

Instrument Control Number

000060 JAN 22 3

Commonwealth of Virginia
Land Record Instruments
Cover Sheet - Form A

[ILS VLR Cover Sheet Agent 1.0.83]

INSTRUMENT #200400263
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
JANUARY 22, 2004 AT 12:41PM
J. JACK KENNEDY, JR., CLERK

T A X E X E M P T

C O R P
Date of Instrument: [1/22/2004]
Instrument Type: [ORDER]
Number of Parcels [1]
Number of Pages [8]
City [] County [x] [Wise County]

BY: [Signature] (100)

(Box for Deed Stamp Only)

First and Second Grantors

Table with 4 columns: Last Name, First Name, Middle Name or Initial, Suffix. Row 1: [Virginia Gas and Oil Bo] [] [] []

First and Second Grantees

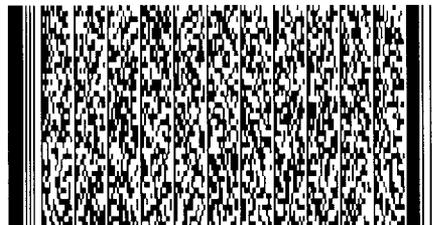
Table with 4 columns: Last Name, First Name, Middle Name or Initial, Suffix. Row 1: [Wright] [Jackie] [] []

Grantee Address (Name) [Equitable Production Company]
(Address 1) [1710 Pennsylvania Avenue]
(Address 2) []
(City, State, Zip) [Charleston] [WV] [25363]

Consideration [0.00] Existing Debt [0.00] Assumption Balance [0.00]

Prior Instr. Recorded at: City [x] County [] [Wise] Percent. in this Juris. [100]
Book [] Page [] Instr. No [200305642]
Parcel Identification No (PIN) [VGOB 0304151126/V535431]
Tax Map Num. (if different than PIN) []
Short Property Description [Supplemental Order]
Current Property Address (Address 1) []
(Address 2) []
(City, State, Zip) [] [] []

Instrument Prepared By [Virginia Gas and Oil Board]
Recording Paid for By [Dept. Mines, Minerals & Energy]
Return Recording To (Name) [Diane Davis]
(Address 1) [DMME]
(Address 2) [P. O. Box 1416]
(City, State, Zip) [Abingdon] [VA] [24212]
Customer Case ID [VGOB0304151126] [] []



VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING DOCKET NO. VGOB-03/04/15-1126

ELECTIONS, UNIT: V-535431

(hereinafter "Subject Drilling Unit")

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 requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on November 3, 2003 and recorded Instrument No. 200305642 in the Office of the Clerk of Circuit Court, Wise County, Virginia on November 6, 2003 (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest 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 Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
 - (b) The designated operator filed its affidavit of mailing dated November 13, 2003, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;
 - (c) The Board Order required each Respondent whose interest, 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 January 5, 2004, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, 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, interest, 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 furnished said Statement of Interests as part of its Affidavit of Election.
- (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, 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. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
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, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, 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 true and correct copy 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.

000054 JAN 22 2004

DONE AND EXECUTED this 14th day of January, 2004 by a majority of the Virginia Gas and Oil Board.

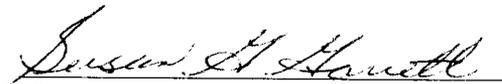

Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 21st day of January, 2004 by Order of this Board.


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

STATE OF VIRGINIA)
COUNTY OF WISE)

Acknowledged on this 14th day of January, 2004, 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.


Notary Public

My commission expires: 7-31-06.

STATE OF VIRGINIA)
COUNTY OF ~~WISE~~ Washington

Acknowledged on this 21st day of January, 2004, 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 Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public

My commission expires: 9/30/05.

Order Recorded Under Code of
Virginia Section 45.1-361.26

VIRGINIA:***BEFORE THE VIRGINIA GAS AND OIL BOARD***

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number V-535431 VGOB Docket No. VGOB-03/04/15-1126 in the Gladeville Magisterial District of Wise County, Virginia.

