

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 08/08/19-2311

ELECTIONS, UNIT: VCI-539939

(hereinafter "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

TAX MAP IDENTIFICATION NUMBERS FOR ALL PARCELS
AFFECTED BY THIS ORDER ARE SHOWN ON EXHIBIT (S) -
B WHICH IS/ARE ATTACHED TO AND A PART OF THIS
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 October 1, 2008 and recorded in Deed Book 459, Page 101 in the Office of the Clerk of Circuit Court, Dickenson County, Virginia on October 17, 2008, (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 November 19, 2008, 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 July 29, 2010, 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, First Bank & Trust Company, P.O. Box 3860, Kingsport, TN 37660 (423) 245-6971, Attn: Debbie Davis, 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, First Bank & Trust Company, P.O. Box 3860, Kingsport, TN 37660 (423) 245-6971, Attn: Debbie Davis, 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 14 day of July, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 14th day of July, 2011, by Order of the Board.

Rick Cooper
Rick Cooper
(Acting) Principal Executive to the Staff, Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 14th day of July, 2011, 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 appeared Rick Cooper, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane Davis
Diane Davis, Notary Public
174394

My commission expires: September 30, 2013



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VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of EQT Production Company, for Forced Pooling of Interests in Unit Number VCI-539939 VGOB Docket No. VGOB-08/08/19-2311 in the Ervinton 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 October 1, 2008, 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 17, 2008.
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

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BK 45960442755 9690'

TOTAL UNIT AREA
= 58.77 ACRES

LATITUDE 37°02'30"

- DENOTES MINERAL LINE
- - - DENOTES SURFACE LINE
- DENOTES SURFACE & MINERAL LINES

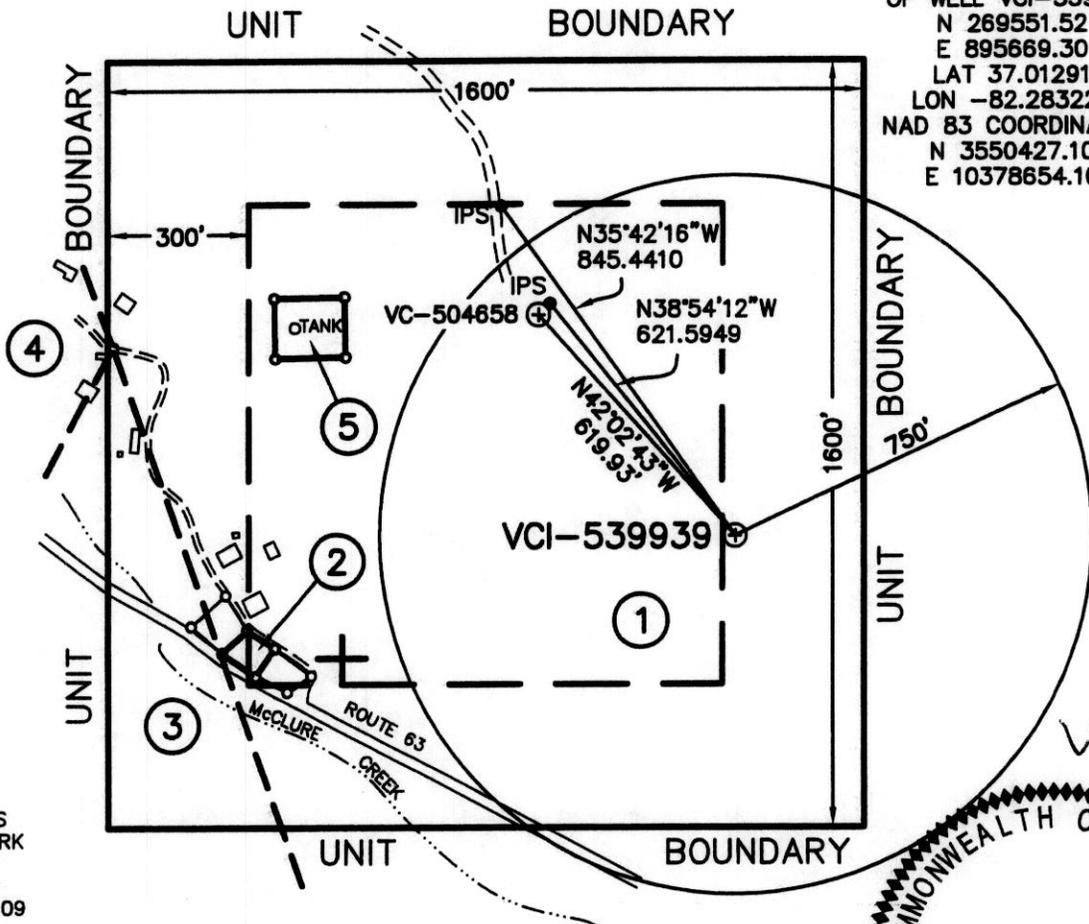
NOTE !!
SEE WELL PLAT SUPPLEMENT SHEET 2
FOR TRACT INFORMATION.

