

1262

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 07/08/21-1988

ELECTIONS, UNIT: VC-537965

(hereinafter "Subject Drilling Unit").

REPORT OF BOARD

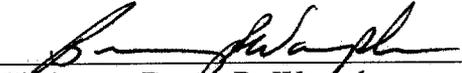
FINDINGS AND ORDER

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 October 18, 2007 and recorded in Book 680, Page 652 in the Office of the Clerk of Circuit Court, Russell County, Virginia on October 29, 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 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 December 4, 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 March 4, 2008, 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.

DONE AND EXECUTED this 20th day of March, 2008 by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 20th day of March, 2008 by Order of this Board.


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

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 20th day of March, 2008, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and 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 they executed the same and was authorized to do so.


Diane Davis, Notary
174394

My commission expires: September 30, 2009

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-537965 VGOB Docket No. VGOB-07/08/21-1988 in the Castlewood Magisterial District of Russell 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 October 18, 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 October 29, 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	H. F. Kiser Heirs		
	Delphia Musick Ball PO Box 58 Davenport, VA 24239	Leased 244332	0.00013712
	Sarah E. Musick Rt 1, Box B2 Cleveland, VA 24225	Leased 244332	0.00013712
	Betty Musick Rt. 2 Box 167 Cleveland, VA 24225	Leased 244332	0.00013712
	Thelma Musick 950-L-39, Hillman HWY Abingdon, VA 24210	Leased 244332	0.00013712
	Ralph Elwood Musick Box 15177 Douglas Street Culpeper, VA 22701	Leased 244332	0.00013712
	Dorothy Johnson, single Rt. 4 Box 177-B Lebanon, VA 24266	Leased 244332	0.00013712
	Hubert C. Musick and Jo Anne Musick, h/w PO Box 202 Honaker, VA 24260	Leased 244332	0.00013712
	Ina Musick, widow 667 Hunting Hill Road Piney Flats, TN 37686	Leased 244332	0.00013712
	Ronald Lewis Wilson Rt. 1 Box 91 Honaker, VA 24260	Leased 244332	0.00003428

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Lakie Nears P.O. Box 1864 Bristol, VA 24203	Leased 244332	0.00003428
	Trudie Damron 51 Sutherland Drive Cleveland, VA 24225	Leased 244332	0.00003428
	Freddy Wilson Rt 2 Box 332 Cleveland, VA 24225	Leased 244332	0.00001714
	Patricia C. Fields 5994 Clinch Mountain Road Lebanon, VA 24266	Leased 244332	0.00001714
	Mildred Kendrick and Claude Kendrick W/H Star Route, Box 94 Dublin, VA 24084	Leased 244332	0.00002285
	Edith Matson and William B. Matson W/H 5678 State Route 133 Batavia, Ohio 45103	Leased 244332	0.00002285
	Sally Musick, widow 747 Smoots Branch Cleveland, VA 24225	Leased 244332	0.00002285
	Cecil C. Musick and Irene Musick, H/W Route 2 Box 114 Cleveland, VA 24225	Leased 244332	0.00002285
	James Harold Musick and Annie B. Musick, H/W Rt. 2 Box 76B Cleveland, VA 24225	Leased 244332	0.00002285
	Allie Musick, Widow P.O. Box 315 Northeast, MD 21901	Leased 244332	0.00002285
	Scarlette Baker and Henry Baker, H/W PO Box 2374 Lebanon, VA 24266	Leased 244332	0.00002742

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Sparker Floyd Baker and Dolly Baker, H/W 17085 Brumley Gap Rd, Abingdon, VA 24210	Leased 244332	0.00002742
	Raymond Musick and Patsy Musick H/W Box 1245, Stuart, VA 24171	Unleased	0.00002742
	Samuel Musick 1085 Bellamy Lane Portsmouth, OH 45663	Unleased	0.00002742
	Keith Allen Musick 25005 Lawrence, Apt. 126 Center Line, MI 48015	Leased 244332	0.00001371
	Patrick Fitzgerald Musick 25005 Lawrence, Apt. 126, Center Line, MI 48015	Leased 244332	0.00001371
	Velva Lee Breeding and Clويد Breeding W/H Route 1 Box 441 Cleveland, VA 24225	Leased 244332	0.00150833
	Billie Mason Gilbert and Catherine L. Gilbert, H/W 7442 SE 114 Lane, Belleview, Florida 34420-4746	Leased 244332	0.00004190
	Violet Combs and Arlen Combs W/H 8122 Sinclair Mill Road, Manassas, VA 20112-3509	Leased 244332	0.00004190
	Charlotte Lewis, single 8698 Carlton Drive, Manassas, VA 20112	Leased 244332	0.00004190
	Sharon Peacher & Edward L. Peacher W/H 10807 Warwick Avenue, Fairfax, VA 22030	Leased 244332	0.00004190

