

**Instrument Control Number**

20140054800100

Instrument 201400548
Recorded in the Clerk's Office of
Wise County and the City of Norton
On Feb 05, 2014 at 11:29 AM.
J. Jack Kennedy, Jr., Clerk
Recorded by: April Huff
(Box For Deed Stamp Only)

Commonwealth of Virginia

Land Record Instrument
Cover Sheet-Form A

[efileCX Coverhseet 1.0]

Date of Instrument: [12/17/2013]
Instrument Type: [ODU]
Number of Parcels [1]
Number of Pages [16]
City ☐ County ☒ [Wise County/City
of Norton, VA]

First and Second Grantors

Last Name	First Name	Middle Name	Suffix
[VIRGINIA GAS AND OIL BOARD]	[]	[]	[]

First and Second Grantees

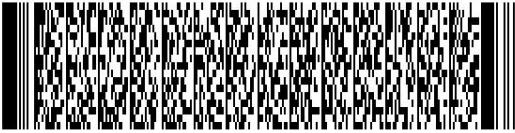
Last Name	First Name	Middle Name	Suffix
[EQUITABLE PRODUCTION COMPANY]	[]	[]	[]

Grantee Address (Name) [EQUITABLE PRODUCTION COMPANY]
(Address 1) []
(Address 2) []
(City, State, Zip) [] [] []

Consideration[00.00] **Assessed Value**[00.00]

Prior Instr. Recorded at: City ☒ County ☒
Book [000] Page[0000] Instr. No.[20140054800100]
Parcel Identification no. {PIN} []
Short Property Description [TRACT 3;LIPPS MAGISTERIAL DISTRICT]
Current Property Address (Address1) [0000]
(Address2) []
(City, State, Zip) [WISE] [VA] []

Instrument Prepared by [DEPARTMENT OF MINES, MINERALS AND ENERGY]
Recording Paid for by [DEPARTMENT OF MINES, MINERALS AND ENERGY]
Return Recording to (Name) [DEPARTMENT OF MINES, MINERALS AND ENERGY]
(Address1) [135 HIGHLAND DRIVE]
(Address2) [P. O. DRAWER 159]
(City, State, Zip) [LEBANON] [VA] [24266]



Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA
§ 45.1-361.26

BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT: An Order for Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

JURISDICTION: Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

UNIT/WELL NAME: VC-536531

TRACT(S): 3

LOCATION: WISE County, Virginia

TAX ID NUMBERS: Tax Map Identification Numbers for all parcels affected by this order are shown on: Exhibit B

DOCKET NUMBER: VGOB-05-0920-1498-01

APPLICANTS: EQT Production Company on behalf of Eva Adkins

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
December 17, 2013

APPEARANCES: James Kaiser on behalf of EQT Production Company

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 10/13/2005, Recorded on 10/13/2005, Deed Book/Instrument No. 200504504, Page 70.
2. Supplemental Order, Recorded on 11/30/2006, Deed Book/Instrument No. 159, Page 160.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the December 17, 2013 hearing and considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 3 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 3 relative to the interests of the Applicants identified in the attached petition.
- (3) Close the escrow account under this docket number.

FINDINGS: Code of Virginia § 45.1-361.22

Applicant has certified and represented to the Board that:

Range Resources-Pine Mountain was a conflicting claimant with Eva Mae Adkins with regard to Tract 3 as created by Board Order VGOB 05/09/20-1498. To resolve this conflict, an Order entered September 4, 2013 by the United States District Court for the Western District of Virginia is attached hereto which states that all monies in escrow and all past and future royalties belong to the Adkins. Case No. 1:11-cv-00031.

RELIEF GRANTED:

VGOB Disbursement
Unit VC-536531

VGOB-05-0920-1498-01

Table 1

Tracts: 3

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage		Royalty Split		Escrowed Acres		Percent of Escrowed Funds	
			in Tract		in Tract		Agreement		Disbursed		Disbursed	
		Total acreage in escrow before disbursement							0.53000			
3 Tract 3 (total acreage)			0.53		0.5300		100.00%		0.5300		100.0000%	
1	3	Eva Adkins\PO Box 1966, Coeburn, VA 24230										

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.

2. The Escrow Agent is ordered to close the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

CONCLUSION:

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

APPEALS:

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

DONE AND EXECUTED this 10 day of January, 2014 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 10 day of January, 2014 by Order of the Virginia Gas and Oil Board.



Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 10th day of Jan, 2014, 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 the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, 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, Notary Public
174394

My Commission expires: September 30, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD**PETITIONER:** EQT Production Company**DIVISION OF GAS AND OIL****DOCKET NO:** VGOB 05-0920-1498-01**RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 3
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES****HEARING DATE:** November 19, 2013**DRILLING UNIT:** VC-536531**WISE COUNTY, VIRGINIA****PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS****1. Petitioner and its counsel**

Petitioner is EQT Production Company, 225 North Shore Drive, Pittsburgh, PA 15212, (412)553-5700. Petitioner's counsel is James Kaiser, Wilhoit and Kaiser Law Firm, 220 Broad Street, Suite 210, Kingsport, TN 37660.

2. Relief Sought

Petition for the disbursement of escrowed funds on behalf of Eva Mae Adkins for Tract 3 in Drilling Unit VC-536531, VGOB 05/09/20-1498.

3. Legal Authority

Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of Well(s)

Coalbed Methane

5. Factual basis for relief requested

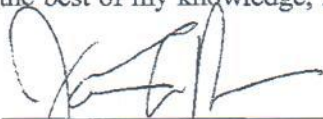
Range Resources-Pine Mountain was a conflicting claimant with Eva Mae Adkins with regard to Tract 3 as created by Board Order VGOB 05/09/20-1498. To resolve this conflict, an Order entered September 4, 2013 by the United States District Court for the Western District of Virginia is attached hereto which states that all monies in escrow and all past and future royalties belong to the Adkins. Case No. 1:11-cv-00031.

6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

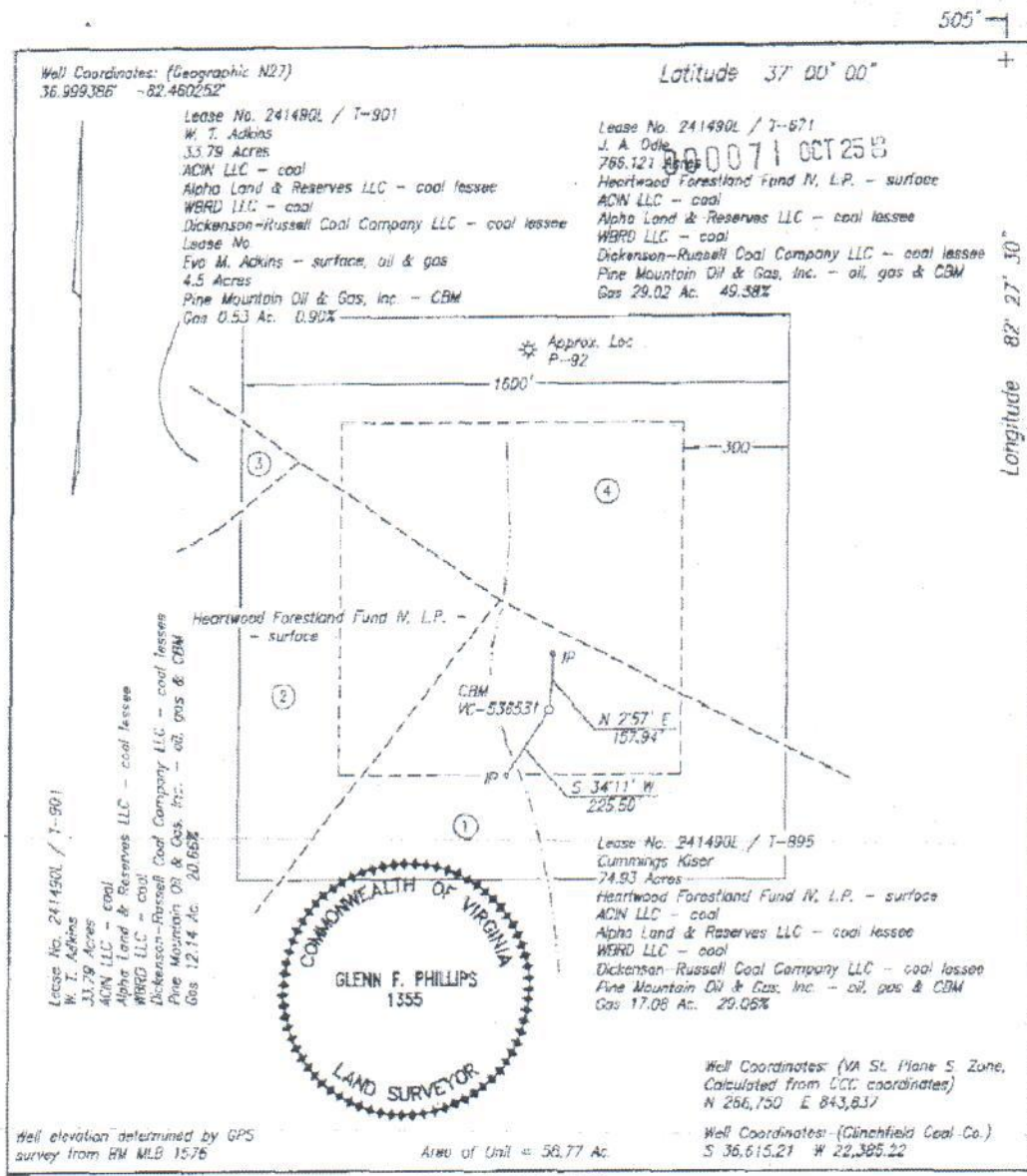
VERIFICATION

The foregoing Application to the best of my knowledge, information and belief is true and correct.



