

1362

Instrument Control Number

[Empty box for Instrument Control Number]

000074 DEC-28

Commonwealth of Virginia
Land Record Instruments
Cover Sheet - Form A

INSTRUMENT #200903984
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
DECEMBER 2, 2009 AT 04:24PM

J. JACK KENNEDY, JR., CLERK
RECORDED BY: ADH

[ILS VLR Cover Sheet Agent 1.0.93]

T
A
X

E
X
E
M
P
T

C
O
R
P

Date of Instrument: [12/1/2009]

Instrument Type: [OTHER]

Number of Parcels [2]

Number of Pages [10]

City County [Wise County]

(Box for Deed Stamp Only)

First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[VIRGINIA GAS & OIL]	[]	[]	[]
[]	[]	[]	[]

First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[ACIN, LLC]	[]	[]	[]
[WRIGHT]	[JACKIE]	[]	[]

Grantee Address (Name) [EQT PRODUCTION COMPANY]
 (Address 1) [1710 PENNSYLVANIA AVENUE]
 (Address 2) []
 (City, State, Zip) [CHARLESTON] [WV] [25302]
 Consideration [0.00] Existing Debt [0.00] Assumption Balance [0.00]

Prior Instr. Recorded at: City County [Wise County] Percent. in this Juris. [100]
 Book [20070] Page [137] Instr. No []
 Parcel Identification No (PIN) []
 Tax Map Num. (if different than PIN) [019163]
 Short Property Description [SUPPLEMENTAL ORDER]
 Current Property Address (Address 1) []
 (Address 2) []
 (City, State, Zip) [] [] []

Instrument Prepared By [VIRGINIA GAS & OIL BOARD]
 Recording Paid for By [DMME]
 Return Recording To (Name) [BETTY STACY]
 (Address 1) [DMME]
 (Address 2) [P. O. DRAWER 159]
 (City, State, Zip) [LEBANON] [VA] [24266]
 Customer Case ID [0702201888] [] []



Instrument Control Number

[Empty box for Instrument Control Number]

000075 DEC-28

Commonwealth of Virginia
Land Record Instruments
Continuation Cover Sheet
Form B

[ILS VLR Cover Sheet Agent 1.0.93]

T
A
X
E
X
E
M
P
T

G
R
A
N
T
O
R

G
R
A
N
T
E

C
O
R
P

Date of Instrument: [12/1/2009]
Instrument Type: [OTHER]
Number of Parcels [2]
Number of Pages [10]
City County [Wise County]

(Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form B

Last Name	First Name	Middle Name or Initial	Suffix	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[WRIGHT] [CAROL] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[WRIGHT] [FRED] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[WRIGHT] [JUDY] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[WRIGHT] [GENE] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[WRIGHT] [LINDA] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[MCCOY] [MILDRED] [GAYE] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[MCCOY] [BURT] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[WEAVER] [JOHNNY] [WAYNE] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[WEAVER] [JODY] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[NAUDZUNAS] [ANDREW] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[NAUDZUNAS] [ANDREW] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	[] [] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	[] [] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	[] [] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	[] [] [] []
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	[] [] [] []

Prior Instr. Recorded at: City County [Wise County] Percent. in this Juris. [100]
Book [] Page [] Instr. No []
Parcel Identification No (PIN) []
Tax Map Num. (if different than PIN) [019136]
Short Property Description [SUPPLEMENTAL ORDER]
Current Property Address (Address 1) []
(Address 2) []
(City, State, Zip) [] [] []



200903984

000076 DEC-28

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

SUPPLEMENTAL ORDER REGARDING

DOCKET NO. VGOB 07/02/20-1888

ELECTIONS, UNIT: VC-537150

(hereinafter "Subject Drilling Unit").

Tax map identification numbers for all parcels affected by this order are shown on Exhibit *B* which is attached and a part of the order.

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 August 21, 2007 and recorded in Book with Instrument #200703557 in the Office of the Clerk of Circuit Court, Wise County, Virginia on August 22, 2007, (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 EQT 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 September 6, 2007, 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 November 16, 2009, 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, N. A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, 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 N. A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, 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.

