

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING

ELECTIONS, UNIT: T-16

(herein "Subject Drilling Unit")

DOCKET NUMBER VGOB-92/11/17-0283 &

VGOB-92/12/15-0304

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 requirements of § 7.c of the Virginia Gas and Oil Board Regulations, VR 480-05-22.2 by supplementing the Order previously issued by the Board for the subject Docket on January 24, 1993 and recorded at Deed Book 404, Page 112 and on February 12, 1993 and recorded at Deed Book 405, Page 103 in the Office of the Clerk of Buchanan County, Virginia on February 15, 1993 and February 24, 1993 (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interests 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 Oxy USA, Inc., (herein the "Designated Operator"), to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by said Board Order;

(b) The Designated Operator filed its affidavit of mailing dated April 30, 1993, disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

(c) The Board Order required each Respondent whose interests, 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 April 30, 1993 in accordance with 7.c of the Virginia Gas and Oil Board Regulations and VR 480-05-22.2 (herein "Affidavit of Election"), wherein it has, for each Respondent whose interests, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to

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, interests, 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.

(e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Tazewell National Bank, P. O. Box 909, Tazewell, Virginia 24651, 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.

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, Tazewell National Bank, P. O. Box 909, Tazewell, Virginia 24651, 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 within seven (7) days from the date of receipt of this Order 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 21st day of July, 1993, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA)
COUNTY OF WISE)

COUNTY OF WISE)

Acknowledged on this 21st day of July, 1993, 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
Susan G. Garrett
Notary Public

My commission expires 7/31/94

DONE AND PERFORMED this 22nd day of July, 1993 by Order of this Board.

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

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 22nd day of July, 1993, personally 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 J. Davis
Diane J. Davis
Notary Public

My commission expires 9/30/97



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Buchanan Production Company for Forced Pooling of Interests in Unit Number T-16, VGOB Docket No. 92-1117-0283 & 92-1215-0304 in the South Grundy District of Buchanan County, Virginia

AFFIDAVIT OF OXY USA Inc. (herein "Designated Operator") REGARDING ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Samuel E. Gordin (herein Affiant), being first duly sworn on oath, deposes and says:

1. That your Affiant is employed by OXY USA Inc., the Designated Operator, at its office located at 1600 Front Street, Suite 200, P.O. Drawer O, Richlands, Virginia 24641, that your Affiant is the Designated Operator's Regulatory Affairs Coordinator, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on January 24, 1993 and February 12, 1993, by the Virginia Gas and Oil Board regarding the captioned (CBM or conventional) 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, your Affiant caused 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 were added as Respondents at the hearing held in the captioned matter; that annexed hereto and incorporated herein are copies of the letters of transmittal, receipts for certified mail, and return receipts pertaining to said mailing;
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 February 15, 1993 and on February 24, 1993.
5. That the Designated Operator, OXY USA Inc., has established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interests 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 period:

Election

- | | | |
|---|---|---------------|
| * | Homer and Edna Webb
513 Harrington Rd.
Rising Sun, MD 21911 | Paragraph 9.1 |
| * | Hubert and Ruth Webb
615 Harrisville Road
Colora, MD 21917 | Paragraph 9.1 |

Howard L. and Shirley A. Webb Paragraph 9.2
8012 East Monte
Mesa, AZ 85208

* Zeola Shupe Paragraph 9.1
24 North Purdue Ave.
New Castle, DE 19720

* Russell and Thelma Howell Paragraph 9.1
193 West Ridge Rd.
Nottingham, PA 19362-9122

Edith W. Moran (formally Parsons) Paragraph 9.2
P.O. Box 257
Oxford, PA 19363

* Victor and Grace Webb Paragraph 9.1
16 Nellies Corner Road
Rising Sun, MD 21911

Wendell and Angie Kitts Paragraph 9.2
P.O. Box 53
Bastian, VA 24314

R. Warren and Jacqueline Kitts Paragraph 9.2
5320 Twilight Road
Roanoke, VA 24019

* Indicates respondents who failed to comply with provisions, contained in Paragraph 9.1, and are now deemed to have elected pursuant to Paragraph 9.2 within the order.

