

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 07/10/16-2051

ELECTIONS, UNIT: VC-537970

(hereinafter "Subject Drilling Unit").

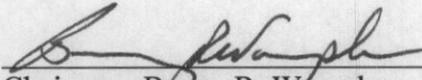
REPORT OF BOARD

FINDINGS AND ORDER

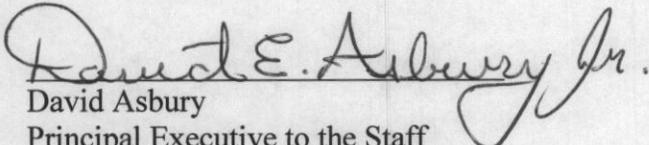
1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas 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 December 5, 2007 and recorded in Book 682, Page 882 in the Office of the Clerk of Circuit Court, Russell County, Virginia on December 13, 2007, (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 Equitable 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 January 10, 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 October 23, 2008, 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, Wachovia Bank, N. A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, 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, Wachovia Bank N. A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, 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 30<sup>th</sup> day of October, 2008 by a majority of the Virginia Gas and Oil Board.

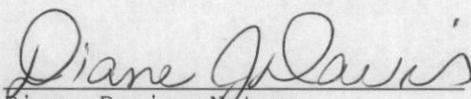
  
Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 30<sup>th</sup> day of October, 2008 by Order of this Board.

  
David Asbury  
Principal Executive to the Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA       )  
COUNTY OF WASHINGTON )

Acknowledged on this 30<sup>th</sup> day of October, 2008, 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, and David Asbury, 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 Davis, Notary  
174394

My commission expires: September 30, 2009



**VIRGINIA:**

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-537970 VGOB Docket No. VGOB-07/10/16-2051 in the New Garden Magisterial District of Russell 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 December 5, 2007, 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 December 13, 2007.
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:

| <u>Tract</u> | <u>Lessor</u>                                       | <u>Elected</u>     |
|--------------|---|--------------------|
| 5            | Charlie C. Musick<br>Box 171<br>Cleveland, VA 24225 | Cash Consideration |

| <u>Tract</u> | <u>Lessor</u>   | <u>Elected</u>     |
|--------------|---|--------------------|
| 5            | Eliza M. Dobyns<br>870 Edgemont Ave.<br>Abingdon, VA 24212      | Cash Consideration |
| 5            | Adalene M. Sykes<br>Route 4 Box 262<br>Lebanon, VA 24266        | Carried Interest   |
| 5            | Mary R. Nave<br>2675 Windmill Dr. #2912<br>Henderson, NV 89074  | Carried Interest   |
| 5            | Bundy Musick<br>P.O. Box 521<br>Blountville, TN 37617           | Carried Interest   |
| 5            | Judy A. White<br>134 Apolla Dr.<br>Canvas, WV 26662             | Carried Interest   |
| 5            | Sue E. Stallard<br>223 Ninth St. N.W.<br>Coeburn, VA 24230      | Carried Interest   |
| 5            | Wilma J. Norris<br>590 County Home Rd.<br>Blountville, TN 37616 | Carried Interest   |

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:

| <u>TRACT</u> | <u>LESSOR</u>   | <u>LEASE STATUS</u>     | <u>NET REVENUE INTEREST</u> |
|--------------|---|-------------------------|-----------------------------|
| 5            | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-511 | 0.00702500                  |
| OR<br>5      | Adalene M. Sykes<br>Route 4 Box 262<br>Lebanon, VA 24266                                      | Unleased                | 0.00117083                  |