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of EQT Production Company, for Forced Pooling of Interests in Unit Number VC-537150 VGOB Docket No. VGOB-07/02/20-1888 in the Lipps 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, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on August 21, 2007, 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 August 22, 2007.
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:

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Jackie Wright & Carol Wright, h/w Rt. 3 Box 96A Castlewood, VA 24224	Unleased	0.00014844
	Fred Wright & udy Wright, h/w 74 Spring Valley Road Bristol, VA 24201	Leased 904886	0.00014844
	Jerry Wright & Mary Wright, h/w PO Box 721 St. Paul, VA 24283	Leased 904886	0.00014844
	Gene Wright & Linda Wright, h/w PO Box 72 St Paul, VA 24283	Leased 904886	0.00014844
	Mildred Gaye McCoy & Burt McCoy, w/h PO Box 385 Lebanon, VA 24266	Leased 904886	0.00014844
	Johnny Wayne Weaver & Jody Weaver, h/w 16315 Georgia Hwy 315 Ellerslie, GA 31807	Unleased	0.00004948
	Andrew Naudzunas, I 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.00004948
	Andrew Naudzunas, II 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.00004948

OR

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	ACIN, LLC Attn: John Mooney PO Box 2827 Huntington, WV 25727	Leased 904576 WI-154	0.00089063

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.

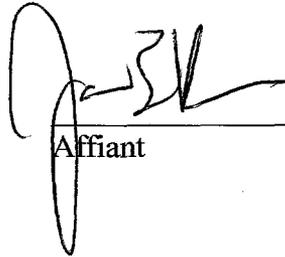
NONE

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>Lessor</u>	<u>Cash Consideration</u>
2	Jackie Wright & Carol Wright, h/w Rt. 3 Box 96A Castlewood, VA 24224	0.0699 x \$5.00 = \$0.35
	Johnny Wayne Weaver & Jody Weaver, h/w 16315 Georgia Hwy 315 Ellerslie, GA 31807	0.0262 x \$5.00 = \$0.13
	Andrew Naudzunas, I 11 Collins Street, B7 Seabrook, NH 03874-4654	0.0262 x \$5.00 = \$0.13
	Andrew Naudzunas, II 11 Collins Street, B7 Seabrook, NH 03874-4654	0.0262 x \$5.00 = \$0.13

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 16th day of November, 2009.



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 16th day of November, 2009.



Susan Peterson, Notary
OF
TENNESSEE
NOTARY
PUBLIC
SULLIVAN COUNTY

My commission expires: October 24, 2012.

Wise

000082 DEC-23

DONE AND EXECUTED this 24 day of Nov., 2009 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 23rd day of November, 2009 by Order of this Board.

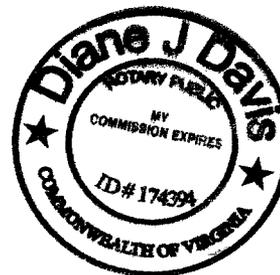
David Asbury Jr.
David Asbury Jr.
Principal Executive To The Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF RUSSELL)

Acknowledged on this 29th day of November, 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 Chairman of the Virginia Gas and Oil Board, and David 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 they executed the same and was authorized to do so.

Diane J. Davis
Diane Davis, Notary
174394

My commission expires: 9/30/13



Well Coordinates: (Geographic N27)
36.933042° -82.377094°

Lease No. 904576L / WI-181
I.O. Kennedy
172.795 Acres
ACIN LLC -
surface, coal, oil, gas, & CBM
Gas 50.50 Ac. 85.75%

1,603.41

1,599.91

Longitude 82° 22' 30"

9,245'

①

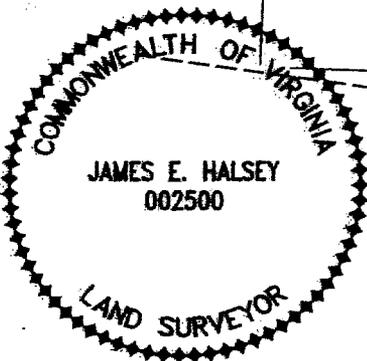
②

N 34°49' E
177.28'