CCC COORDINATES
OF WELL VCI-539939
S 31690.35
E 29228.13

STATE PLANE
NAD 27 COORDINATES
OF WELL VCI-539939
N 269551.52
E 895669.30
LAT 37.012912
LON -82.283228
NAD 83 COORDINATES
N 3550427.10
E 10378654.10

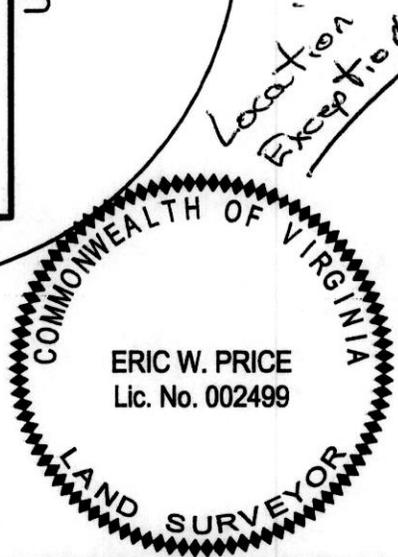


10475'



COORDINATES
OF BENCH MARK
S 77498.41
E 22826.48
ELEV. = 1754.09

NOTE !!!
WELL COORDINATES ARE BASED ON CLINCHFIELD
COAL COMPANY'S COORDINATE SYSTEM
CLINCHFIELD COAL COMPANY COORDINATES ARE
CALCULATED FROM STATE PLANE WELL COORDINATES.
PROPERTY INFORMATION PROVIDED BY EQUITABLE
PRODUCTION COMPANY.
ELEVATIONS ARE BASED ON NGS CONTROL ST. PAUL 2.



WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VCI-539939(BU-55)

TRACT No. LEASE NO. 905075 ELEVATION 2179.75 (GPS) QUADRANGLE NORA

COUNTY DICKENSON DISTRICT ERVINTON SCALE: 1" = 400' DATE June 13, 2008

THIS PLAT IS A NEW PLAT x; AN UPDATED PLAT ; OR A FINAL LOCATION PLAT

PROPOSED TOTAL DEPTH OF WELL =

+ 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.

Eric W. Price 6-13-08

(AFFIX SEAL)

T&L

LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

923PLAT.DWG

①

LEASE No. 905075
LAMBERT LAND, LLC
988.22 ACRES
LAMBERT LAND, LLC - coal, surface, oil, gas & CBM
GAS 53.82 AC. 91.58%

②

UNLEASED
HOMER G. KISER LOT P-2
0.13 ACRES
HOMER G. KISER - coal, surface, oil, gas & CBM
GAS 0.13 AC. 0.22%

③

LEASE No. 906889 / T-11
JESSEE BEAM
361.00 ACRES
DICKENSON-RUSSELL COAL COMPANY, LLC/ALPHA LAND &
RESERVES, LLC/ACIN, LLC/WBRD, LLC - coal
RANGE RESOURCES-PINE MOUNTAIN, INC. - oil, gas & CBM
GAS 4.38 AC. 7.45%