| <u>TRACT</u> | <u>LESSOR</u>  | <u>LEASE STATUS</u> | <u>NET REVENUE INTEREST</u> |
|--------------|--|---------------------|-----------------------------|
| 5            | Alice M. Newman<br>225 Gettysburg Lane<br>Datona Beach, FL 32119                   | Unleased            | 0.00029271                  |
|              | Elijah L. Musick<br>8908 Moreland Lane<br>Annandale, VA 22003                      | Unleased            | 0.00014635                  |
|              | Daphne J. Gurney<br>2270 Hickory Circle Drive<br>Howell, MI 48855                  | Unleased            | 0.00014635                  |
|              | Robert M. Thompson<br>169 Barker Lane<br>Mt. Airy, NC 27030                        | Unleased            | 0.00009757                  |
|              | Sibyl T. Bundy<br>19497 Stone Mountain Rd<br>Abingdon, VA 24210                    | Unleased            | 0.00009757                  |
|              | James K. Moses<br>7 King Street East Suite 2309<br>Toronto, Ontario Canada M5C 3C5 | Unleased            | 0.00009757                  |
|              | Sally Ann Musick<br>3647 Parkside Court<br>Norcross, GA 30092                      | Leased              | 0.00029271                  |
|              | Conrad M. Musick<br>P.O. Box 91<br>Cleveland, VA 24225                             | Unleased            | 0.00029271                  |
|              | Irene M. Moore<br>3711 Dover Dr.<br>Sarasota, FL 33580                             | Unleased            | 0.00029271                  |
|              | Charlie C. Musick<br>Box 171<br>Cleveland, VA 24225                                | Unleased            | 0.00029271                  |
|              | Eliza M. Dobyms<br>870 Edgemont Ave.<br>Abingdon, VA 24212                         | Unleased            | 0.00029271                  |
|              | Samuel C. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225                    | Unleased            | 0.00016726                  |

| <u>TRACT</u> | <u>LESSOR</u>   | <u>LEASE STATUS</u> | <u>NET REVENUE INTEREST</u> |
|--------------|---|---------------------|-----------------------------|
| 5            | Robert B. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225 | Unleased            | 0.00016726                  |
|              | Byron H. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225  | Unleased            | 0.00016726                  |
|              | Eva R. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225    | Unleased            | 0.00016726                  |
|              | William F. Sargent<br>P.O. Box 1018<br>St. Paul, VA 24283       | Unleased            | 0.00016726                  |
|              | Mary R. Nave<br>2675 Windmill Dr. #2912<br>Henderson, NV 89074  | Unleased            | 0.00003345                  |
|              | Bundy Musick<br>P.O. Box 521<br>Blountville, TN 37617           | Unleased            | 0.00003345                  |
|              | Judy A. White<br>134 Apolla Dr.<br>Canvas, WV 26662             | Unleased            | 0.00003345                  |
|              | Sue E. Stallard<br>223 Ninth St. N.W.<br>Coeburn, VA 24230      | Unleased            | 0.00003345                  |
|              | Wilma J. Norris<br>590 County Home Rd.<br>Blountville, TN 37616 | Unleased            | 0.00003345                  |
|              | Deborah D. Statzer<br>Rt. 2 Box 311<br>Lebanon, VA 24266        | Unleased            | 0.00004182                  |
|              | Samuel Crabtree<br>Rt. 2 Box 313<br>Lebanon, VA 24266           | Unleased            | 0.00004182                  |
|              | Frances Musick<br>Rt. 2 Box 306-D<br>Lebanon, VA 24266          | Unleased            | 0.00004182                  |

| <u>TRACT</u> | <u>LESSOR</u>  | <u>LEASE STATUS</u> | <u>NET REVENUE INTEREST</u> |
|--------------|--|---------------------|-----------------------------|
| 5            | James G. Crabtree<br>Rt. 2 Box 313<br>Lebanon, VA 24266          | Unleased            | 0.00004182                  |
|              | Mary A. Smith<br>100 Redwood Rd.<br>Bristol, TN 37620            | Unleased            | 0.00009006                  |
|              | W. Annette Musick<br>2673 Back Valley Rd.<br>Cleveland, VA 24225 | Unleased            | 0.00009006                  |
|              | C. Bill Musick<br>P.O. Box 77<br>Augusta Springs, VA 24411       | Unleased            | 0.00009006                  |
|              | Elmer T. Musick<br>4093 Back Valley Rd.<br>Cleveland, VA 24225   | Unleased            | 0.00009006                  |
|              | Gordon L. Musick<br>4930 Loudon Dr.<br>Richmond, VA 23234        | Unleased            | 0.00009006                  |
|              | C. Douglas Musick<br>2029 Holly St.<br>Kingsport, TN 37660       | Unleased            | 0.00009006                  |
|              | Edith E. Isenburg<br>3817 Skyline Dr.<br>Kingsport, TN 37664     | Unleased            | 0.00009006                  |
|              | Linda S. Hite<br>9728 Cypress Pond Ave.<br>Tampa, FL 33647       | Unleased            | 0.00009006                  |
|              | Jackie C. Musick<br>460 Archer Rd.<br>Max Meadows, VA 24360      | Unleased            | 0.00009006                  |
|              | Kenneth Ed Musick<br>P.O. Box 2784<br>Lebanon, VA 24266          | Unleased            | 0.00009006                  |
|              | Emmitt F. Musick<br>Rt. 2 Box 182<br>Cleveland, VA 24225         | Unleased            | 0.00009006                  |