CBM
VC-537150

S 44°51' E
144.57'

Lease No. 904576L / WI-154
J. Hamilton
155.20 Acres
ACIN LLC - surface, coal, CBM,
oil & gas (19/20 int.)
Lease No. 904886L
Lora Meade Wright Heirs -
oil & gas (1/20 int.)
Gas 8.39 Ac. 14.25%



Well Coordinates: (VA St. Plane S. Zone)
N 241,608.84 E 867,091.15

Well Coordinates: (Clinchfield Coal Co.
Calculated from State Plane Coordinates)
S: 60,773 E 1,850

Well elevation determined by GPS
survey from Mon. Va. City

Area of Unit = 58.89 Ac.

WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-537150
TRACT NO. LS. No. 904576L/WI-181 ELEVATION 2,228.59' QUADRANGLE Coeburn
COUNTY Wise DISTRICT Lipps SCALE 1" = 400' DATE 1-08-2007

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.

James E. Halsey
Licensed Professional Engineer or Licensed Land Surveyor

EXHIBIT "B"
VC-537150
VGOB 07/02/20-1888

<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	ACIN, LLC	Leased	85.750000%	50.5000	0.10718750	RI
TAX ID 019163	Attn: John Mooney PO Box 2827 Huntington, WV 25727	904576 WI-181				
	Equitable Production				0.75031250	WI
Tract 1 Totals			85.750000%	50.5000	0.85750000	
2	ACIN, LLC	Leased	13.537500%	7.9705	0.01692188	RI
TAX ID 019136	Attn: John Mooney PO Box 2827 Huntington, WV 25727	904576 WI-154				
	Jackie Wright & Carol Wright, h/w Rt. 3 Box 96A Castlewood, VA 24224	Unleased	0.118750%	0.0699	0.00014844	RI
	Fred Wright & Judy Wright, h/w 74 Spring Valley Road Bristol, VA 24201	Leased 904886.04	0.118750%	0.0699	0.00014844	RI
	Jerry Wright & Mary Wright, h/w PO Box 721 St. Paul, VA 24283	Leased 904886.02	0.118750%	0.0699	0.00014844	RI
	Gene Wright & Linda Wright, h/w PO Box 72 St Paul, VA 24283	Leased 904886.03	0.118750%	0.0699	0.00014844	RI
	Mildred Gaye McCoy & Burt McCoy, w/h PO Box 385 Lebanon, VA 24266	Leased 904886.01	0.118750%	0.0699	0.00014844	RI

Johnny Wayne Weaver & Jody Weaver, h/w 16315 Georgia Hwy 315 Ellerslie, GA 31807	Unleased	0.039583%	0.0262	0.00004948	RI
Andrew Naudzunus, I 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.039583%	0.0262	0.00004948	RI
Andrew Naudzunus, II 11 Collins Street, B7 Seabrook, NH 03874-4654	Unleased	0.039583%	0.0262	0.00004948	RI
Equitable Production				0.12468750	WI
Tract 2 Totals		14.250000%	8.3987	0.14250000	
TOTAL GAS ESTATE		100.000000%	58.8987	100.000000%	
<u>Coal Estate Only</u>					
1 TAX ID 019163	ACIN, LLC Attn: John Mooney PO Box 2827 Huntington, WV 25727	Leased 904576 WI-181	85.750000%	50.5000	0.10718750 RI
Equitable Production				0.75031250	WI
Tract 1 Totals		85.750000%	50.5000	0.85750000	
2 TAX ID 019136	ACIN, LLC Attn: John Mooney PO Box 2827 Huntington, WV 25727	Leased 904576 WI-154	14.250000%	8.3900	0.01781250 RI
Equitable Production				0.12468750	WI
Tract 1 Totals		14.250000%	8.3900	0.14250000	
TOTAL COAL ESTATE		100.000000%	58.8900	100.000000%	

INSTRUMENT #200903984
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
DECEMBER 2, 2009 AT 04:24PM

J. JACK KENNEDY, JR., CLERK
RECORDED BY: ADH