④

LEASE No. 906889 / T2-128
B.W. JENNINGS
79.23 ACRES
LEASE No. 905075
LAMBERT LAND, LLC - coal
RANGE RESOURCES-PINE MOUNTAIN, INC. - oil, gas & CBM
GAS 0.01 AC. 0.02%

⑤

LEASE No. 905995
BOARD OF SUPERVISORS OF THE COUNTY OF DICKENSON,
VIRGINIA
0.43 ACRES
BOARD OF SUPERVISORS OF THE COUNTY OF DICKENSON,
VIRGINIA - coal, surface, oil, gas & CBM
GAS 0.43 AC. 0.73%



THOMPSON & LITTON

312 Clintwood Main Street
Suite 201
P.O. Box 1869
Clintwood, Virginia 24228

EQUITABLE PRODUCTION COMPANY
WELL No. VCI-539939
WELL PLAT SUPPLEMENT
SHEET 2

PROJECT No.:	9923 PLAT
SCALE:	1" = 400'
DATE:	June 13, 2008

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EXHIBIT "B-3" ^{BK} 488PG 157
 VCI-539939

<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>				
2	Homer G. Kiser Star Route Box 178 Dante, Virginia 24237 # 17456	Unleased	0.220000%	0.1300
TOTAL GAS ESTATE			0.220000%	0.1300
<u>Coal Estate Only</u>				
2	Homer G. Kiser Star Route Box 178 Dante, Virginia 24237 # 17456	Unleased	0.220000%	0.1300
TOTAL COAL ESTATE			0.220000%	0.1300

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EXHIBIT "E" BK 488PG 158
 VCI-539939

<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>				
4	Range Resources-Pine Mountain, Inc Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212 #20988	Leased 906889 T2-128	0.020000%	0.0100
Total Gas Estate			0.020000%	0.0100
<u>Coal Estate Only</u>				
4	Lambert Land LLC ATTN: Dennis Sutherland P.O. Box 490 Nora, Virginia 24272 # 2169	Leased 905075	0.020000%	0.0100
Total Coal Estate			0.020000%	0.0100

Handwritten scribbles and marks in the right margin.

INSTRUMENT #110000940
 RECORDED IN THE CLERK'S OFFICE OF
 DICKENSON ON
 AUGUST 1, 2011 AT 04:24PM
 RICHARD W. EDWARDS, CLERK
 RECORDED BY: CJF

Handwritten number 10 in the bottom right corner.

Hagy, Sharon (DMME)

From: VITASHARE System [vitashare@vita.virginia.gov]
Sent: Wednesday, August 17, 2011 9:22 AM
To: Hagy, Sharon (DMME)
Subject: New Transaction O87QUQPDDNI3UXRM

Transaction details for Sharon Hagy(user shagy_1) _____

Job Id: O87QUQPDDNI3UXRM

Date: Wed, Aug 17, at 09:21

Transaction Details:

Acknowledge Security Policy: I understand that this system is not intended for sensitive data.

Recipient's Email example- user1@virginia.gov, user2@virginia.gov:

ATolman@eqt.com, gloria.clark@dmme.virginia.gov, KShannon@eqt.com, sep@wilhoitandkaiser.co

[m](#)

Message - Describe file attachment: Please see the attached recorded supplemental orders and one pooling order for the following dockets: 2203 2250 2274 2311 2492 2515 2516 2735 2886- Pooling order Thank you, Sharon Hagy sharon.hagy@dmme.virginia.gov

Notify me when the file is downloaded?: Yes

Pin: 80368

Files:

- 2203_Supplemental-Original.tif
- 2250_Supplemental-Original.tif
- 2274_Supplemental-Original.tif
- 2311_Supplemental-Original.tif
- 2492_Supplemental-Original.tif
- 2515_Supplemental-Original.tif
- 2516_Supplemental-Original.tif
- 2735_Supplemental-Original.tif
- 2886_Pooling-Original.tif

View details here

<http://vitashare.vita.virginia.gov/fcweb/viewJobLink.do?JOBIDX=O87QUQPDDNI3UXRM>

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