| <u>TRACT</u> | <u>LESSOR</u>   | <u>LEASE STATUS</u> | <u>NET REVENUE INTEREST</u> |
|--------------|---|---------------------|-----------------------------|
| 5            | Allen G. Musick<br>Rt. 1 Box 141<br>Honaker, VA 24260         | Unleased            | 0.00009006                  |
|              | Kathy Baker<br>2411 East Center St.<br>Kingsport, TN 37664    | Unleased            | 0.00004503                  |
|              | Craig Swafford<br>2411 East Center St.<br>Kingsport, TN 37664 | Unleased            | 0.00004503                  |
|              | Christine M. Smith<br>206 E. Lawson St.<br>Habira, GA 31632   | Unleased            | 0.00023417                  |
|              | Roy E. Musick<br>5886 Blue Springs Rd.<br>Hiwassee, VA 24347  | Unleased            | 0.00023418                  |
|              | Bettye R. Price<br>8328 Cazenovia Rd.<br>Manlius, NY 13104    | Unleased            | 0.00023418                  |
|              | Carol A. Musick<br>7309 Farr St.<br>Annandale, Va 22003       | Unleased            | 0.00023418                  |
|              | Anna M. Shockley<br>Rt. 5 Box 353<br>Bluefield, WV 24701      | Unleased            | 0.00023418                  |

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.

| <u>Tract</u> | <u>Lessor</u>   |
|--------------|---|
| 5            | Daphne J. Gurney<br>2270 Hickory Circle Drive<br>Howell, MI 48855 |
| 5            | Robert M. Thompson<br>169 Barker Lane<br>Mt. Airy, NC 27030       |
| 5            | Irene M. Moore<br>3711 Dover Dr.<br>Sarasota, FL 33580            |

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> |
|--------------|--|---------------------------|
| 5            | Alice M. Newman<br>225 Gettysburg Lane<br>Datona Beach, FL 32119                   | 0.1375 x \$5.00 \$0.69    |
|              | Elijah L. Musick<br>8908 Moreland Lane<br>Annandale, VA 22003                      | 0.0688 x \$5.00 \$0.34    |
|              | Daphne J. Gurney<br>2270 Hickory Circle Drive<br>Howell, MI 48855                  | 0.0688 x \$5.00 \$0.34    |
|              | Robert M. Thompson<br>169 Barker Lane<br>Mt. Airy, NC 27030                        | 0.0458 x \$5.00 \$0.23    |
|              | Sibyl T. Bundy<br>19497 Stone Mountain Rd<br>Abingdon, VA 24210                    | 0.0458 x \$5.00 \$0.23    |
|              | James K. Moses<br>7 King Street East Suite 2309<br>Toronto, Ontario Canada M5C 3C5 | 0.0458 x \$5.00 \$0.23    |
|              | Sally Ann Musick<br>3647 Parkside Court<br>Norcross, GA 30092                      | 0.1375 x \$5.00 \$0.69    |
|              | Conrad M. Musick<br>P.O. Box 91<br>Cleveland, VA 24225                             | 0.1375 x \$5.00 \$0.69    |
|              | Irene M. Moore<br>3711 Dover Dr.<br>Sarasota, FL 33580                             | 0.1375 x \$5.00 \$0.69    |
|              | Charlie C. Musick<br>Box 171<br>Cleveland, VA 24225                                | 0.1375 x \$5.00 \$0.69    |
|              | Eliza M. Dobyns<br>870 Edgemont Ave.<br>Abingdon, VA 24212                         | 0.1375 x \$5.00 \$0.69    |