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Gladys Crawford and Carl Crawford W/H 9017 Richmond Avenue, Manassas, VA 20110	Leased 244332	0.00004190
	Lorraine Crutchfield and Meredith Crutchfield W/H P.O. Box 632, South Hill, VA 23970	Leased 244332	0.00004190
	Phyllis Keene, single 497A Washington Street, Romney, WVA 26757	Leased 244332	0.00004190
	Ronnie Gilbert and Vicki Gilbert H/W Rt. 2 Box 28A, Cleveland, VA 24225	Leased 244332	0.00002095
	Regina Gilbert, single Rt. 2 Box 127A, Cleveland, VA 24225	Leased 244332	0.00002095
	Brenda Whitt and Ferrell Whitt W/H 255 Brill Road Star Tannery, VA 22654	Leased 244332	0.00000599
	Wanda Whitt and Randall Whitt W/H 140 Cline Drive Gore, VA 22637	Unleased	0.00000599
	Carol Peacoe and Jackie Peacoe W/H PO Box 2, Stephenson, VA 22656	Unleased	0.00000599
	Diane Howell, single PO Box 414, Hebron, VA 21830	Unleased	0.00000599
	Steven Howell unknown	Unleased	0.00000599
	Kevin Howell 140 Cline Drive, Gore, VA 22637	Unleased	0.00000599

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Franklin Farmer Karen Farmer H/W 8566 Burlington Court, Manassas, VA 20110	Unleased	0.00000599
	Alma Pauline Butler, single 511 Paradise Road Aberdeen, MD 21001	Leased 244332	0.00037708
	Pridemore Powers and Virginia Powers H/W Unknown	Unleased	0.00037708
	Maynard Powers Unknown	Unleased	0.00037708
	Alma Simerly, single PO Box 1624 Honaker, VA 24260	Leased 244332	0.00025139
	Roland Delmar Kiser, single PO Box 194 Cleveland, VA 24225	Unleased	0.00025139
	Nettie Glenn Wilson, widow PO Box 294 Cleveland, VA 24225	Leased 244332	0.00025139
	Kennie O'Dell Kiser and Thelma Kiser, H/W PO Box 62 Cleveland, VA 24225	Leased 244332	0.00025139
	Giles Wilson and Charlotte Wilson H/W 70 Faith Street Cleveland, VA 24225	Unleased	0.00003591
	Roy Lee Wilson and Delphia Wilson, H/W HC 4 Box 304 Bee, VA 24217	Leased 244332	0.00003591
	Alden Wilson and Ella Wilson, H/W 1335 E Old Philadelphia Road Elkton, MD 21921	Leased 244332	0.00003591

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Curtis Wilson and Connie Wilson, H/W 1867 E Old Philadelphia Road Elkton, MD 21921	Leased 244332	0.00003591
	Lonnie G. Wilson and Pam Wilson, H/W 3748 Cunningham Road Thomasville, NC 27360	Leased 244332	0.00003591
	Wiley J. Canter Unknown	Unleased	0.00001197
	Johnny Lee Rosenbaum 1730 Clifton Rd. Bristol, TN. 37621	Unleased	0.00001197.
	Alicia Rosenbaum, single P. O. Box 1114 Bristol, TN 37621	Unleased	0.00001197
	Randall Head and Teresa Head, H/W 1279 Old Neck Road Elkton, MD 21921	Leased 244332	0.00000718
	Wanda K. Jones and Evan Jones, H/W 995 E Old Philadelphia Rd Elkton, MD 21921	Leased 244332	0.00000718
	Sharon Lynn Jones and Bobby Jones, W/H 2817 Biggs Highway Northeast, MD 21901	Unleased	0.00000718
	Carolyn Sue Rinehart Kupcinski & Ronald L. Kupcinski 4534 Almond Street Philadelphia, PA 19137	Leased 244332	0.00000718
	Jack Kelvin Head 89 Tolmax Lane Elkton, MD 21921	Unleased	0.00000718

