

Sup 01

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

DOCKET NOS: 93-0316-0344 and 93-0518-0371

REPORT OF THE BOARD

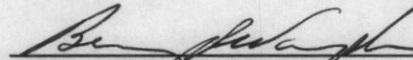
NOTICE OF EXPIRATION/TERMINATION OF VIRGINIA GAS AND OIL BOARD (herein "Board") ORDERS IN VGOB DOCKET NOS. 93-0316-0344 and 93-0518-0371 FOR THE POOLING OF INTERESTS IN A DRILLING UNIT TO BE SERVED BY PROPOSED WELL P-289C LOCATED IN THE NORA COALBED GAS FIELD, HAYSI QUADRANGLE, SANDLICK MAGISTERIAL DISTRICT, DICKENSON COUNTY VIRGINIA (the "Subject Lands" are more particularly described on Exhibit 'A', attached hereto and made a part hereof.

1. This Notice of Expiration/Termination is entered by the Board after a hearing upon its own motion for the purpose of providing notice that the Board orders in the above-styled docket number which are more particularly set forth and described in Paragraph 2 hereof expired and became terminated by their own terms on April 16, 1994 except for any cash sums becoming payable thereunder.
2. Findings: The Board finds that:
 - (a) In VGOB Docket No. 93-0316-0344, the Board entered a pooling order pursuant to Va. Code 45.1-361.21 and 45.1-361.22 on April 16, 1993 for the pooling of a 58.770-acre coalbed methane gas drilling unit to be served by proposed well P-289C (herein "Original Pooling Order"). The Original Pooling Order was recorded with the Clerk of the Circuit Court of Dickenson County, Virginia in Deed Book 291 at Page 471 on April 23, 1993. Paragraph 14 of the Original Pooling Order provided that Equitable Resources Exploration n/k/a Equitable Resources Energy Company (herein "Unit Operator") was to commence operations for the drilling of the well in the pooled drilling unit within 365 days from the date of the entry of the Pooling Order, i.e., by April 16, 1994. The Original Pooling Order further provided that if Unit Operator did not commence operations for the drilling of said well within 365 days from the entry of the Original Pooling Order, then the Original Pooling Order would terminate, except for any cash sums becoming payable thereunder.
 - (b) In VGOB Docket No. 93-0518-0371, the Board entered an order modifying the Original Pooling Order (herein "Modification Order") on July 21, 1993 and recorded same with the Clerk of the Circuit Court of Dickenson County, Virginia in Deed Book 293 at Page 477 on July 30, 1993. Paragraph 14 of the Modification Order likewise required the Unit Operator to commence operations for the drilling of the well which was to serve the pooled drilling unit within 365 days from April 16, 1993, i.e. by April 16 1994. The Modification Order further provided that if the Unit Operator did not so commence operations for the drilling of said well by April 16, 1994, then the Original Pooling Order and the Modification Order would terminate, except for any cash sums becoming payable thereunder.
 - (c) In VGOB Docket No. 93-0518-0371, on October 22, 1993 the Board entered its Supplemental Order Regarding Elections for the pooled drilling unit (herein "Supplemental Order") which Supplemental Order was recorded on November 1, 1993 with the Clerk of the Circuit Court of Dickenson County at Deed Book 296 at Page 069.
 - (d) The Unit Operator did not commence operations for the drilling of the well which was to serve the pooled drilling unit within 365 days from the entry of the Pooling Order, therefore on April 16, 1994 the Pooling Order, Modification Order and the Supplemental Order terminated by their own terms.
3. Order: By this Order which is to be recorded with the Clerk of the Circuit Court of Dickenson County, Virginia, the Board gives notice that the Original Pooling Order, the Modification Order, and the Supplemental Order expired and terminated by their own terms on April 16, 1994 except for any cash sums becming payable thereunder. Notwithstanding the fact that the Original Pooling Order, the Modification Order, and the Supplemental Order heretofore expired and terminated on April 16, 1994, any funds heretofore paid by the Unit Operator into the escrow account created by the Original Pooling Order, the Modification Order and/or the Supplemental Order shall be held by the Escrow Agent for the exclusive use of, and sole benefit of the persons

entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code 45.1-361.21.D.

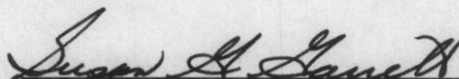
4. **Mailing of Order:** The Unit Operator under the captioned order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed within seven (7) days from the date of receipt of this Order to each person whose interest or claim was pooled by the Pooling Order and whose interest or claim was subject to escrow 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.

Done and executed this 23rd day of October, 1997, by the Chairman of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

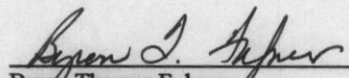
STATE OF VIRGINIA)
COUNTY OF WISE)

Acknowledged on this 23rd day of October, 1997, 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, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary Public

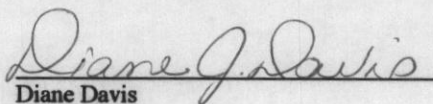
My Commission expires 7/31/98

Done and performed this 23rd day of October, 1997 by Order of this Board.


Byron Thomas Fulmer
Principal Executive to the Staff
Of the Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 23rd day of October, 1997, personally appeared before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane Davis
Notary Public

My Commission expires 9/30/2001

NOTE: Elevation determined by
Spiral level from Clinchfield
Station No. 17

BOOK 291

PAGE

480

L.s. # 242691

Jeffery Counts et. al.

COAL, OIL & GAS

GAS - 3.542 Ac., 6.03 %

Tract 4

37° 10' 00"

Longitude 82° 15' 00"

L.s. # PO-148, T-327

Almameen Owens

329.72 Ac.

Clinchfield Coal Co./

Pyxis Resources Co.- COAL

Pine Mountain Oil & Gas Co.-

OIL & GAS

GAS - 13.700 Ac., 23.31%

Tract 3

L.s. # PO-148, T-365

Sutherland

20 Ac.

Clinchfield Coal Co./

Pyxis Resources Co.- COAL

Pine Mountain Oil & Gas Co.-

OIL & GAS

GAS - 2.724 Ac., 4.63%

Tract 2

NOTE: Iron Pipe References
S 19°30'15" E: 186.21'
S 30°50'36" E: 320.09'

Clinchfield Coal Co. Coords.

N - 11,775.28

E - 35,412.11

State Plane Coords.

N - 312,733.21

E - 903,586.71

UNIT = 58,770 Ac.

L.s. # PO-148, T-364

N. B. Sutherland Tr.

408.23 Ac.

Clinchfield Coal Co./

Pyxis Resources Co.-COAL

Pine Mountain Oil & Gas Co. -

OIL & GAS

GAS - 38.804 Ac., 66.03%

Tract 1

P-289C

CBM

Pace Oil Co., Inc.
SURFACE

LEGEND
○ - Proposed Well Loc.
⊙ - Offset Well
—○— - Mineral Line
— — — - Surface Line

DWG. # 1540

WELL LOCATION PLAT

Company Equitable Resources Exploration

Well Name and Number

P-289CTract No. T-364

Elevation

2013.15

Quadrangle

HaysiDickenson

District

Sand Lick

Scale: 1"=400'

Date 01-28-93This is a new plat X; an updated plat ; or a final location plat ;

Denotes the location of a well on United States Geographic Map scale 1 to 24,000,

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF DICKENSON COUNTY, 10-27, 1997. This deed was this day
presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:03 o'clock P.M., after payment of
\$ tax imposed by Sec. 58.1-802.

TESTE: JOE TATE, CLERK

(Affix Seal)

Original returned this date to:

Diane Davis

BY:

Diane Davis

CLERK