

899
INSTRUMENT NO. 050000117
Recorded in the Clerk's Office
of Dickenson County

BK 408 PG 247

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING DOCKET NO. VGOB 03/08/19-1194

ELECTIONS, UNIT: VC-505218

(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 **June 14, 2004**, and recorded in Book 401, Page 573 in the Office of the Clerk of Circuit Court, Dickenson County, Virginia on July 2, 2004 (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 **July 12, 2004**, 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 October 18, 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. A copy of which is attached hereto as Exhibit B;

(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 a true and correct copy of this Order was mailed 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.

Diane J. Davis
Diane J. Davis
Notary Public

My commission expires: 9/30/05

EXHIBIT "B" 250
VC-505218

SUPPLEMENTAL EXHIBIT "B"
VGOB 03/08/19-1194

<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>					
1	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	Leased-EPC 904917	6.060000%	3.570000	0.00757500 RI
	Equitable Production Company				0.05302500 WI
Tract 1 Totals			6.060000%	3.570000	0.06060000
2	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	Unleased	6.280000%	3.690000	0.00785000 RI
	Equitable Production Company				0.05495000 WI
Tract 2 Totals			6.280000%	3.690000	0.06280000
3	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	Unleased	4.630000%	2.720000	0.00578750 RI
	Equitable Production Company				0.04051250 WI
Tract 3 Totals			4.630000%	2.720000	0.04630000
4	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	Leased-EPC 904917	0.290000%	0.170000	0.00036250 RI
	Equitable Production Company				0.00253750 WI
Tract 4 Totals			0.290000%	0.170000	0.00290000
5	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	Leased-EPC 904917	8.240000%	4.840000	0.01030000 RI
	Equitable Production Company				0.07210000 WI
Tract 5 Totals			8.240000%	4.840000	0.08240000
6	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	Unleased	0.540000%	0.320000	0.00067500 RI
	Equitable Production Company				0.00472500 WI
Tract 6 Totals			0.540000%	0.320000	0.00540000
7	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	Leased-EPC 904917	6.860000%	4.030000	0.00857500 RI
	Equitable Production Company				0.06002500 WI
Tract 7 Totals			6.860000%	4.030000	0.06860000
8	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	Leased-EPC 904917	7.500000%	4.410000	0.00937500 RI
	Equitable Production Company				0.06562500 WI
Tract 8 Totals			7.500000%	4.410000	0.07500000

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EXHIBIT "B"
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SUPPLEMENTAL EXHIBIT "B"
VGOB 03/08/19-1194

<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>
9	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	Leased-EPC 904917	0.270000%	0.160000	0.00033750 RI
	Equitable Production Company				0.00236250 WI
Tract 9 Totals			0.270000%	0.160000	0.00270000
10	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	Leased-EPC 904917	0.430000%	0.250000	0.00053750 RI
	Equitable Production Company				0.00376250 WI
Tract 10 Totals			0.430000%	0.250000	0.00430000
11	Franklin Rose and Patricia Rose, his wife Life Tenant P O Box 378 Dante, VA. 24237	Leased-EPC 904929.01	0.337500%	0.196875	0.00042188 RI
	Rick Woodruff and Robin Woodruff, his wife Remaindermen: Route 2, Box 136-06 Castlewood, VA 24224	Unleased	(.16875)	(.09845)	(.00021094) RI
	Bobby Rose and Tami Rose, his wife Remaindermen 3939 Honey Branch St Paul, VA 24283	Unleased	(.16875)	(.09845)	(.00021094) RI
	Emma Jea Rose Wolf Route 3 Box 272B Castlewood, VA 24224	Leased-EPC 904929.02	0.022500%	0.013125	0.00002813 RI
	Equitable Production Company				0.00315000 WI
Tract 11 Totals			0.360000%	0.210000	0.00360001
12	Franklin Rose and Patricia Rose, his wife Life Tenant P O Box 378 Dante, VA. 24237	Leased-EPC 904929.01	1.200000%	0.703125	0.00150000 RI
	Rick Woodruff and Robin Woodruff, his wife Remaindermen: Route 2, Box 136-06 Castlewood, VA 24224	Unleased	(.600)	(.35155)	(.00075000) RI
	Bobby Rose and Tami Rose, his wife Remaindermen 3939 Honey Branch St Paul, VA 24283	Unleased	(.600)	(.35155)	(.00075000) RI
	Emma Jea Rose Wolf Route 3 Box 272B Castlewood, VA 24224	Leased-EPC 904929.02	0.080000%	0.046875	0.00010000 RI
	Equitable Production Company				0.01120000 WI
Tract 12 Totals			1.280000%	0.750000	0.01280000