James E. Kaiser

WILHOIT & KAISER



WELL LOCATION PLAT

COMPANY Equitable Production Company WELL NAME AND NUMBER VC-536531
TRACT NO. I-895 ELEVATION 2,224.91' QUADRANGLE Geoburn
COUNTY Wise DISTRICT Lizza SCALE 1" = 400' DATE 8-12-2005

This Plat is a new plat x; 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.

Glenn F. Phillips
Licensed Professional Engineer or Licensed Land Surveyor

Form DCO-CO-7

Addendum to Plat for Well VC-536531

1. Lease No 241490/T-895
 Cummings Kiser
 74.93 Acres
 Heartwood Forestland Fund IV, LP – surface
 ACIN LLC – coal
 Alpha Land & Reserves LLC – coal lessee
 WBRD LLC – coal
 Dickenson Russell Coal Company LLC – coal lessee
 Range Resources-Pine Mountain, Inc. – oil, gas & CBM
 ATTN : Jerry Grantham
 P.O. Box 2136
 Abingdon, VA 24212
 Gas 17.08 AC 29.06%

2. Lease No 241490/T-901
 W.T. Adkins
 33.79 Acres
 ACIN LLC-coal
 Alpha Land & Reserves-LLC – coal lessee
 WBRD LLC – coal
 Dickenson-Russell Coal Company LLC – coal lessee
 Range Resources-Pine Mountain, Inc. – oil, gas & CBM
 ATTN : Jerry Grantham
 P.O. Box 2136
 Abingdon, VA 24212
 Gas 12.14 AC 20.66%

3. Lease No 241490/T-901
 WT Adkins
 33.79 Acres
 ACIN LLC – coal
 Alpha Land & Reserves LLC – coal lessee
 WBRD LLC – coal
 Dickenson-Russell Coal Company LLC – coal lessee
 Lease No.
 Eva Mae Adkins – surface, oil & gas
 4.5 Acres
 *Range Resources-Pine Mountain, Inc. – CBM
 ATTN : Jerry Grantham
 P.O. Box 2136
 Abingdon, VA 24212
 Gas 0.53 AC 0.90%

- By Court Order dated September 4, 2013
 Eva Mae Adkins- oil, gas & CBM-deemed leased
 P.O. Box 1966
 Coeburn, VA 24230-1966

4. Lease No 241490/T-671
J. A. Odle
765.121 Acres
Heartwood Forestland Fund IV LP – surface
ACIN LLC – coal
Alpha Land & Reserves LLC – coal lessee
WBRD LLC – coal
Dickenson-Russell Coal Company LLC – coal lessee
Range Resources-Pine Mountain, Inc. – oil, gas & CBM
ATTN : Jerry Grantham
P.O. Box 2136
Abingdon, VA 24212
Gas 29.02 AC 49.38%

VGOB Disbursement
Unit VC-536531

VGOB-05-0920-1498-01

Table 1
Tracts: 3

Item	Tract	Disbursement Table	Fractional Ownership in Tract	Net Acreage Ownership in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed	Disbursement
		Total acreage in escrow before disbursement				0.53000		
3 Tract 3 (total acreage)			0.53					
1	3	Eva Adkins\PO Box 1966, Coeburn, VA 24230		0.5300	100.00%	0.5300	100.0000 %	\$433.01

Wells contributing to the escrow account: VC-536531 W/PL

EXHIBIT "B"
VC-536531
VGOB 05/09/20-1498

<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>				
1 ID 039465	Range Resources-Pine Mountain, Inc.* Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L T-895	29.060000%	17.0800
Tract 1 Totals			29.060000%	17.0800
2 ID 039465	Range Resources-Pine Mountain, Inc.* Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	T-901 241490L T-895	20.660000%	12.1400
Tract 2 Totals			20.660000%	12.1400
3 ID 006061	Eva Mae Adkins P.O. Box 1966 Coeburn, VA 24230-1966	Unleased	0.900000%	0.5300
Tract 3 Totals			0.900000%	0.5300
4 ID 13089	Range Resources-Pine Mountain, Inc.* Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L Tract T2-261	49.380000%	29.0200
Tract 4 Totals			49.380000%	29.0200
TOTAL GAS ESTATE			100.000000%	58.7700