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
Ruby Ethel Kiser Heirs			
2	Kennie O'Dell Kiser P.O. Box 62 Cleveland, VA 24225	Leased 244332	0.00008380
	Nettie Glenn Wilson, widow PO Box 294 Cleveland, VA 24225	Leased 244332	0.00008380
	Roland Delmar Kiser, single PO Box 194 Cleveland, VA 24225	Leased 244332	0.00008380
	Vadie Kiser Tiller Blankenship and Edwin Blankenship W/H 26934 Watuaga Road Abingdon, VA 24211-7356	Leased 244332	0.00037708
	Maudie Stevens, single HCR 1, Box 405 Birchleaf, VA 24220	Leased 244332	0.00037708
	Anita Conway and Wayne Conway, W/H HCR 1 Box 409 Birchleaf, VA 24220	Leased 244332	0.00018854
	Donnie Kiser and Diann Kiser, H/W P.O. Box 72 Lawndale, NC 28090	Leased 244332	0.00018854
	James Albert Counts 814 Shamrock Drive Fredricksburg, VA 22407	Leased 244332	0.00005387
	Marvin Eugene Counts 2644 Pats Lane St Paul, VA 24283	Leased 244332	0.00005387
	Hancel Wayne Counts 16486 S St. Paul St Castlewood, VA 24283	Leased 244332	0.00005387
	Lyndon Carrol Counts 16486 S St. Paul St Castlewood, VA 24283	Leased 244332	0.00005387

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Virginia Dare Turner Rt. 1 Box 682 Clinchco, VA 24226	Leased 244332	0.00005387
	Glenda Sue Turner 4316 Kentland Drive Woodbridge, VA 22193	Leased 244332	0.00005387
	Lois Ann Phipps HC 67 Box 153-A Dante, VA 24237	Leased 244332	0.00005387
	Brady Brooks HC 67 Box 245 Dante, VA 24237	Leased 244332	0.00150833
	Rayford Counts Rt. 1 Box 696 Dante, VA 24237	Leased 244332	0.00025139
	James E. Counts Rt. 1 Box 344 Clintwood, VA 24228	Leased 244332	0.00025139
	Christopher Darrel Counts 5256 Blacksburgs Road Troutville, VA 24175	Leased 244332	0.00025139
	Linda Gail Chafin 2009 New Garden Road Cleveland, VA 24225	Leased 244332	0.00025139
	William Larry Counts Rt. 2 Box 70 Cleveland, VA 24225	Leased 244332	0.00025139
	Lora Lee Counts Rt. 1 Box 630 Dante, VA 24237	Leased 244332	0.00006285
	Kevin J. Counts Rt. 1 Box 630 Dante, VA 24237	Leased 244332	0.00006285
	Anthony Counts PO Box 91 Cleveland, VA 24225	Leased 244332	0.00006285

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Destia Puckett PO Box 91 Cleveland, VA 24225	Leased 244332	0.00006285
	Anne J Campbell 248 Cleveland Hghts Rd Cleveland, VA 24225	Leased 244332	0.00050278
	Inas Counts PO Box 2995 Lebanon, VA 24226-2995	Leased 244332	0.00050278
	Delphia Combs 32 Train Track Road Cleveland, VA 24225	Leased 244332	0.00050278
	William Arthur Kiser and Sylvia Kiser, H/W 421 Beauregard Drive Chesapeake, VA 23322	Unleased	0.00018854
	Christine Kiser and James Kiser, W/H 719 St Paul St Newport News, VA 23605	Unleased	0.00018854
	Nellie Kiser Wells, single 2128 A Street Augusta, GA 30904-3010	Leased 244332	0.00018854
	Ama Kiser Vance, widow 409 West Main St, Apt 4 Tazewell, VA 24651	Unleased	0.00018854
	Dave Craft 2700 Willimar Street Richmond, VA 23234	Unleased	0.00009427
	Charles Hankins and Lorraine Hankins H/W 1694 Royal Gate Drive New Braunfels, TX 78132	Unleased	0.00009427
	Ada Karen Hayes and Clarence Hayes W/H 1542 Holly Hills Road Powhatan, VA 23139	Leased 244332	0.00009427

