

201003070

000049 SEP 30 2009

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 09/04/21-2512

ELECTIONS, UNIT: VC-536744

(hereinafter "Subject Drilling Unit").

TAX MAP IDENTIFICATION  
NUMBERS FOR ALL PARCELS  
AFFECTED BY THIS ORDER ARE  
SHOWN ON EXHIBIT B.

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 July 20, 2009, and recorded in Book with Instrument #200902954 in the Office of the Clerk of Circuit Court, Wise County, Virginia on September 10, 2009, (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 October 6, 2009, 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 February 15, 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 37664, (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 37664, (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.

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DONE AND EXECUTED this 14 day of March, 2010 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 14 day of March, 2010 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 14<sup>th</sup> day of March, 2010, 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: September 30, 2013.



**VIRGINIA:**

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***BEFORE THE VIRGINIA GAS AND OIL BOARD***

IN RE: Application of EQT Production Company, for Forced Pooling of Interests in Unit Number VC-536744 VGOB Docket No. VGOB-09/04/21-2512 in the Gladeville 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 July 20, 2009, 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 September 10, 2009.
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:

NONE

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>
6	Clayton Wiles and Kimberly Wiles, h/w 6427 Country Meadow Dr. Norton, VA 24273	3.5400 x \$5.00 = \$17.70
7	Cecil D. Robinette and Charlene Robinette, h/w 6431 Country Meadow Dr. Norton, VA 24273	11.0000 x \$5.00 = \$55.00

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 not required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 15<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
Affiant

State of Tennessee     )  
County of Sullivan     )

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 15<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
Susan Peterson, Notary

My commission expires: October 24, 2012.

**EXHIBIT "B"**  
**VC-536744**  
 REVISED 04/22/09

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<u>TR</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>						
<b>1</b> <b>Tax I.D. # 020480</b>	CEMA Corporation 1051 Clark Street NE Abingdon, VA 24210-2052	Leased 904565	6.430000%	5.1400	0.00803750	RI
<b>Tract 1 Totals</b>	EQT Production Company		<u>6.430000%</u>	<u>5.1400</u>	<u>0.05626250</u>	WI
<b>2</b> <b>Tax I.D. # 020664</b>	Greater Wise, Inc. P.O. Box 668 Norton, VA 24273-0668	Leased 223095L/GW-45	22.190000%	17.7500	0.02773750	RI
<b>Tract 2 Totals</b>	EQT Production Company		<u>22.190000%</u>	<u>17.7500</u>	<u>0.19416250</u>	WI
<b>3</b> <b>Tax I.D. # 020665</b>	Greater Wise, Inc. P.O. Box 668 Norton, VA 24273-0668	Leased 223095L/GW-103-A	17.540000%	14.0300	0.02192500	RI
<b>Tract 3 Totals</b>	EQT Production Company		<u>17.540000%</u>	<u>14.0300</u>	<u>0.15347500</u>	WI
<b>4</b> <b>Tax I.D. # 020609</b>	Greater Wise, Inc. P.O. Box 668 Norton, VA 24273-0668	Leased 223095L/GW-127-1	22.960000%	18.3700	0.02870000	RI
<b>Tract 4 Totals</b>	EQT Production Company		<u>22.960000%</u>	<u>18.3700</u>	<u>0.20090000</u>	WI
<b>5</b> <b>Tax I.D. # 009232</b>	Home Federal Bank, FSB Successor Trustee Under the Will of James L. Bevins for the benefit of Leonard A. Bevins P.O. Box 3007 Johnson City, TN 37602-3007	Leased 223152	0.586667%	0.0059	0.00073333	RI
<b>Tax I.D. # 009232</b>	William R. Bevins and Sarah Frances Bevins, h/w 6910 Hurricane Road Wise, VA 24293	Leased 223152	0.586667%	0.0059	0.00073333	RI
<b>Tax I.D. # 009232</b>	Robert A. Bevins and Ann Bevins, h/w Ballyknockane Ballypatrick Clonmel CO Tipperary Ireland	Leased 223152	0.586667%	0.0059	0.00073333	RI
<b>Tract 5 Totals</b>	EQT Production Company		<u>1.760000%</u>	<u>0.0176</u>	<u>0.01540000</u>	WI

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6 Clayton Wiles and Unleased 4.420000% 3.5400 0.00552500 RI  
 Tax I.D. # 034222 Kimberly Wiles, h/w  
 6427 Country Meadow Dr.  
 Norton, VA 24273

EQT Production Company 0.03867500 WI  
**Tract 6 Totals** 4.420000% 3.5400 0.04420000

7 Cecil D. Robinette and Unleased 13.750000% 11.0000 0.01718750 RI  
 Tax I.D. # 020943 Charlene Robinette, h/w  
 6431 Country Meadow Dr.  
 Norton, VA 24273

