

INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1.361.26

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: Chesapeake Appalachia LLC )  
 ) VIRGINIA GAS  
 ) AND OIL BOARD  
 )  
RELIEF SOUGHT: **EXCEPTION TO STATEWIDE SPACING** )  
 ) LIMITATIONS PRESCRIBED BY VA. CODE ) DOCKET NO.  
 ) § 45.1-361.17(a) (2) FOR WELL 823793 ) 08/02/19-2145  
 )  
LEGAL DESCRIPTION: )  
 )  
 ) DRILLING UNIT SERVED BY WELL NUMBERED )  
 ) 823793 TO BE DRILLED IN THE LOCATION )  
 ) DEPICTED ON EXHIBIT A HERETO, )  
 ) Buchanan Energy Co. LLC Tract )  
 ) Hurley QUADRANGLE, )  
 ) Knox MAGISTERIAL DISTRICT, )  
 ) Buchanan COUNTY, VIRGINIA )  
 ) (the "Subject Lands" are more particularly )  
 ) described on Exhibit "A" attached hereto )  
 ) and made a part hereof) )

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. February 19, 2008 Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, Virginia.
2. Appearances: James E. Kaiser appeared for the Applicant.
3. Jurisdiction and Notice: Pursuant to Va. Code § 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a meaningful search of reasonably available sources to determine the identity and whereabouts of each gas and oil owner, coal owner, or mineral owner having an interest in Subject Drilling Unit underlying and comprised of Subject Lands; (2) has represented to the Board that it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code § 45.1-361.19 to notice of this application. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given

herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Relief Requested: Applicant requests (1) an exception to the statewide spacing limitations set forth in Va. Code § 45.1-361.17 for Well No. 823793.
5. Relief Granted: The requested relief in this cause be and hereby is granted. The Board hereby grants Applicant consent to permit and drill proposed Well No. 823793, 2337.33 feet from Well No. 826463, and 2439.10 feet from Well No. 823794, at the locations depicted on the Plat attached hereto;
6. Special Findings: The Board specifically and specially finds:
  - 6.1. Applicant is Chesapeake Appalachia LLC Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;
  - 6.2. Applicant Chesapeake Appalachia LLC is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;
  - 6.3. Applicant claims ownership of Conventional Gas leases on 100% percent of Subject Drilling Unit and the right to explore for, develop and produce Gas from same, i.e., Well No. 823793, as well as from reciprocal wells, i.e., Well No. 826463, and 823794.
  - 6.4. The proposed Well 823793 is located on a surface, coal, oil and gas tract known as Buchanan Energy Co. LLC Tract, and the surface, coal, gas and oil owner has consented to the proposed location for Well 823793 that is depicted on the Plat attached hereto as Exhibit A;
  - 6.5. The Applicant testified it has the right to operate and develop the reciprocal Well Nos. 826463 and 823794 and that the granting of the application filed herein will not impact the correlative rights of any person;
  - 6.6. An exception to the well spacing requirements of Va. Code § 45.1-361.17 for Well 823793 is necessary to efficiently drain a portion of the common sources of supply (reservoir) underlying Subject Drilling Unit, and the Board's granting of the requested location exception is in the best interest of preventing the waste of 300 million cubic feet of Conventional Gas underlying Subject Drilling Unit, and to generally effect the purposes of the Virginia Gas and Oil Act;
  - 6.7. Applicant proposes the drilling of Well No. 823793 to a depth of 5770 feet on the Subject Drilling Unit at the location depicted in Exhibit A to produce all the Mississippian and Devonian age formations including, but not limited to Big Lime, Weir, Berea, Gordon and Devonian Shale from surface to a total depth of 5770 feet (Subject Formations");

6.8. Applicant proposes to drill Well No. 823793 a distance of 162.67 feet closer to Gas Well 826463, and a distance of 60.90 feet closer to Gas Well 823794, than the 2500 feet mandated by statewide spacing;

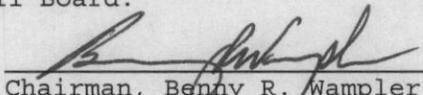
7. Applicant proposes to complete and operate Well 823793 for the purpose of producing Conventional Gas;

8. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

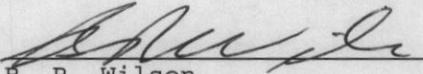
9. Appeals: Appeals of this Order are governed by the provisions of Va. Code Ann. § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court. Such appeals must be taken in the manner prescribed in the Administrative Process Act, Va. Code Ann. § 9-6.14:1 et seq. and Rule 2A of the Rules of the Virginia Supreme Court.

10. Effective Date: This Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

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

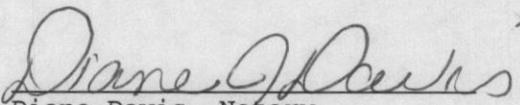
  
Chairman, Benny R. Wampler

DONE AND PERFORMED this 20<sup>th</sup> day of March, 2008 by Order of this Board.