EXHIBIT "B"
VC-505218
SUPPLEMENTAL EXHIBIT "B"
VGOB 03/08/19-1194

<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>
13	Pittston Company c/o Pine Mountain Oil & Gas, Inc ATTN: Richard Brillhart P O Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-166	47.510000%	27.920000	0.05938750 RI
	Equitable Production Company				0.41571250 WI
Tract 13 Totals			47.510000%	27.920000	0.47510000
14	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	Leased-EPC 241490.01 TL-223	9.750000%	5.730000	0.01218750 RI
	Equitable Production Company				0.08531250 WI
Tract 14 Totals			9.750000%	5.730000	0.09750000
TOTAL GAS ESTATE			100.000000%	58.770000	1.00000001
<u>Coal Estate Only</u>					
1	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	Leased-EPC 241490.01 TL-223	6.060000%	3.570000	0.00757500 RI
	Equitable Production Company				0.05302500 WI
Tract 1 Totals			6.060000%	3.570000	0.06060000
2	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	Leased-EPC 241490.01 TL-223	6.280000%	3.690000	0.00785000 RI
	Equitable Production Company				0.05495000 WI
Tract 2 Totals			6.280000%	3.690000	0.06280000
3	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-164	4.630000%	2.720000	0.00578750 RI
	Equitable Production Company				0.04051250 WI
Tract 3 Totals			4.630000%	2.720000	0.04630000
4	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	Leased-EPC 241490.01 TL-223	0.290000%	0.170000	0.00036250 RI
	Equitable Production Company				0.00253750 WI
Tract 4 Totals			0.290000%	0.170000	0.00290000

VC-505218
 SUPPLEMENTAL EXHIBIT "B"
 VGOB 03/08/19-1194

<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>
5	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-164	8.240000%	4.840000	0.01030000 RI
	Equitable Production Company				0.07210000 WI
Tract 5 Totals			8.240000%	4.840000	0.08240000
6	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-164	0.540000%	0.320000	0.00067500 RI
	Equitable Production Company				0.00472500 WI
Tract 6 Totals			0.540000%	0.320000	0.00540000
7	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-164	6.860000%	4.030000	0.00857500 RI
	Equitable Production Company				0.06002500 WI
Tract 7 Totals			6.860000%	4.030000	0.06860000
8	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-164	7.500000%	4.410000	0.00937500 RI
	Equitable Production Company				0.06562500 WI
Tract 8 Totals			7.500000%	4.410000	0.07500000
9	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	Leased-EPC 241490.01 TL-223	0.270000%	0.160000	0.00033750 RI
	Equitable Production Company				0.00236250 WI
Tract 9 Totals			0.270000%	0.160000	0.00270000
10	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-164	0.430000%	0.250000	0.00053750 RI
	Equitable Production Company				0.00376250 WI
Tract 10 Totals			0.430000%	0.250000	0.00430000
11	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-164	0.360000%	0.210000	0.00045000 RI

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EXHIBIT "B"

VC-505218

SUPPLEMENTAL 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>
	Equitable Production Company				0.00315000 WI
Tract 11 Totals			0.360000%	0.210000	0.00360000
12	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-166	1.280000%	0.750000	0.00160000 RI
	Equitable Production Company				0.01120000 WI
Tract 12 Totals			1.280000%	0.750000	0.01280000
13	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	Leased-EPC 244792.01 TC-166	47.510000%	27.920000	0.05938750 RI
	Equitable Production Company				0.41571250 WI
Tract 13 Totals			47.510000%	27.920000	0.47510000
14	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	Leased-EPC 241490.01 TL-223	9.750000%	5.730000	0.01218750 RI
	Equitable Production Company				0.08531250 WI
Tract 14 Totals			9.750000%	5.730000	0.09750000
TOTAL COAL ESTATE			100.000000%	58.770000	1.000000

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-505218 VGOB Docket No. VGOB-03/08/19-1194 in the Kenady Magisterial District of Dickenson 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, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on **June 14, 2004**, by the Virginia Gas and Oil Board regarding the captioned coalbed methane 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 **July 2, 2004**.
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:

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 as either unknown claimants or conflicting claimants 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:

TRACT	LESSOR	NET REVENUE INTEREST
<u>GAS ESTATE</u>		
1	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	0.00757500
OR		
<u>COAL ESTATE</u>		
1	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	0.00757500
<u>GAS ESTATE</u>		
2	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	0.00785000
OR		
<u>COAL ESTATE</u>		
2	Standard Banner Coal Company ATTN: Conrad McNeer 5614 West 25th Terrace Topeka, KS 66614	0.00785000
<u>GAS ESTATE</u>		
3	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	0.00578750
OR		
<u>COAL ESTATE</u>		
3	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	0.00578750
<u>GAS ESTATE</u>		
4	Harry Salyer Route 1 Box 3N Castlewood, VA 24224	0.00036250
OR		

COAL ESTATE

4 Standard Banner Coal Company 0.00036250
 ATTN: Conrad McNeer
 5614 West 25th Terrace
 Topeka, KS 66614

GAS ESTATE

5 Harry Salyer 0.01030000
 Route 1 Box 3N
 Castlewood, VA 24224

OR

COAL ESTATE

5 Pittston Company 0.01030000
 c/o Pine Mountain Oil & Gas, Inc.
 ATTN: Richard Brillhart
 PO Box 5100
 Lebanon, VA 24266

GAS ESTATE

6 Jerry D. Farmer 0.00067500
 76 Hassan Heights Road
 Bristol, VA. 24201

OR

COAL ESTATE

6 Pittston Company 0.00067500
 c/o Pine Mountain Oil & Gas, Inc.
 ATTN: Richard Brillhart
 PO Box 5100
 Lebanon, VA 24266