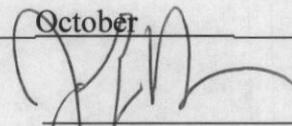
| <u>Tract</u> | <u>Lessor</u>  | <u>Cash Consideration</u> |
|--------------|--|---------------------------|
| 5            | Samuel C. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225  | 0.0786 x \$5.00 \$0.39    |
|              | Robert B. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225  | 0.0786 x \$5.00 \$0.39    |
|              | Byron H. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225   | 0.0786 x \$5.00 \$0.39    |
|              | Eva R. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225     | 0.0786 x \$5.00 \$0.39    |
|              | William F. Sargent<br>P.O. Box 1018<br>St. Paul, VA 24283        | 0.0786 x \$5.00 \$0.39    |
|              | Deborah D. Statzer<br>Rt. 2 Box 311<br>Lebanon, VA 24266         | 0.0196 x \$5.00 \$0.10    |
|              | Samuel Crabtree<br>Rt. 2 Box 313<br>Lebanon, VA 24266            | 0.0196 x \$5.00 \$0.10    |
|              | Frances Musick<br>Rt. 2 Box 306-D<br>Lebanon, VA 24266           | 0.0196 x \$5.00 \$0.10    |
|              | James G. Crabtree<br>Rt. 2 Box 313<br>Lebanon, VA 24266          | 0.0196 x \$5.00 \$0.10    |
|              | Mary A. Smith<br>100 Redwood Rd.<br>Bristol, TN 37620            | 0.0423 x \$5.00 \$0.21    |
|              | W. Annette Musick<br>2673 Back Valley Rd.<br>Cleveland, VA 24225 | 0.0423 x \$5.00 \$0.21    |
|              | C. Bill Musick<br>P.O. Box 77<br>Augusta Springs, VA 24411       | 0.0423 x \$5.00 \$0.21    |
|              | Elmer T. Musick<br>4093 Back Valley Rd.<br>Cleveland, VA 24225   | 0.0423 x \$5.00 \$0.21    |

| <u>Tract</u> | <u>Lessor</u>   | <u>Cash Consideration</u> |
|--------------|---|---------------------------|
| 5            | Gordon L. Musick<br>4930 Louden Dr.<br>Richmond, VA 23234     | 0.0423 x \$5.00 \$0.21    |
|              | C. Douglas Musick<br>2029 Holly St.<br>Kingsport, TN 37660    | 0.0423 x \$5.00 \$0.21    |
|              | Edith E. Isenburg<br>3817 Skyline Dr.<br>Kingsport, TN 37664  | 0.0423 x \$5.00 \$0.21    |
|              | Linda S. Hite<br>9728 Cypress Pond Ave.<br>Tampa, FL 33647    | 0.0423 x \$5.00 \$0.21    |
|              | Jackie C. Musick<br>460 Archer Rd.<br>Max Meadows, VA 24360   | 0.0423 x \$5.00 \$0.21    |
|              | Kenneth Ed Musick<br>P.O. Box 2784<br>Lebanon, VA 24266       | 0.0423 x \$5.00 \$0.21    |
|              | Emmitt F. Musick<br>Rt. 2 Box 182<br>Cleveland, VA 24225      | 0.0423 x \$5.00 \$0.21    |
|              | Allen G. Musick<br>Rt. 1 Box 141<br>Honaker, VA 24260         | 0.0423 x \$5.00 \$0.21    |
|              | Kathy Baker<br>2411 East Center St.<br>Kingsport, TN 37664    | 0.0212 x \$5.00 \$0.11    |
|              | Craig Swafford<br>2411 East Center St.<br>Kingsport, TN 37664 | 0.0212 x \$5.00 \$0.11    |
|              | Christine M. Smith<br>206 E. Lawson St.<br>Habira, GA 31632   | 0.1100 x \$5.00 \$0.55    |
|              | Roy E. Musick<br>5886 Blue Springs Rd.<br>Hiwassee, VA 24347  | 0.1100 x \$5.00 \$0.55    |
|              | Bettye R. Price<br>8328 Cazenovia Rd.<br>Manlius, NY 13104    | 0.1100 x \$5.00 \$0.55    |