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
2	Jean Bryan, single 4204 Winterberry Lane Charleston, WVA 25313	Leased 244332	0.00009427
	Oakley Eugene Perkins and Dorothy Perkins, H/W 2416 Lamberts Avenue Richmond, VA 23234	Leased 244332	0.00006285
	Brenda Courtney and James Courtney W/H 1904 Graves Road Sandston, VA 23150	Leased 244332	0.00006285
	Greta Shaw and Robert L. Shaw W/H 14010 North Carriage Lane Midlothian, VA 23313-4325	Leased 244332	0.00006285
	Lila Elizabeth Kiser, single 2416 Lamberts Avenue Richmond, VA 23234	Leased 244332	0.00018854
OR			
2	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA. 24212	Leased 244792/TC-214	0.01357500
3	Ronnie Gilbert and Vicki Gilbert, H/W Route 2, Box 28-A Cleveland, VA 24225	Leased 905499	0.02471250
OR			
3	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA. 24212	Leased 244792L/ TC-214	0.02471250

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.

<u>Tract</u>	<u>Lessor</u>	<u>Lease No.</u>
2	Allie Musick, Widow P.O. Box 315 Northeast, MD 21901	244332

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.

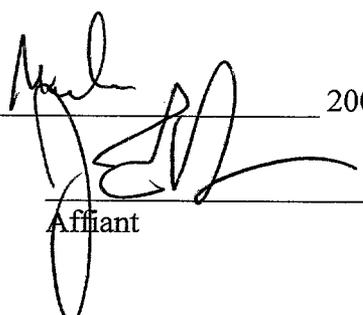
<u>Tract</u>	<u>Lessor</u>	<u>Cash Consideration</u>
2	Raymond Musick and Patsy Musick H/W Box 1245, Stuart, VA 24171	0.0129 x \$5.00 = \$0.06
	Samuel Musick 1085 Bellamy Lane Portsmouth, OH 45663	0.0129 x \$5.00 = \$0.06
	Wanda Whitt and Randall Whitt W/H 140 Cline Drive Gore, VA 22637	0.0028 x \$5.00 = \$0.01
	Carol Peacoe and Jackie Peacoe W/H PO Box 2, Stephenson, VA 22656	0.0028 x \$5.00 = \$0.01
	Diane Howell, single PO Box 414, Hebron, VA 21830	0.0028 x \$5.00 = \$0.01
	Steven Howell unknown	0.0028 x \$5.00 = \$0.01
	Kevin Howell 140 Cline Drive, Gore, VA 22637	0.0028 x \$5.00 = \$0.01

<u>Tract</u>	<u>Lessor</u>	<u>Cash Consideration</u>
2	Franklin Farmer Karen Farmer H/W 8566 Burlington Court, Manassas, VA 20110	0.0028 x \$5.00 = \$0.01
	Pridemore Powers and Virginia Powers H/W Unknown	0.1772 x \$5.00 = \$0.89
	Maynard Powers Unknown	0.1772 x \$5.00 = \$0.89
	Roland Delmar Kiser, single PO Box 194 Cleveland, VA 24225	0.1181 x \$5.00 = \$0.59
	Giles Wilson and Charlotte Wilson H/W 70 Faith Street Cleveland, VA 24225	0.0169 x \$5.00 = \$0.08
	Wiley J. Canter Unknown	0.0056 x \$5.00 = \$0.03
	Johnny Lee Rosenbaum 1730 Clifton Rd. Bristol, TN. 37621	0.0056 x \$5.00 = \$0.03
	Alicia Rosenbaum, single P. O. Box 1114 Bristol, TN 37621	0.0056 x \$5.00 = \$0.03
	Sharon Lynn Jones and Bobby Jones, W/H 2817 Biggs Highway Northeast, MD 21901	0.0034 x \$5.00 = \$0.02
	Jack Kelvin Head 89 Tolmax Lane Elkton, MD 21921	0.0034 x \$5.00 = \$0.02

