil Horn, District  
Landman 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.

Page 2

- 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. Equitable Production Company on behalf of Clara Smith 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 15th day of June, 2007.

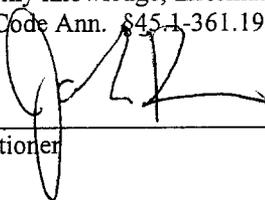
By: 

Petitioner

Address: 220 Broad Street, Suite 202  
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

Docket Number VGOB 01/10/16-0968

**Exhibit**

**504637**

Clara R. Smith  
241 Springbeauty Street NW  
Roanoke, VA 24012

PINE MOUNTAIN  
Oil and Gas, Inc.

P.O. Box 2136  
406 West Main Street  
Abingdon, Virginia 24212  
Phone: (276) 628-9001  
Fax: (276) 628-7246



February 22, 2007

Ms. Nikki Atkison  
Equitable Production Company  
225 North Shore Drive  
Pittsburgh, PA 15212

Re: Permanent Split of Royalty  
VC-504637  
Clara R. Smith, et al 4 Acre Tract  
Dickenson County, Virginia

Dear Ms. Atkison:

Enclosed is a copy of a letter dated January 23, 2007, between Pine Mountain Oil and Gas, Inc. and Clara R. Smith, Executrix of the Estate of James Olive Smith, deceased, where we have agreed to a 75%/25% permanent split of escrowed royalty and all future royalty from the above well covering her undivided interest under the above 4 acre tract. So please release the escrowed royalty to above owner and Pine Mountain Oil and Gas, Inc. and begin making all future payments to above parties.

By copy of this letter, we are notifying Clara R. Smith of our action on this matter. If you have any questions or comments, please do not hesitate to contact me by phone at (276) 628-2583 or by e-mail at [phorn@gl-energy.com](mailto:phorn@gl-energy.com).

Sincerely,

PINE MOUNTAIN OIL & GAS, INC.

A handwritten signature in black ink that reads "Phil Horn". The signature is written in a cursive, slightly slanted style.

Phil Horn  
District Landman

Enclosures  
cc: Clara R. Smith

504637  
VGOB 01-1016-0968

<u>Tract</u>	<u>Owner Name and Address</u>	<u>Owner Net Interest</u>	<u>Total Net Interest</u>	<u>Total Amount in Escrow</u>	<u>Owner's Amount in Escrow</u>
<b><u>EPC figures</u></b>					
4	Clara R. Smith, Executrix of James O Smith Estate 20275 Vances Mill Rd Abingdon, VA 24211-6737	0.00134375	0.07976250	\$ 26,877.52	\$452.80
<b><u>Bank Figures</u></b>					
	Clara R. Smith, Executrix of James O Smith Estate 20275 Vances Mill Rd Abingdon, VA 24211-6737	0.00134375	0.07976250	\$26,877.52	\$452.80
		0.00134375	0.07976250	\$1,591.74	\$26.82 Interest
		0.00134375	0.07976250	(\$15.37)	(\$0.26) Fees

EX. D

PINE MOUNTAIN  
Oil and Gas, Inc.

P.O. Box 2136  
406 W. Main Street  
Abingdon, Virginia 24212  
Phone: (276) 628-9001  
Fax: (276) 628-7246



January 23, 2007

Mrs. Clara R. Smith, Executrix of the Estate of James Olive Smith  
241 Springbeauty Street Northwest  
Roanoke, Virginia 24012

Re: Permanent Split of CBM Royalty  
VC-504637 Well  
Dickenson County, Virginia

Dear Mrs. Smith:

As you are aware, Equitable Production Company ("EPC"), has drilled the referenced coalbed methane gas wells on a tracts of land (the "Property" or "Subject Tract") in which Pine Mountain Oil and Gas, Inc. ("PMOG") owns the coalbed methane gas through its deed from the former coal owner underlying the Property and you own an undivided interest in the gas. The above has created conflicting claims as to the ownership of the coalbed methane gas on the Subject Tract between ("PMOG"), as the owner of the coalbed methane gas through its deed from the former coal owner, and you, as the owner of an undivided interest in the gas. Plats indicating the location of the wells within the operating units are enclosed for your reference.

Due to our conflicting interests in the Subject Tract, EPC, as operator of the unit, has placed all royalty proceeds attributable to our conflicting interests into an escrow account. These royalty proceeds will remain in the escrow account until either a final legal determination of our conflicting claims to the coalbed methane gas is made or we reach an agreement on the division of the royalty proceeds. The most economical and expedient way to secure a release of the escrowed funds is for us to enter into an agreement which sets forth how the funds are to be distributed. Accordingly, in order to avoid the expense and time required to resolve the ownership question through the courts, PMOG proposes resolving this matter by the agreement described below. Such an agreement will allow us to request distribution of the proceeds presently held in the escrow account and direct payment of all future proceeds.