| <u>Tract</u> | <u>Lessor</u>  | <u>Cash Consideration</u> |
|--------------|--|---------------------------|
| 5            | Carol A. Musick<br>7309 Farr St.<br>Annandale, Va 22003  | 0.1100 x \$5.00 \$0.55    |
|              | Anna M. Shockley<br>Rt. 5 Box 353<br>Bluefield, WV 24701 | 0.1100 x \$5.00 \$0.55    |

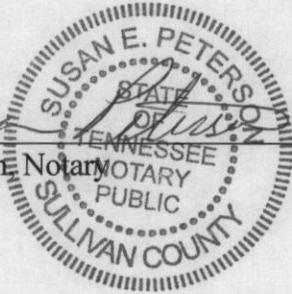
That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 23rd day of October, 2008.

  
\_\_\_\_\_  
Affiant

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 23rd day of October 2008.

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



My commission expires: November 12, 2008.

**EXHIBIT "B"**  
**VC-537970**  
**VGOB 07/10/16-2051**  
**REVISED 11/15/07**

BOOK 699 PAGE 0208

| <u>TRACT</u>                  | <u>LESSOR</u>   | <u>LEASE STATUS</u>     | <u>INTEREST WITHIN UNIT</u> | <u>GROSS ACREAGE IN UNIT</u> | <u>NET REVENUE INTEREST</u>               |
|-------------------------------|---|-------------------------|-----------------------------|------------------------------|---|
| <b><u>Gas Estate Only</u></b> |   |                         |                             |                              |   |
| 1                             | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-512 | 88.190000%                  | 51.8300                      | 0.11023750 RI                             |
|                               |   |                         |                             |                              | Equitable Production                      |
| <b>Tract 1 Totals</b>         |   |                         | <b>88.190000%</b>           | <b>51.8300</b>               | <b>0.77166250 WI</b><br><b>0.88190000</b> |
| 2                             | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-515 | 1.780000%                   | 1.0500                       | 0.00222500 RI                             |
|                               |   |                         |                             |                              | Equitable Production                      |
| <b>Tract 2 Totals</b>         |   |                         | <b>1.780000%</b>            | <b>1.0500</b>                | <b>0.01557500 WI</b><br><b>0.01780000</b> |
| 3                             | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-501 | 2.130000%                   | 1.2500                       | 0.00266250 RI                             |
|                               |   |                         |                             |                              | Equitable Production                      |
| <b>Tract 3 Totals</b>         |   |                         | <b>2.130000%</b>            | <b>1.2500</b>                | <b>0.01863750 WI</b><br><b>0.02130000</b> |
| 4                             | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-500 | 2.280000%                   | 1.3400                       | 0.00285000 RI                             |
|                               |   |                         |                             |                              | Equitable Production                      |
| <b>Tract 4 Totals</b>         |   |                         | <b>2.280000%</b>            | <b>1.3400</b>                | <b>0.01995000 WI</b><br><b>0.02280000</b> |
| 5                             | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-511 | 5.620000%                   | 3.3000                       | 0.00702500 RI                             |
|                               |   |                         |                             |                              | Equitable Production                      |
| <b>Tract 5 Totals</b>         |   |                         | <b>5.620000%</b>            | <b>3.3000</b>                | <b>0.04917500 WI</b><br><b>0.05620000</b> |
| <b>TOTAL GAS ESTATE</b>       |   |                         | <b>100.000000%</b>          | <b>58.7700</b>               | <b>1.00000000</b>                         |