<u>Tract</u>	<u>Lessor</u>	<u>Cash Consideration</u>
2	William Arthur Kiser and Sylvia Kiser, H/W 421 Beauregard Drive Chesapeake, VA 23322	0.0886 x \$5.00 = \$0.44
	Christine Kiser and James Kiser, W/H 719 St Paul St Newport News, VA 23605	0.0886 x \$5.00 = \$0.44
	Ama Kiser Vance, widow 409 West Main St, Apt 4 Tazewell, VA 24651	0.0886 x \$5.00 = \$0.44
	Dave Craft 2700 Willimar Street Richmond, VA 23234	0.0443 x \$5.00 = \$0.22
	Charles Hankins and Lorraine Hankins H/W 1694 Royal Gate Drive New Braunfels, TX 78132	0.0443 x \$5.00 = \$0.22

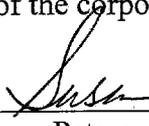
That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 5th day of April 2008.



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 _____ day of March 2008.



Susan Peterson, Notary Public


My commission expires: November 12, 2008

EXHIBIT "B"
VC-537965
VGOB 07/08/21-1988
 REVISED 10/10/07

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>
<u>Gas Estate Only</u>				
1	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA. 24212	Leased 241490/ T-459	53.510000%	31.4500
	Equitable Production			
Tract 1 Totals			53.510000%	31.4500
2	<u>H. F. Kiser Heirs</u>			
	Delphia Musick Ball, widow PO Box 58 Davenport, VA 24239	Leased 244332	0.109697%	0.0644
	Sarah E. Musick, widow Rt 1, Box B2 Cleveland, VA 24225	Leased 244332	0.109697%	0.0644
	Betty Musick Rt. 2 Box 167 Cleveland, VA 24225	Leased 244332	0.109697%	0.0644
	Thelma Musick, widow 950-L-39, Hillman HWY Abingdon, VA 24210	Leased 244332	0.109697%	0.0644
	Ralph Elwood Musick, single Box 15177 Douglas Street Culpeper, VA 22701	Leased 244332	0.109697%	0.0644
	Dorothy Johnson, single Rt. 4 Box 177-B Lebanon, VA 24266	Leased 244332	0.109697%	0.0644
	Hubert C. Musick and Jo Anne Musick, h/w	Leased 244332	0.109697%	0.0644

PO Box 202 Honaker, VA 24260			
Ina Musick, widow 667 Hunting Hill Road Piney Flats, TN 37686	Leased 244332	0.109697%	0.0644
Ronald Lewis Wilson Rt. 1 Box 91 Honaker, VA 24260	Leased 244332	0.027424%	0.0161
Lakie Nears P.O. Box 1864 Bristol, VA 24203	Leased 244332	0.027424%	0.0161
Trudie Damron 51 Sutherland Drive Cleveland, VA 24225	Leased 244332	0.027424%	0.0161
Freddy Wilson Rt 2 Box 332 Cleveland, VA 24225	Leased 244332	0.013712%	0.0081
Patricia C. Fields 5994 Clinch Mountain Road Lebanon, VA 24266	Leased 244332	0.013712%	0.0081
Mildred Kendrick and Claude Kendrick W/H Star Route, Box 94 Dublin, VA 24084	Leased 244332	0.018283%	0.0107
Edith Matson and William B. Matson W/H 5678 State Route 133 Batavia, Ohio 45103	Leased 244332	0.018283%	0.0107
Sally Musick, widow 747 Smoots Branch Cleveland, VA 24225	Leased 244332	0.018283%	0.0107
Cecil C. Musick and Irene Musick, H/W Route 2 Box 114 Cleveland, VA 24225	Leased 244332	0.018283%	0.0107
James Harold Musick and Annie B. Musick, H/W Rt. 2 Box 76B Cleveland, VA 24225	Leased 244332	0.018283%	0.0107
Allie Musick, Widow	Leased	0.018283%	0.0107