6. That the interests 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 under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia;

Tract 1

Thurmon W. Owens and Elma G. Owens $1/8 \times 12.60/80 = 1.96875\%$
heirs, successors, devisees or assigns
c/o Mr. Louit W. Owens
Box 1232
Grundy, VA 24614

Jerry and Phyllis Raines $1/8 \times 12.60/80 = 1.96875\%$
P.O. Box 132
Oakwood, VA 24631

Tract 2

Jerry and Phyllis Raines
P.O. Box 132
Oakwood, VA 24631

$1/8 \times 15.060/80 = 2.35312\%$

Tract 5 & 6

* Cora S. Johnson
1054 Palm View
Dayton Beach, FL 32119

* Etta Vandyke, successors,
or assigns
c/o Nell Delp
240 Trinity Church Road
North East, MD 21901

Joseph H. VanDyke
P.O. Box 101
Elkton, MD 21922

$1/8 \times 6.2574/80 = .97771\%$

Ernest Herford
Address Unknown

$1/8 \times 1.56435/80 = .24442\%$

Earl Herford
Address Unknown

$1/8 \times 1.56435/80 = .24442\%$

Leona and David Rose
P.O. Box 106
Squire, WV 24884

$1/8 \times 0.52155/80 = .08149\%$

Golden and Betty Vance
1015 Woodside
Mansfield, OH 44901

$1/8 \times 0.52155/80 = .08149\%$

Clyde and Beatrice Webb
92 Hill Top Road
Elkton, MD 21921

$1/8 \times 0.39108/80 = .06110\%$

Homer and Edna Webb
513 Harrington Road
Rising Sun, MD 21911

$1/8 \times 0.39108/80 = .06110\%$

Victor and Grace Webb
16 Nellies Corner Road
Rising Sun, MD 21911

$1/8 \times 0.39108/80 = .06110\%$

Edith W. and Lloyd Parsons
P.O. Box 257
Oxford, PA 19363

$1/8 \times 0.39108/80 = .06110\%$

* The interest credited to Cora S. Johnson and Etta VanDyke is now owned by Joseph H. VanDyke, conveyance recorded in Deed Book 401, Page 328 and Deed Book 401, Page 327.

Hubert and Ruth Webb 6151 Harrisville Road Colora, MD 21917	$1/8 \times 0.39108/80 = .06110\%$
J. Dennis and Virginia Webb 8 Cherry Ln Elkton, MD 21921	$1/8 \times 0.39108/80 = .06110\%$
Zeola Shupe 24 North Pardue Ave. New Castle, Delaware 19720	$1/8 \times 0.39108/80 = .06110\%$
Thelma and Russell Howell 193 Ridge Road Nottingham, PA 19362	$1/8 \times 0.39108/80 = .06110\%$
Ada and Virgil Hamilton 5408 Turton Lane Port Orange, FL 32127	$1/8 \times 0.34763/80 = .05431\%$
Exie Nancy Cox No. 5, Kelly Ave. Bel Air, Maryland 21014	$1/8 \times 0.34763/80 = .05431\%$
Lettie Coleman 773 Hickman Drive Melborne, FL 32901	$1/8 \times 0.34763/80 = .05431\%$
Mary W. and Theodore M. Layman 2352 Telegraph Road Rising Sun, MD 21911	$1/8 \times 0.34763/80 = .05431\%$
Frances Johnson 308 Dodson Drive Rising Sun, MD 21911	$1/8 \times 0.34763/80 = .05431\%$
June and William Yale 423 Lombard Road Rising Sun, MD 21911	$1/8 \times 0.34763/80 = .05431\%$
Joan and Charles Brontner 108 Laurel Ave. Thurmont, MD 21788	$1/8 \times 0.34763/80 = .05431\%$
Curtis and Charlotte Meaders 313 King Street Elkton, MD 21921	$1/8 \times 0.34763/80 = .05431\%$
Frazier Plaster Address Unknown	$1/8 \times 0.26093/80 = .04077\%$
Clarence Elkins Address Unknown	$1/8 \times 0.26093/80 = .04077\%$

Samuel and Betty Vance 3241 Brunk Akron, OH 44312	$1/8 \times 0.17395/80 = .02717\%$
Dempsey L. and Francis Vance Route 2, Box 473 North Tazewell, VA 24651	$1/8 \times 0.17395/80 = .02717\%$
Oscar and Nancy Vance, heirs devisees, successors or assigns Address Unknown	$1/8 \times 0.17395/80 = .02717\%$
Kenneth Whited 17918 128th Trail North Jupiter, FL 33478	$1/8 \times 0.17395/80 = .02717\%$
Sylvie and Richard Perkins Stafford, VA	$1/8 \times 0.17395/80 = .02717\%$
Harley Whited (1). Address Unknown	$1/8 \times 0.17395/80 = .02717\%$
Lucille W. and Orlie Perkins 483 Sylmar Road Rising Sun, MD 21911	$1/8 \times 0.17395/80 = .02717\%$
Mary L. and Jack Jacobsen 937 Plantation Road Key Largo, FL 33037	$1/8 \times 0.17395/80 = .02717\%$
Howard L. and Shirley Webb P.O. Box 1343 Page, AZ 86040	$1/8 \times 0.17395/80 = .02717\%$
Kirk L. Webb Route 3, Box 804 Spring City, TN 37381	$1/8 \times 0.17395/80 = .02717\%$
W. H. Reedy, heirs, devisees, successors or assigns Address Unknown	$1/8 \times 31.287/80 = 4.88859\%$
Tract 3	
Virginia H. Childress 6102 Violet Street Kingsport, TN 37663	$1/8 \times 0.4225/80 = .06601\%$
Fay and Lee Couch 129 S. Mulbury Street Madison, Indiana 47220	$1/8 \times 0.1152/80 = .01800\%$