AFFIDAVIT OF WILHOIT & KAISER, 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 an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Suite 202, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on **November 3, 2003**, 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 are added as Respondents at the hearing held in the 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 **November 6, 2003**.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, 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 periods:

Tract

3

NameJackie Wright &
Carol Wright**Cash Consideration**

0.0904 x \$5.00 = \$ 0.46

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:

<u>Tract</u>	<u>Name</u>	<u>Cash Consideration</u>
3	Ann Blackburn Rambo Watkins Johnny Wayne Weaver Unknown Heir (addresses Unknown)	0.0904 x \$5.00 = \$ 0.46

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:

NONE

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 paragraph 10 of the Order.

<u>Tract</u>	<u>Name</u>	<u>Cash Consideration</u>
3	Ann Blackburn Rambo Watkins Johnny Wayne Weaver Unknown Heir (addresses unknown)	0.0904 x \$5.00 = \$.46

That pursuant to the provision of 4VAC 25-160.70C 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 required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this JK day of Jan 2004.

[Signature]
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 5th day of January 2004.

My commission expires: 07/25/05

[Signature]
Notary

INSTRUMENT #200400263
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
JANUARY 22, 2004 AT 12:41PM
J. JACK KENNEDY, JR., CLERK

BY: [Signature] (36)

EXHIBIT "B"

000068 JAN 22 8

<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</u>					
1	Coastal Coal Corporation, LLC Attn: Mr. Jess Justice PO Box 1578 Coeburn VA 24230-1578	Leased-EPC 904576 Tract WI-182	53.02000000%	59.7500	0.06627500 RI
	<u>Equitable Production Company</u>				0.46392500 WI
Tract 1 Totals			53.02000000%	59.7500	0.53020000
2	Coastal Coal Corporation, LLC Attn: Mr. Jess Justice PO Box 1578 Coeburn VA 24230-1578	Leased-EPC 904576 Tract WI-181	35.79000000%	40.3400	0.04473750 RI
	<u>Equitable Production Company</u>				0.31316250 WI
Tract 2 Totals			35.79000000%	40.3400	0.35790000
3	Coastal Coal Corporation, LLC Attn: Mr. Jess Justice PO Box 1578 Coeburn VA 24230-1578	Leased-EPC 904576 Tract WI-154	9.14850000%	10.3075	0.01143563 RI
	<u>Laura Meade Wright Heirs</u> Jackie Wright and Carol Wright, H/W Route 3, Box 96A Castlewood, VA 24224	Elected Cash Consideration	0.08025000%	0.0904	0.00010031 RI
	Fred Wright and Judy Wright, H/W 74 Spring Valley Road Bristol, VA 24201	Leased-EPC	0.08025000%	0.0904	0.00010031 RI
	Jerry Wright and Mary Wright, H/W PO Box 721 St. Paul VA 24283	Leased-EPC	0.08025000%	0.0904	0.00010031 RI
	Gene Wright and Linda Wright, H/W PO Box 72 St. Paul, VA 24283	Leased-EPC	0.08025000%	0.0904	0.00010031 RI

EXHIBIT "B"

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<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>
	Gay McCoy and Burt McCoy PO Box 385 Lebanon, VA 24266	Leased-EPC	0.08025000%	0.0904	0.00010031 RI
	<u>William B. Rambo Heirs</u> Ann Blackburn Rambo Watkins Johnny Wayne Weaver Unknown Heir (addresses unknown)	Unleased	0.08025000%	0.0904	0.00010032 RI
	Equitable Production Company				0.08426250 WI
Tract 3 Totals			9.63000000%	10.8500	0.09630000
4	Glen Castle and Judy J. Castle, H/W PO Box 365 Castlewood, VA 24224	Leased-EPC 904819	0.07000000%	0.0800	0.00008750 RI
	Equitable Production Company				0.00061250 WI
Tract 4 Totals			0.07000000%	0.0800	0.00070000
5	Johnny Ray Edwards and Angela Dawn Edwards, H/W PO Box 1424 Coeburn, WV 24230	Leased-EPC 904820	0.43000000%	0.4800	0.00053750 RI
	Equitable Production Company				0.00376250 WI
Tract 5 Totals			0.43000000%	0.4800	0.00430000
6	Lee Roy Dunford, single PO Box 819 Castlewood, VA 24224	Leased-EPC	1.06000000%	1.1900	0.00132500 RI
	Equitable Production Company				0.00927500 WI
Tract 6 Totals			1.06000000%	1.1900	0.01060000
TOTAL GAS ESTATE			100.00000000%	112.6900	1.00000000