**Coal Estate Only**

|                       |   |                         |                   |                |                   |
|-----------------------|---|-------------------------|-------------------|----------------|-------------------|
| <b>1</b>              | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-512 | 88.190000%        | 51.8300        | 0.11023750 RI     |
| TAX ID # 16984        |   |                         |                   |                |                   |
|                       | Equitable Production  |                         |                   |                | 0.77166250 WI     |
| <b>Tract 1 Totals</b> |   |                         | <b>88.190000%</b> | <b>51.8300</b> | <b>0.88190000</b> |
| <b>2</b>              | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-515 | 1.780000%         | 1.0500         | 0.00222500 RI     |
| TAX ID # 17093        |   |                         |                   |                |                   |
|                       | Equitable Production  |                         |                   |                | 0.01557500 WI     |
| <b>Tract 2 Totals</b> |   |                         | <b>1.780000%</b>  | <b>1.0500</b>  | <b>0.01780000</b> |
| <b>3</b>              | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136<br>Abingdon, VA. 24212 | Leased<br>241490/ T-501 | 2.130000%         | 1.2500         | 0.00266250 RI     |
| TAX ID # 93928        |   |                         |                   |                |                   |
|                       | Equitable Production  |                         |                   |                | 0.01863750 WI     |
| <b>Tract 3 Totals</b> |   |                         | <b>2.130000%</b>  | <b>1.2500</b>  | <b>0.02130000</b> |
| <b>4</b>              | Pine Mountain Oil & Gas, Inc.<br>ATTN: Jerry Grantham<br>P.O. Box 2136                        | Leased<br>241490/ T-500 | 2.280000%         | 1.3400         | 0.00285000 RI     |
| TAX ID # 227031       |   |                         |                   |                |                   |
|                       | Equitable Production  |                         |                   |                | 0.01995000 WI     |
| <b>Tract 4 Totals</b> |   |                         | <b>2.280000%</b>  | <b>1.3400</b>  | <b>0.02280000</b> |
| <b>5</b>              | Adalene M. Sykes<br>Route 4 Box 262<br>Lebanon, VA 24266                                      | Unleased                | 0.936667%         | 0.5500         | 0.00117083 RI     |
| TAX ID 17173          |   |                         |                   |                |                   |
|                       | Alice M. Newman<br>225 Gettysburg Lane<br>Datona Beach, FL 32119                              | Unleased                | 0.234167%         | 0.1375         | 0.00029271 RI     |
|                       | Elijah L. Musick<br>8908 Moreland Lane<br>Annandale, VA 22003                                 | Unleased                | 0.117083%         | 0.0688         | 0.00014635 RI     |
|                       | Daphne J. Gurney<br>2270 Hickory Circle Drive<br>Howell, MI 48855                             | Leased                  | 0.117083%         | 0.0688         | 0.00014635 RI     |
|                       | Robert M. Thompson<br>169 Barker Lane<br>Mt. Airy, NC 27030                                   | Leased                  | 0.078056%         | 0.0458         | 0.00009757 RI     |
|                       | Sibyl T. Bundy<br>19497 Stone Mountain Rd<br>Abingdon, VA 24210                               | Unleased                | 0.078056%         | 0.0458         | 0.00009757 RI     |
|                       | James K. Moses<br>7 King Street East Suite 2309<br>Toronto, Ontario Canada M5C 3C5            | Unleased                | 0.078056%         | 0.0458         | 0.00009757 RI     |
|                       | Sally Ann Musick<br>3647 Parkside Court<br>Norcross, GA 30092                                 | Leased                  | 0.234167%         | 0.1375         | 0.00029271 RI     |