Coal Estate Only

1	Range Resources-Pine Mountain, Inc.*	Leased-EPC	29.060000%	17.0800
ID 039465	Attn: Jerry Grantham	241490L		
	P.O. Box 2136	Tract T-895		
	Abingdon, VA 24212			
Tract 1 Totals			29.060000%	17.0800
2	Range Resources-Pine Mountain, Inc.*	Leased-EPC	20.660000%	12.1400
ID 008736	Attn: Jerry Grantham	241490L		
	P.O. Box 2136	Tract T-901		
	Abingdon, VA 24212			
Tract 2 Totals			20.660000%	12.1400
3	Range Resources-Pine Mountain, Inc.*	Leased-EPC	0.900000%	0.5300
ID 008736	Attn: Jerry Grantham	241490L		
	P.O. Box 2136	Tract T-901		
	Abingdon, VA 24212			
Tract 3 Totals			0.900000%	0.5300
4	Range Resources-Pine Mountain, Inc.*	Leased-EPC	49.380000%	29.0200
ID 039480	Attn: Jerry Grantham	241490L		
	P.O. Box 2136	Tract T-671		
	Abingdon, VA 24212			
Tract 4 Totals			49.380000%	29.0200
TOTAL COAL ESTATE			100.000000%	58.7700

* Formerly
Pine Mountain Oil & Gas, Inc.
Attn: Jerry Grantham
P.O. Box 2136
Abingdon, VA 24212

EXHIBIT "E"
VC-536531

N/A - All Interest Disbursed

EXHIBIT "EE"
VC-536531

<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>				
3	Eva Mae Adkins P.O. Box 1966 Coeburn, VA 24230-1966	Unleased	0.900000%	0.5300
TOTAL SUBSEQUENT TO ORDER Reconciliation Amount Through 07/08/2013			0.900000%	0.5300

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

EVA MAE ADKINS, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

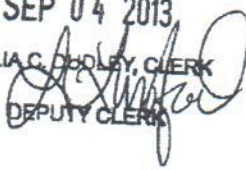
EQT PRODUCTION COMPANY, et al.,

Defendants.

Case No. 1:11-cv-00031

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

SEP 04 2013

JULIA C. DOOLEY, CLERK
BY: 
DEPUTY CLERK

ORDER

THIS CAUSE having come before the Court on Interpleader Defendant Range Resources - Pine Mountain, Inc.'s ("Range Resources") Motion for Judgment on the Pleadings, and by agreement of Plaintiff/Interpleader Defendant Eva Mae Adkins ("Adkins") and Defendant/Interpleader Plaintiff EQT Production Company ("EQT") the Court hereby:

1. Finds that Adkins is the owner of coalbed methane ("CBM") interests on the lands identified in Paragraph 10 of Adkins' Amended Class Action Complaint (Doc. No. 139) (the "Adkins Lands"), and Range Resources is not the owner of the CBM interests on the Adkins Lands;
2. Finds that the alleged conflicting claims to CBM royalties between Adkins and Range Resources is hereby resolved in favor of Adkins in accordance with Va. Code § 45.1-361.22;
3. Finds that the money denoted by EQT as the "Suspense Fund" in its Interpleader Complaint (Doc. No. 103) and deposited by EQT into the registry of the Court is the property of Adkins;

4. Finds that the money in the Virginia Gas and Oil Board's escrow account attributable to Adkins' interest is the property of Adkins;
5. Finds that Adkins is entitled to all past and future royalties, including money held in the Virginia Gas and Oil Board's escrow account attributable to her interest and the Suspense Fund, from EQT's production of CBM on the Adkins Lands; and
6. Having adjudicated the alleged conflicting claims identified by EQT to the CBM on the Adkins Lands, hereby orders the Clerk of Court to pay the Suspense Fund to Adkins within 30 days of entry of this Order, and directs the parties to take all necessary steps to have all money held in the Virginia Gas and Oil Board's escrow account attributable to Adkins' interest disbursed and paid to Adkins, and further orders that all future royalties associated with CBM production on the Adkins Lands be paid to Adkins, as no conflicting claims remain.

This Order shall constitute a Final Judgment of EQT's Interpleader Claim (ECF No. 103) pursuant to Federal Rule of Civil Procedure 54(b). Range Resources' Motion for Judgment on the Pleadings (ECF No. 246) is terminated. Range Resources is terminated as a party to this action. The judgment shall be without prejudice to any other claims Adkins may have against EQT. The parties shall bear their own costs.

SO ORDERED on this the 4th day of September, 2013


United States District Judge

Recorded in the Clerk s Office of
Wise County and the City of Norton

On Feb 05, 2014 at 11:29 AM.

J. Jack Kennedy, Jr., Clerk

Recorded by: April Huff