1. Reported to be deceased.

Eula Hensdill Rt. 1, Box 156 Castlewood, VA 24224	$1/8 \times 0.1152/80 = .01800\%$
Madeline and Karl Tucker 1253 Ovington Road Jacksonville, FL 32216	$1/8 \times 0.1152/80 = .01800\%$
Eleanor and Robert Hawkins 2719 Brookwood Drive Knoxville, TN 37917	$1/8 \times 0.1152/80 = .01800\%$
Wanda and George Cochran, Jr. Divi Hotel Orangestad, Aruba	$1/8 \times 0.1152/80 = .01800\%$
Edith Presnell 3437 Rock Spring Baileys Crossroads, VA 22041	$1/8 \times 0.1152/80 = .01800\%$
Phyllis Everett 4472 Dike Road Winter Park, FL 32792	$1/8 \times 0.1152/80 = .01800\%$
Beatrice and Clarence Raleigh Rt. 6, Lot 59 - Hawkins Mobile Park Church Hill, TN 37642	$1/8 \times 0.1152/80 = .01800\%$
Carl and Claudia Childress 7604 Covewood Drive Jacksonville, FL 32224	$1/8 \times 0.1152/80 = .01800\%$
Emory and Katherine Childress 6102 Violet Street Kingsport, TN 37663	$1/8 \times 0.1152/80 = .01800\%$
Verna and Joseph C. Taylor 8793 Lonepine Road Richmond, VA 23229	$1/8 \times 0.0231/80 = .00360\%$
Louise and Lester Agee 7601 Bull Run Manassas, VA 22110	$1/8 \times 0.0231/80 = .00360\%$
Straley D. and Betty Kitts (1). Rt. 4, Box 244 Madison Heights, VA 24572	$1/8 \times 0.0231/80 = .00360\%$

1. Betty Kitts is reported as being deceased.

Warren and Jaqueline Kitts
5320 Twilight Road N. W.
Roanoke, VA 24019

1/8 X 0.0231/80 = .00360%

Wendell and Angie Kitts
Box 53
Bastian, VA 24314

1/8 X 0.0231/80 = .00360%

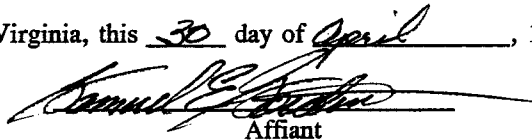
Tract 5-A

Holston Conference of
United Methodist Church, Inc.
P.O. Box 2506
Johnson City, TN 37605-2506

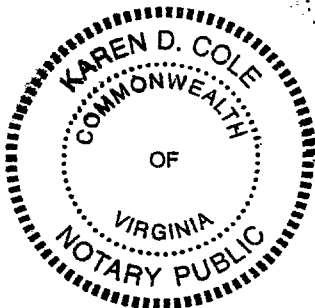
1/8 X 0.25/80 = .03906%

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 interests and/or claims which are not subject to escrow and should, therefore, be dismissed as Respondents: None
8. That pursuant to the provisions of VR 480-05-22.27.C and VR 480-05-22.2.8, 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 and identifies the conflicting claims and/or interests which require escrow of funds pursuant to the terms of §§ 45.1-361.21.D, 45.1-361.22.A.3 and 4.;

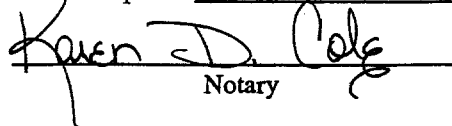
Dated at Richlands, Virginia, this 30 day of April, 1993.


Affiant

Taken, subscribed and sworn to before me by Samuel E. Gordin, the Regulatory Affairs Coordinator, of OXY USA Inc., a corporation, on behalf of the corporation, this 30 day of April 1993.



My commission expires: January 31, 1997


Notary

VIRGINIA. In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 29th day of July, 19 93 5:30 P M.
Deed Book No. 412 and Page No. 141

TESTE:  Clerk