P.O. Box 315 Northeast, MD 21901	244332		
Scarlette Baker and Henry Baker, H/W PO Box 2374 Lebanon, VA 24266	Leased 244332	0.021939%	0.0129
Sparker Floyd Baker and Dolly Baker, H/W 17085 Brumley Gap Rd, Abingdon, VA 24210	Leased 244332	0.021939%	0.0129
Raymond Musick and Patsy Musick H/W Box 1245, Stuart, VA 24171	Unleased	0.021939%	0.0129
Samuel Musick 1085 Bellamy Lane Portsmouth, OH 45663	Unleased	0.021939%	0.0129
Keith Allen Musick 25005 Lawrence, Apt. 126 Center Line, MI 48015	Leased 244332	0.010970%	0.0064
Patrick Fitzgerald Musick 25005 Lawrence, Apt. 126, Center Line, MI 48015	Leased 244332	0.010970%	0.0064
Velva Lee Breeding and Clويد Breeding W/H Route 1 Box 441 Cleveland, VA 24225	Leased 244332	1.206667%	0.7089
Billie Mason Gilbert and Catherine L. Gilbert, H/W 7442 SE 114 Lane, Bellevue, Florida 34420-4746	Leased 244332	0.033519%	0.0197
Violet Combs and Arlen Combs W/H 8122 Sinclair Mill Road, Manassas, VA 20112-3509	Leased 244332	0.033519%	0.0197
Charlotte Lewis, single 8698 Carlton Drive, Manassas, VA 20112	Leased 244332	0.033519%	0.0197
Sharon Peacher & Edward L. Peacher W/H 10807 Warwick Avenue,	Leased 244332	0.033519%	0.0197

Fairfax, VA 22030			
Gladys Crawford and Carl Crawford W/H 9017 Richmond Avenue, Manassas, VA 20110	Leased 244332	0.033519%	0.0197
Lorraine Crutchfield and Meredith Crutchfield W/H P.O. Box 632, South Hill, VA 23970	Leased 244332	0.033519%	0.0197
Phyllis Keene, single 497A Washington Street, Romney, WVA 26757	Leased 244332	0.033519%	0.0197
Ronnie Gilbert and Vicki Gilbert H/W Rt. 2 Box 28A, Cleveland, VA 24225	Leased 244332	0.016759%	0.0098
Regina Gilbert, single Rt. 2 Box 127A, Cleveland, VA 24225	Leased 244332	0.016759%	0.0098
Brenda Whitt and Ferrell Whitt W/H 255 Brill Road Star Tannery, VA 22654	Leased 244332	0.004788%	0.0028
Wanda Whitt and Randall Whitt W/H 140 Cline Drive Gore, VA 22637	Unleased	0.004788%	0.0028
Carol Peacoe and Jackie Peacoe W/H PO Box 2, Stephenson, VA 22656	Unleased	0.004788%	0.0028
Diane Howell, single PO Box 414, Hebron, VA 21830	Unleased	0.004788%	0.0028
Steven Howell unknown	Unleased	0.004788%	0.0028
Kevin Howell 140 Cline Drive, Gore, VA 22637	Unleased	0.004788%	0.0028
Franklin Farmer	Unleased	0.004788%	0.0028

Karen Farmer H/W
8566 Burlington Court,
Manassas, VA 20110

Alma Pauline Butler, single 511 Paradise Road Aberdeen, MD 21001	Leased 244332	0.301667%	0.1772
--	------------------	-----------	--------

Pridemore Powers and Virginia Powers H/W Unknown	Unleased	0.301667%	0.1772
--	----------	-----------	--------

Maynard Powers Unknown	Unleased	0.301667%	0.1772
---------------------------	----------	-----------	--------

Alma Simerly, single PO Box 1624 Honaker, VA 24260	Leased 244332	0.201111%	0.1181
--	------------------	-----------	--------

Roland Delmar Kiser, single PO Box 194 Cleveland, VA 24225	Unleased	0.201111%	0.1181
--	----------	-----------	--------

Nettie Glenn Wilson, widow PO Box 294 Cleveland, VA 24225	Leased 244332	0.201111%	0.1181
---	------------------	-----------	--------

Kennie O'Dell Kiser and Thelma Kiser, H/W PO Box 62 Cleveland, VA 24225	Leased 244332	0.201111%	0.1181
--	------------------	-----------	--------

Giles Wilson and Charlotte Wilson H/W 70 Faith Street Cleveland, VA 24225	Unleased	0.028730%	0.0169
--	----------	-----------	--------

Roy Lee Wilson and Delphia Wilson, H/W HC 4 Box 304 Bee, VA 24217	Leased 244332	0.028730%	0.0169
--	------------------	-----------	--------