EQT Production Company 0.12031250 WI  
**Tract 7 Totals** 13.750000% 11.0000 0.13750000

8 Flora B. Robinette, widow 223158 10.950000% 8.7600 0.01368750 RI  
 Tax I.D. # 012127 315 Chestnut ST NW  
 Norton, VA 24273

EQT Production Company 0.09581250 WI  
**Tract 8 Totals** 10.950000% 8.7600 0.10950000

**TOTAL GAS ESTATE 100.00000% 78.60760 1.00000000**

Percentage of Unit Leased -18.170000%  
 Percentage of Unit Unleased 18.170000%

Acreage in Unit Leased -14.5400  
 Acreage in Unit Unleased 14.5400

**Coal Estate Only**

1 CEMA Corporation Leased 6.430000% 5.1400 0.00803750 RI  
 Tax I.D. # 020480 1051 Clark Street NE  
 Abingdon, VA 24210-2052  
 904565

EQT Production Company 0.05626250 WI  
**Tract 1 Totals** 6.430000% 5.1400 0.06430000

2 Greater Wise, Inc. Leased 22.190000% 17.7500 0.02773750 RI  
 Tax I.D. # 020664 P.O. Box 668  
 223095L/GW-45  
 Norton, VA 24273-0668

EQT Production Company 0.19416250 WI  
**Tract 2 Totals** 22.190000% 17.7500 0.22190000

3 Greater Wise, Inc. Leased 17.540000% 14.0300 0.02192500 RI  
 Tax I.D. # 020665 P.O. Box 668  
 223095L/GW-103-A  
 Norton, VA 24273-0668

EQT Production Company 0.15347500 WI  
**Tract 3 Totals** 17.540000% 14.0300 0.17540000

4 Greater Wise, Inc. Leased 22.960000% 18.3700 0.02870000 RI  
 Tax I.D. # 020609 P.O. Box 668  
 223095L/GW-127-1  
 Norton, VA 24273-0668

EQT Production Company 0.20090000 WI  
**Tract 4 Totals** 22.960000% 18.3700 0.22960000

5 Home Federal Bank, FSB Leased 0.586667% 0.0059 0.00073333 RI  
 Tax I.D. # 009232 Successor Trustee Under  
 the Will of James L. Bevins  
 for the benefit of  
 Leonard A. Bevins  
 P.O. Box 3007  
 Johnson City, TN 37602-3007

<b>Tax I.D. # 009232</b>	William R. Bevins and Sarah Frances Bevins, h/w 6910 Hurricane Road Wise, VA 24293	Leased 223152	0.586667%	0.0059	0.00073333	RI
<b>Tax I.D. # 009232</b>	Robert A. Bevins and Ann Bevins, h/w Ballyknockane Ballypatrick Clonmel CO Tipperary Ireland	Leased 223152	0.586667%	0.0059	0.00073333	RI
						000057 SEP 30
<b>Tract 5 Totals</b>	EQT Production Company		1.760000%	0.0176	0.01540000 0.01760000	WI
<b>6</b>	Clayton Wiles and Kimberly Wiles, h/w 6427 Country Meadow Dr. Norton, VA 24273	Unleased	4.420000%	3.5400	0.00552500	RI
<b>Tax I.D. # 034222</b>						
<b>Tract 6 Totals</b>	EQT Production Company		4.420000%	3.5400	0.03867500 0.04420000	WI
<b>7</b>	Cecil D. Robinette and Charlene Robinette, h/w 6431 Country Meadow Dr. Norton, VA 24273	Unleased	13.750000%	11.0000	0.01718750	RI
<b>Tax I.D. # 020943</b>						
<b>Tract 7 Totals</b>	EQT Production Company		13.750000%	11.0000	0.12031250 0.13750000	WI
<b>8</b>	Flora B. Robinette, widow 315 Chestnut ST NW Norton, VA 24273	223158	10.950000%	8.7600	0.01368750	RI
<b>Tax I.D. # 012127</b>						
<b>Tract 8 Totals</b>	EQT Production Company		10.950000%	8.7600	0.09581250 0.10950000	WI
<b>TOTAL COAL ESTATE</b>			<b>100.000000%</b>	<b>78.6076</b>	<b>1.00000000</b>	
Percentage of Unit Leased			81.830000%			
Percentage of Unit Unleased			18.170000%			
Acreage in Unit Leased				64.0676		
Acreage in Unit Unleased				14.5400		

INSTRUMENT #201003070  
RECORDED IN THE CLERK'S OFFICE OF  
WISE COUNTY ON  
SEPTEMBER 30, 2010 AT 09:35AM

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

1524

Instrument Control Number  
[ ]