PMOG proposes that you receive disbursement of 75% of the proceeds held in the escrow account on the above-mentioned wells and that PMOG receive disbursement of 25% of the proceeds held in the escrow account on the above-mentioned wells. PMOG proposes the same percentage division for all future production payments which may accrue to our conflicting interests from the above-mentioned wells. PMOG will, at its sole expense, pursue the administrative process required to secure release of the proceeds held in the escrow account and will absorb all future costs of administering this letter agreement. None of these expenses and costs will be deducted from your 75% of the royalty proceeds. It is also agreed that the royalty from any future coalbed methane gas

wells drilled upon the subject tract or upon other lands in which the subject tract is pooled therewith will be permanently split in the same 75%/25% proportion.

If this division of proceeds is agreeable with you, PMOG will diligently pursue the administrative processes required to secure release of the proceeds in the escrow account to you and PMOG. You will be provided with copies of the correspondence to EPC, requesting distribution of the escrowed funds as well as the directive to EPC to pay all future royalties and other benefits attributable to our conflicting interests in the same 75% / 25% proportion.

This letter agreement effects a permanent division of the accrued, suspended or escrowed royalty payments and all future royalty payments on the above-mentioned wells and future wells which is binding upon you, your heirs and assigns and PMOG and its successors and assigns. By entering into this agreement, the parties agree to refrain from making any claim or bringing any suit against the other party attacking the other party's coalbed methane interests set forth in this letter agreement. It is expressly agreed by the parties hereto that the division of the accrued, suspended or escrowed royalty payments and all future royalty payments on the above-mentioned well shall remain subject to this letter agreement, regardless of any subsequent judicial determination of ownership of coalbed methane in the Commonwealth of Virginia. Provided, however, nothing contained in this letter agreement shall change or alter the parties' common law rights and liabilities or the legal title to their respective coal and gas estates.

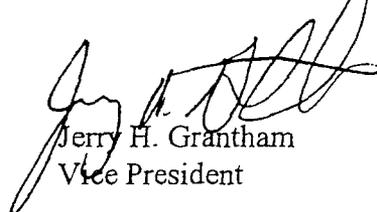
By entering into this letter agreement, you confirm that you are the current record title owner of an undivided interest in the gas estate underlying the tract attributed to James O. Smith, et al. on the enclosed plats. If you are not the current gas owner, please notify us immediately.

By accepting the terms and conditions of this letter agreement, you are directing EPC to disburse royalties in accordance with this agreement. It is understood and agreed that no other terms or conditions of your lease with EPC are affected by this letter agreement.

Please evidence your agreement to these terms by signing this letter agreement on the line indicated below and returning this letter agreement to PMOG in the enclosed self-addressed, stamped envelope. If you have any questions, please do not hesitate to call Phil Horn at 276-619-2583.

Sincerely,

PINE MOUNTAIN OIL AND GAS, INC.



Jerry H. Grantham  
Vice President

Enclosures

AGREED TO AND ACCEPTED BY

BY: Clara R. Smith  
CLARA R. SMITH, EXECUTRIX OF THE ESTATE OF JAMES OLIVE SMITH

PINE MOUNTAIN OIL AND GAS, INC.

BY: Jerry H. Grantham  
JERRY H. GRANTHAM  
VICE PRESIDENT

STATE OF VIRGINIA

COUNTY OF Roanoke, to-wit:

I, Gloria Clayton, a Notary Public in and for the State and County aforesaid, do hereby certify Clara R. Smith, Executrix of the Estate of James Olive Smith, whose name is signed to the writing hereto annexed, have this day acknowledged the same before me, in said County and State.

Given under my hand and notarial seal this the 2 day of Feb, 2007.

My commission expires 4/30/2010.

Gloria Clayton  
Notary Public

COMMONWEALTH OF VIRGINIA

COUNTY OF WASHINGTON, to-wit:

I, Philip Horn, a Notary Public in and for the State and County aforesaid, do hereby certify that Jerry H. Grantham, Vice President of Pine Mountain Oil and Gas, Inc., whose name as such is signed to the writing hereto annexed, bearing date the 23<sup>rd</sup> day of January, 2007, has this day, before me, in my said County acknowledged the said writing on behalf of said corporation.

Given under my hand and notarial seal this the 26<sup>th</sup> day of January, 2007.

My commission expires 1/31/07.

Philip Horn  
Notary Public

Lease No. 241490L / T-176  
Noah Smith  
121.77 Acres  
Clinchfield Coal Company /  
Pyxis Resources Company - coal  
Pine Mountain Oil & Gas, Inc. - oil & gas

Lease No. 242289L  
James O. Smith, et al - oil & gas  
4 Acres  
Lease No. 244792 / TC-154  
Clinchfield Coal Company /  
Pyxis Resources Company - coal

Lease No. 242166L  
Ralph & Jimmie Stanley - oil & gas  
69.00 Acres  
Lease No. 244792 / TC-154  
Clinchfield Coal Company /  
Pyxis Resources Company - coal

Lease No. 242429L  
Hulah Bentley, et al -  
surface, oil & gas  
50.5 Acres  
Lease No. 244792 / TC-154  
Clinchfield Coal Company /  
Pyxis Resources Company - coal

Lease No. 244746L  
Wilma Overbay - oil & gas  
16.038 Acres  
Lease No. 244792 / TC-154  
Clinchfield Coal Company /  
Pyxis Resources Company - coal

CBM  
VC-4637

Clinchfield Coal Company /  
Pyxis Resources Company - sur.