Alden Wilson and Ella Wilson, H/W 1335 E Old Philadelphia Road Elkton, MD 21921	Leased 244332	0.028730%	0.0169
--	------------------	-----------	--------

Curtis Wilson and Connie Wilson, H/W 1867 E Old Philadelphia Road Elkton, MD 21921	Leased 244332	0.028730%	0.0169
---	------------------	-----------	--------

Lonnie G. Wilson and Pam Wilson, H/W 3748 Cunningham Road Thomasville, NC 27360	Leased 244332	0.028730%	0.0169
Wiley J. Canter Unknown	Unleased	0.009577%	0.0056
Johnny Lee Rosenbaum 1730 Clifton Rd. Bristol, TN. 37621	Unleased	0.009577%	0.0056
Alicia Rosenbaum, single P. O. Box 1114 Bristol, TN 37621	Unleased	0.009577%	0.0056
Randall Head and Teresa Head, H/W 1279 Old Neck Road Elkton, MD 21921	Leased 244332	0.005746%	0.0034
Wanda K. Jones and Evan Jones, H/W 995 E Old Philadelphia Rd Elkton, MD 21921	Leased 244332	0.005746%	0.0034
Sharon Lynn Jones and Bobby Jones, W/H 2817 Biggs Highway Northeast, MD 21901	Unleased	0.005746%	0.0034
Carolyn Sue Rinehart and Richard Rinehart, W/H 4534 Almond Street Philadelphia, PA 19137	Leased 244332	0.005746%	0.0034
Jack Kelvin Head 89 Tolmax Lane Elkton, MD 21921	Unleased	0.005746%	0.0034

Ruby Ethel Kiser Heirs

Kennie O'Dell Kiser P.O. Box 62 Cleveland, VA 24225	Leased 244332	0.067037%	0.0394
Nettie Glenn Wilson, widow PO Box 294 Cleveland, VA 24225	Leased 244332	0.067037%	0.0394
Roland Delmar Kiser, single PO Box 194	Leased 244332	0.067037%	0.0394

Cleveland, VA 24225

Vadie Kiser Tiller Blankenship and Edwin Blankenship W/H 26934 Watuaga Road Abingdon, VA 24211-7356	Leased 244332	0.301667%	0.1772
Maudie Stevens, single HCR 1, Box 405 Birchleaf, VA 24220	Leased 244332	0.301667%	0.1772
Anita Conway and Wayne Conway, W/H HCR 1 Box 409 Birchleaf, VA 24220	Leased 244332	0.150833%	0.0886
Donnie Kiser and Diann Kiser, H/W P.O. Box 72 Lawndale, NC 28090	Leased 244332	0.150833%	0.0886
James Albert Counts 814 Shamrock Drive Fredricksburg, VA 22407	Leased 244332	0.043095%	0.0253
Marvin Eugene Counts 2644 Pats Lane St Paul, VA 24283	Leased 244332	0.043095%	0.0253
Hancel Wayne Counts 16486 S St. Paul St Castlewood, VA 24283	Leased 244332	0.043095%	0.0253
Lyndon Carrol Counts 16486 S St. Paul St Castlewood, VA 24283	Leased 244332	0.043095%	0.0253
Virginia Dare Turner Rt. 1 Box 682 Clinchco, VA 24226	Leased 244332	0.043095%	0.0253
Glenda Sue Turner 4316 Kentland Drive Woodbridge, VA 22193	Leased 244332	0.043095%	0.0253
Lois Ann Phipps HC 67 Box 153-A Dante, VA 24237	Leased 244332	0.043095%	0.0253
Brady Brooks HC 67 Box 245 Dante, VA 24237	Leased 244332	1.206667%	0.7089