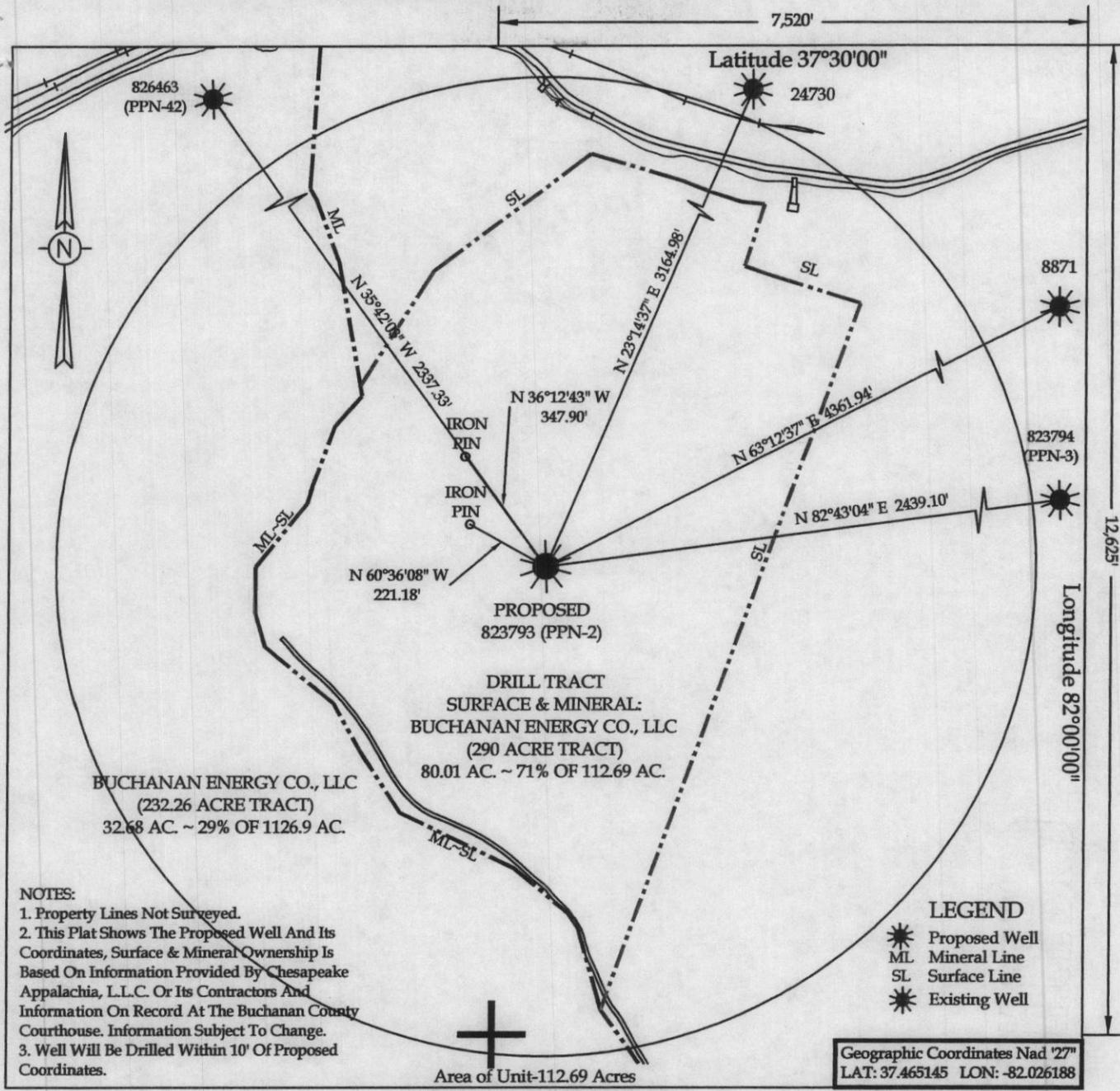
  
B. R. Wilson  
Principal Executive to the Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA )  
COUNTY OF WASHINGTON )

Acknowledged on this 20<sup>th</sup> 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.



**NOTES:**

1. Property Lines Not Surveyed.
2. This Plat Shows The Proposed Well And Its Coordinates, Surface & Mineral Ownership Is Based On Information Provided By Chesapeake Appalachia, L.L.C. Or Its Contractors And Information On Record At The Buchanan County Courthouse. Information Subject To Change.
3. Well Will Be Drilled Within 10' Of Proposed Coordinates.

**LEGEND**

- Proposed Well
- ML Mineral Line
- SL Surface Line
- Existing Well

Geographic Coordinates Nad '27"  
 LAT: 37.465145 LON: -82.026188

**WELL LOCATION PLAT**

Company CHESAPEAKE APPALACHIA, L.L.C. Well Name or Number 823793 (PPN-2)  
 Tract No. BUCHANAN ENERGY CO., LLC Quadrangle HURLEY  
 District KNOX  
 Well Coordinates (Virginia State Plane) N: 431,184.03 E: 976,812.38  
 Elevation: 1458.58 Method Used to Determine Elevation: Trig. Levels from GPS derived elevation.  
 County BUCHANAN Scale: 1" = 400' Date 11-19-07

This Plat is a new plat  ; 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.

*Douglas R. Light*  
 \_\_\_\_\_  
 Licensed Professional Engineer or Licensed Land Surveyor