GAS ESTATE

7 Harry Salyer 0.00857500
 Route 1 Box 3N
 Castlewood, VA 24224

OR

COAL ESTATE

7 Pittston Company 0.00857500
 c/o Pine Mountain Oil & Gas, Inc.
 ATTN: Richard Brillhart
 PO Box 5100
 Lebanon, VA 24266

GAS ESTATE

8 Harry Salyer 0.00937500
 Route 1 Box 3N
 Castlewood, VA 24224

OR

COAL ESTATE

8 Pittston Company 0.00937500
 c/o Pine Mountain Oil & Gas, Inc.
 ATTN: Richard Brillhart
 PO Box 5100
 Lebanon, VA 24266

GAS ESTATE

9 Harry Salyer 0.00033750
Route 1 Box 3N
Castlewood, VA 24224

OR

COAL ESTATE

9 Standard Banner Coal Company 0.00033750
ATTN: Conrad McNeer
5614 West 25th Terrace
Topeka, KS 66614

GAS ESTATE

10 Harry Salyer 0.00053750
Route 1 Box 3N
Castlewood, VA 24224

OR

COAL ESTATE

10 Pittston Company 0.00053750
c/o Pine Mountain Oil & Gas, Inc.
ATTN: Richard Brillhart
PO Box 5100
Lebanon, VA 24266

GAS ESTATE

11 Franklin Rose and 0.00042188
Patricia Rose, his wife
Life Tenant
P O Box 378
Dante, VA. 24237

Rick Woodruff and (.00021094)
Robin Woodruff, his wife
Remaindermen:
Route 2, Box 136-06
Castlewood, VA 24224

11 Bobby Rose and (.00021094)
Tami Rose, his wife
Remaindermen
3939 Honey Branch
St Paul, VA 24283

Emma Jea Rose Wolf 0.00002813
Route 3 Box 272B
Castlewood, VA 24224

OR

COAL ESTATE

11 Pittston Company 0.00045000
c/o Pine Mountain Oil & Gas, Inc.
ATTN: Richard Brillhart
PO Box 5100
Lebanon, VA 24266

GAS ESTATE

12	Franklin Rose and Patricia Rose, his wife Life Tenant P O Box 378 Dante, VA. 24237	0.00150000
	Rick Woodruff and Robin Woodruff, his wife Remaindermen: Route 2, Box 136-06 Castlewood, VA 24224	(.00075000)
	Bobby Rose and Tami Rose, his wife Remaindermen 3939 Honey Branch St Paul, VA 24283	(.00075000)
	Emma Jea Rose Wolf Route 3 Box 272B Castlewood, VA 24224	0.00010000

**OR
COAL ESTATE**

12	Pittston Company c/o Pine Mountain Oil & Gas, Inc. ATTN: Richard Brillhart PO Box 5100 Lebanon, VA 24266	0.00160000
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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.

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>Payee</u>	<u>Cash Consideration</u>
2	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	3.6900 X \$5.00 = \$18.45
3	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	2.7200 X \$5.00 = \$13.60
6	Jerry D. Farmer 76 Hassan Heights Road Bristol, VA. 24201	0.3200 X \$5.00 = \$1.60

11 Rick Woodruff and 0.0985 X \$5.00 = \$0.49
Robin Woodruff, his wife
Remaindermen:
Route 2, Box 136-06
Castlewood, VA 24224

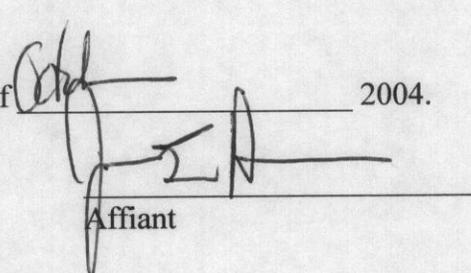
Bobby Rose and 0.0985 X \$5.00 = \$0.49
Tami Rose, his wife
Remaindermen
3939 Honey Branch
St Paul, VA 24283

12 Rick Woodruff and 0.351550 X \$5.00 = \$1.76
Robin Woodruff, his wife
Remaindermen:
Route 2, Box 136-06
Castlewood, VA 24224

Bobby Rose and 0.351550 X \$5.00 = \$1.76
Tami Rose, his wife
Remaindermen
3939 Honey Branch
St Paul, VA 24283

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 18 day of October 2004.


Affiant

ENTERED

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 18th day of October 2004.

My commission expires: 1-15-06

Cynthia Williams
Notary



INSTRUMENT #050000117
RECORDED IN THE CLERK'S OFFICE OF
DICKENSON ON
JANUARY 20, 2005 AT 11:31AM
JOE TATE, CLERK

RECORDED BY: TJB

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF DICKENSON COUNTY, 1/20, 2005 This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 11:31 o'clock A M, after payment of \$ 0 tax imposed by Sec. 58.1-802.

Original returned this date to: Miane Davis

TESTE: JOE TATE, CLERK
BY: Tracy Baker D. CLERK