Lease No. 241882L  
Albert Curtis Adkins  
& Eva Mae Adkins - oil & gas  
35.13 Acres  
Lease No. 244792 / TC-154  
Clinchfield Coal Company /  
Pyxis Resources Company - coal

Well Coordinates: (VA St. Plane S. Zone,  
Calculated from CCC coordinates)  
N 287,821 E 864,637

Well Coordinates: (Clinchfield Coal Co.)  
S 14,696.17 W 2,496.02

Area of Unit = 58.77 Ac.

Well elevation determined by  
GPS survey from Mon. Hatchet

WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-4637  
TRACT NO. Tr. No. 242429L ELEVATION 2362.41 QUADRANGLE Caney Ridge  
COUNTY Dickenson DISTRICT Kenady SCALE 1" = 400' DATE 7-11-2000

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.

PRELIMINARY PLAT

Licensed Professional Engineer or Licensed Land Surveyor

**EXHIBIT E**  
**VC-504637**  
**VGOB 01/10/16-0968**

Gas Estate

<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>
1	Hulah Bentley, Single 13840 N. Desert Harbor Dr. Apt 131 Peoria, AZ 85381-3501	Leased-EPC 242429L01	11.68875000%	6.8700	0.01461094 RI
	John Greever and Margaret Greever, H/W PO Box 413 Orcas, WA 98280	Leased-EPC 242429L01	11.68875000%	6.8700	0.01461094 RI
	Jean Lui Phipps PO Box 1006 Wise, VA 24293	Leased-EPC 242429L02	7.79250000%	4.5800	0.00974062 RI
2	Albert Curtis Adkins & Eva Mae Adkins HC05 Box 662 Coeburn, VA 24230	Leased-EPC 241882L	0.12000000%	0.0700	0.00015000 RI
3	Charles Gose Dickenson, Jr PO Box 691 Castlewood, VA 24224	Leased-EPC 244746L	23.16000000%	13.6100	0.02895000 RI
4	Margaret Peacock, Widow 2410 South 300 East Anderson, IN 46011	Leased-EPC 242289L05	1.07500000%	0.6317	0.00134375 RI
	Ollie J. Smith 2808 East Lyn Street Apt 4 Anderson, IN 46016	Leased-EPC 242289L01	1.07500000%	0.6317	0.00134375 RI
	William E Smith and Barbara Smith, H/W 4208 Roundhill Road Anderson, IN 46016	Leased-EPC 242289L02	1.07500000%	0.6317	0.00134375 RI
	Wilda Ann Smith 13225 Dalafield Avenue Hawthorne, CA 90250	Leased-EPC 242289L04	1.07500000%	0.6316	0.00134375 RI
	Michael Greene and Wendy Green, H/W 1204 Foxfire Drive Greensboro, NC 27410	Unleased	1.07500000%	0.6316	0.00134375 RI

6 Ralph & Jimmie Stanley Leased-EPC 2.91000000% 1.7100 0.00363750 RI  
Route HC 05 Box 576 242166L  
Coeburn, VA 24230

Coal Estate

1 Pittston Company Leased-EPC 31.17000000% 18.3200 0.03896250 RI  
c/o Pine Mountain Oil & Gas 244792L  
Attn: Richard M. Brillhart TC-154  
PO Box 5100  
Lebanon, VA 24266

2 Pittston Company Leased-EPC 0.12000000% 0.0700 0.00015000 RI  
c/o Pine Mountain Oil & Gas 244792L  
Attn: Richard M. Brillhart TC-154  
PO Box 5100  
Lebanon, VA 24266

3 Pittston Company Leased-EPC 23.16000000% 13.6100 0.02895000 RI  
c/o Pine Mountain Oil & Gas 244792L  
Attn: Richard M. Brillhart TC-154  
PO Box 5100  
Lebanon, VA 24266

4 Pittston Company Leased-EPC 6.45000000% 3.7900 0.00806250 RI  
c/o Pine Mountain Oil & Gas 244792L  
Attn: Richard M. Brillhart TC-154  
PO Box 5100  
Lebanon, VA 24266

6 Pittston Company Leased-EPC 2.91000000% 1.7100 0.00363750 RI  
c/o Pine Mountain Oil & Gas 244792L  
Attn: Richard M. Brillhart TC-154  
PO Box 5100  
Lebanon, VA 24266

INSTRUMENT #070002087  
RECORDED IN THE CLERK'S OFFICE OF  
DICKENSON ON  
NOVEMBER 1, 2007 AT 10:12AM  
JOE TATE, CLERK

RECORDED BY: JBM

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF DICKENSON COUNTY, 11/1, 2007. This deed was this day  
presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:12 o'clock A.M., after payment of  
\$ 0 tax imposed by Sec. 58.1-802.

Original returned this date to: [Signature]

TESTE: JOE TATE, CLERK  
BY: [Signature] D. CLERK