000046 SEP 30

### Commonwealth of Virginia Land Record Instruments Cover Sheet - Form A

INSTRUMENT #201003070  
RECORDED IN THE CLERK'S OFFICE OF  
WISE COUNTY ON  
SEPTEMBER 30, 2010 AT 09:35AM

J. JACK KENNEDY, JR., CLERK  
RECORDED BY: ADH  
*[Signature]*

[ILS VLR Cover Sheet Agent 1.0.93]

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Date of Instrument: [8/11/2010 ]  
Instrument Type: [ORDER ]  
Number of Parcels [ 5 ]  
Number of Pages [ 9 ]  
City  County  [Wise County ]

(Box for Deed Stamp Only)

#### First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Gas and Oil Bo ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]

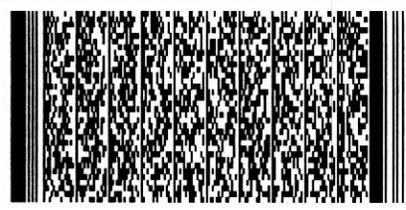
#### First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[Greater Wise ]	[ ]	[ ]	[ ]
[Home Fderal Bank ]	[ ]	[ ]	[ ]

Grantee Address (Name) [EQT ]  
(Address 1) [P. O. Box 2347 ]  
(Address 2) [ ]  
(City, State, Zip) [Charleston ] [WV] [ ]  
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 [ ] Page [ ] Instr. No [ ]  
Parcel Identification No (PIN) [ ]  
Tax Map Num. (if different than PIN) [020480 ]  
Short Property Description [ ]  
Current Property Address (Address 1) [ ]  
(Address 2) [ ]  
(City, State, Zip) [ ] [ ] [ ]

Instrument Prepared By [VGOB ]  
Recording Paid for By [DMME ]  
Return Recording To (Name) [Diane Davis ]  
(Address 1) [P. O. Drawer 159 ]  
(Address 2) [ ]  
(City, State, Zip) [Lebanon ] [VA] [24266 ]  
Customer Case ID [0904212512 sup ] [ ] [ ]



Instrument Control Number

[Empty box for Instrument Control Number]

000047 SEP 30 2010

Commonwealth of Virginia
Land Record Instruments
Continuation Cover Sheet
Form C

[ILS VLR Cover Sheet Agent 1.0.93]

TAX EXEMPT
GRANTOR
GRANTEE
CORP

Date of Instrument: [8/11/2010 ]

Instrument Type: [ORDER ]

Number of Parcels [ 5]

Number of Pages [ 9]

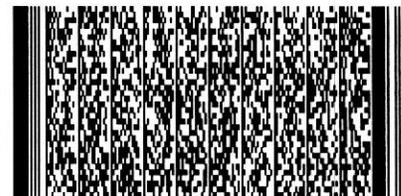
City [ ] County [x] [Wise County ] (Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form C

Table with 4 columns: Last Name, First Name, Middle Name or Initial, Suffix. Rows include Blevins, Wiles, and Robinette.

Prior Instr. Recorded at: City [ ] County [x] [Wise County ] Percent. in this Juris. [ 100]
Book [ ] Page [ ] Instr. No [ ]
Parcel Identification No (PIN) [ ]
Tax Map Num. (if different than PIN) [020664]
Short Property Description [ ]
Current Property Address (Address 1) [ ]
(Address 2) [ ]
(City, State, Zip) [ ] [ ] [ ]

Prior Instr. Recorded at: City [ ] County [x] [Wise County ] Percent. in this Juris. [ 100]
Book [ ] Page [ ] Instr. No [ ]
Parcel Identification No (PIN) [ ]
Tax Map Num. (if different than PIN) [020665]
Short Property Description [ ]
Current Property Address (Address 1) [ ]
(Address 2) [ ]
(City, State, Zip) [ ] [ ] [ ]



Instrument Control Number

[Empty box for Instrument Control Number]

000048 SEP 30 2010

Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form C

[ILS VLR Cover Sheet Agent 1.0.93]

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Date of Instrument: [8/11/2010 ]

Instrument Type: [ORDER ]

Number of Parcels [ 5]

Number of Pages [ 9]

City  County  [Wise County ] (Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form C

Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/> [Robinette ]	<input type="checkbox"/> [Charlene ]	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]
<input type="checkbox"/> [Robinette ]	<input type="checkbox"/> [Flora ]	<input type="checkbox"/> [B ]	<input type="checkbox"/> [ ]
<input type="checkbox"/> [James L. Blevins Estate ]	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]
<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]
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<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) [020609]  
 Short Property Description [ ]  
 Current Property Address (Address 1) [ ]  
 (Address 2) [ ]  
 (City, State, Zip) [ ] [ ] [ ]

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) [009232]  
 Short Property Description [ ]  
 Current Property Address (Address 1) [ ]  
 (Address 2) [ ]  
 (City, State, Zip) [ ] [ ] [ ]