|   |          |           |        |               |
|---|----------|-----------|--------|---------------|
| Conrad M. Musick<br>P.O. Box 91<br>Cleveland, VA 24225          | Unleased | 0.234167% | 0.1375 | 0.00029271 RI |
| Irene M. Moore<br>3711 Dover Dr.<br>Sarasota, FL 33580          | Leased   | 0.234167% | 0.1375 | 0.00029271 RI |
| Charlie C. Musick<br>Box 171<br>Cleveland, VA 24225             | Unleased | 0.234167% | 0.1375 | 0.00029271 RI |
| Eliza M. Dobyms<br>870 Edgemont Ave.<br>Abingdon, VA 24212      | Unleased | 0.234167% | 0.1375 | 0.00029271 RI |
| Samuel C. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225 | Unleased | 0.133810% | 0.0786 | 0.00016726 RI |
| Robert B. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225 | Unleased | 0.133810% | 0.0786 | 0.00016726 RI |
| Byron H. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225  | Unleased | 0.133810% | 0.0786 | 0.00016726 RI |
| Eva R. Musick<br>4441 Back Valley Rd.<br>Cleveland, VA 24225    | Unleased | 0.133810% | 0.0786 | 0.00016726 RI |
| William F. Sargent<br>P.O. Box 1018<br>St. Paul, VA 24283       | Unleased | 0.133810% | 0.0786 | 0.00016726 RI |
| Mary R. Nave<br>2675 Windmill Dr. #2912<br>Henderson, NV 89074  | Unleased | 0.026762% | 0.0157 | 0.00003345 RI |
| Bundy Musick<br>P.O. Box 521<br>Blountville, TN 37617           | Unleased | 0.026762% | 0.0157 | 0.00003345 RI |
| Judy A. White<br>134 Apolla Dr.<br>Canvas, WV 26662             | Unleased | 0.026762% | 0.0157 | 0.00003345 RI |
| Sue E. Stallard<br>223 Ninth St. N.W.<br>Coeburn, VA 24230      | Unleased | 0.026762% | 0.0157 | 0.00003345 RI |
| Wilma J. Norris<br>590 County Home Rd.<br>Blountville, TN 37616 | Unleased | 0.026762% | 0.0157 | 0.00003345 RI |
| Deborah D. Statzer<br>Rt. 2 Box 311<br>Lebanon, VA 24266        | Unleased | 0.033452% | 0.0196 | 0.00004182 RI |
| Samuel Crabtree<br>Rt. 2 Box 313<br>Lebanon, VA 24266           | Unleased | 0.033452% | 0.0196 | 0.00004182 RI |
| Frances Musick<br>Rt. 2 Box 306-D<br>Lebanon, VA 24266          | Unleased | 0.033452% | 0.0196 | 0.00004182 RI |

|  |          |           |        |               |
|--|----------|-----------|--------|---------------|
| James G. Crabtree<br>Rt. 2 Box 313<br>Lebanon, VA 24266          | Unleased | 0.033452% | 0.0196 | 0.00004182 RI |
| Mary A. Smith<br>100 Redwood Rd.<br>Bristol, TN 37620            | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| W. Annette Musick<br>2673 Back Valley Rd.<br>Cleveland, VA 24225 | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| C. Bill Musick<br>P.O. Box 77<br>Augusta Springs, VA 24411       | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Elmer T. Musick<br>4093 Back Valley Rd.<br>Cleveland, VA 24225   | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Gordon L. Musick<br>4930 Loudon Dr.<br>Richmond, VA 23234        | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| C. Douglas Musick<br>2029 Holly St.<br>Kingsport, TN 37660       | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Edith E. Isenburg<br>3817 Skyline Dr.<br>Kingsport, TN 37664     | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Linda S. Hite<br>9728 Cypress Pond Ave.<br>Tampa, FL 33647       | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Jackie C. Musick<br>460 Archer Rd.<br>Max Meadows, VA 24360      | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Kenneth Ed Musick<br>P.O. Box 2784<br>Lebanon, VA 24266          | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Emmitt F. Musick<br>Rt. 2 Box 182<br>Cleveland, VA 24225         | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Allen G. Musick<br>Rt. 1 Box 141<br>Honaker, VA 24260            | Unleased | 0.072051% | 0.0423 | 0.00009006 RI |
| Kathy Baker<br>2411 East Center St.<br>Kingsport, TN 37664       | Unleased | 0.036026% | 0.0212 | 0.00004503 RI |
| Craig Swafford<br>2411 East Center St.<br>Kingsport, TN 37664    | Unleased | 0.036026% | 0.0212 | 0.00004503 RI |
| Christine M. Smith<br>206 E. Lawson St.<br>Habira, GA 31632      | Unleased | 0.187333% | 0.1100 | 0.00023417 RI |
| Roy E. Musick<br>5886 Blue Springs Rd.<br>Hiwassee, VA 24347     | Unleased | 0.187333% | 0.1100 | 0.00023418 RI |