Rayford Counts Rt. 1 Box 696 Dante, VA 24237	Leased 244332	0.201111%	0.1181
James E. Counts Rt. 1 Box 344 Clintwood, VA 24228	Leased 244332	0.201111%	0.1181
Christopher Darrel Counts 5256 Blacksburgs Road Troutville, VA 24175	Leased 244332	0.201111%	0.1181
Linda Gail Chafin 2009 New Garden Road Cleveland, VA 24225	Leased 244332	0.201111%	0.1181
William Larry Counts Rt. 2 Box 70 Cleveland, VA 24225	Leased 244332	0.201111%	0.1181
Lora Lee Counts Rt. 1 Box 630 Dante, VA 24237	Leased 244332	0.050278%	0.0295
Kevin J. Counts Rt. 1 Box 630 Dante, VA 24237	Leased 244332	0.050278%	0.0295
Anthony Counts PO Box 91 Cleveland, VA 24225	Leased 244332	0.050278%	0.0295
Destia Puckett PO Box 91 Cleveland, VA 24225	Leased 244332	0.050278%	0.0295
Anne J Campbell 248 Cleveland Hgts Rd Cleveland, VA 24225	Leased 244332	0.402222%	0.2363
Inas Counts PO Box 2995 Lebanon, VA 24226-2995	Leased 244332	0.402222%	0.2363
Delphia Combs 32 Train Track Road Cleveland, VA 24225	Leased 244332	0.402222%	0.2363
William Arthur Kiser and Sylvia Kiser, H/W 421 Beauregard Drive	Unleased	0.150833%	0.0886

Chesapeake, VA 23322

Christine Kiser and James Kiser, W/H 719 St Paul St Newport News, VA 23605	Unleased	0.150833%	0.0886
Nellie Kiser Wells, single 2128 A Street Augusta, GA 30904-3010	Leased 244332	0.150833%	0.0886
Ama Kiser Vance, widow 409 West Main St, Apt 4 Tazewell, VA 24651	Unleased	0.150833%	0.0886
Dave Craft 2700 Willimar Street Richmond, VA 23234	Unleased	0.075417%	0.0443
Charles Hankins and Lorraine Hankins H/W 1694 Royal Gate Drive New Braunfels, TX 78132	Unleased	0.075417%	0.0443
Ada Karen Hayes and Clarence Hayes W/H 1542 Holly Hills Road Powhatan, VA 23139	Leased 244332	0.075417%	0.0443
Jean Bryan, single 4204 Winterberry Lane Charleston, WVA 25313	Leased 244332	0.075417%	0.0443
Oakley Eugene Perkins and Dorothy Perkins, H/W 2416 Lamberts Avenue Richmond, VA 23234	Leased 244332	0.050278%	0.0295
Brenda Courtney and James Courtney W/H 1904 Graves Road Sandston, VA 23150	Leased 244332	0.050278%	0.0295
Greta Shaw and Robert L. Shaw W/H 14010 North Carriage Lane Midlothian, VA 23313-4325	Leased 244332	0.050278%	0.0295
Lila Elizabeth Kiser, single 2416 Lamberts Avenue Richmond, VA 23234	Leased 244332	0.150833%	0.0886

Equitable Production			
Tract 2 Totals		10.860000%	6.3800

3	Ronnie Gilbert and Vicki Gilbert, H/W Route 2, Box 28-A Cleveland, VA 24225	Leased 905499	19.770000%	11.6200
---	--	------------------	------------	---------

Equitable Production			
Tract 3 Totals		19.770000%	11.6200

4	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA. 24212	Leased 241490/ T-485	15.860000%	9.3200
---	---	-------------------------	------------	--------

Equitable Production			
Tract 4 Totals		15.860000%	9.3200

TOTAL GAS ESTATE 100.000000% 58.7700

Coal Estate Only

1	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA. 24212	Leased 241490L/T-459	53.510000%	31.4500
---	---	-------------------------	------------	---------

Equitable Production			
Tract 1 Totals		53.510000%	31.4500

2	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA. 24212	Leased 244792/TC-214	10.860000%	6.3800
---	---	-------------------------	------------	--------

Equitable Production			
Tract 2 Totals		10.860000%	6.3800

3	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA. 24212	Leased 244792L/ TC-214	19.770000%	11.6200
---	---	---------------------------	------------	---------

Equitable Production			
Tract 3 Totals		19.770000%	11.6200

4	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham	Leased 241490L/T-485	15.860000%	9.3200
---	---	-------------------------	------------	--------

P.O. Box 2136
Abingdon, VA. 24212

Equitable Production

Tract 4 Totals

15.860000% 9.3200

TOTAL COAL ESTATE

100.000000% 58.7700

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 4-2, 2008. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 12:13 o'clock P.M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: ANN S. MOREYNOLDS, CLERK
BY: Janice R. [Signature] D. CLERK

0800934