

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS

AFFIDAVIT OF PLUGGING AND FILLING WELL

AFFIDAVIT SHOULD BE IN TRIPLICATE, one copy mailed to the Department, one copy to be retained by the Well Operator and the third copy (and extra copies if required) should be mailed to each coal operator at their respective addresses.

Farm name: MWV Rupert Operator Well No.: MWV Rupert 3H

LOCATION: Elevation: 3070 ft RKB / 3040 ft GLE Quadrangle: 574
District: 5 County: 67
Latitude: 600 Feet South of 38 Deg. 12 Min. 24.0 Sec.
Longitude: 9620 Feet West of 80 Deg. 34 Min. 30.2 Sec.

Well Type: OIL _____ GAS X

Company BRC Operating, Co. LLC Coal Operator None of record
200 Crescent Court, Suite 200 or Owner _____
Dallas, TX 75201 _____

Agent Marc Monteleone Coal Operator None of Record
or Owner _____
Permit Issued Date 7/21/2010 _____

RECEIVED
Office of Oil & Gas
FEB 23 2011

AFFIDAVIT

WV Department of
Environmental Protection

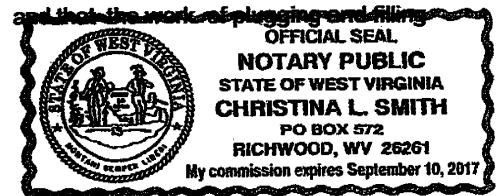
STATE OF WEST VIRGINIA,
County of Nicholas ss:

[Signature] and [Signature] being first duly sworn according to law depose and say that they are experienced in the work of plugging and filling oil and gas wells and were employed by the above named well operator, and participated in the work of plugging and filling the above well say that said work was commenced on the _____ day of _____, 20____, and the well was plugged and filled in the following manner:

TYPE	FROM	TO	PIPE REMOVED	LEFT
Cement Plug	8000 ft	7885 ft		
Cement Plug	6445 ft	6145 ft		
7-5/8", 26.4#, K55	7935 ft	6345 ft	No	
9-5/8", 43.5#, N80	0	6746 ft	No	
13-3/8", 53.5#, J55	0	1551 ft	No	

Description of monument: _____
said well was completed on the 9 day of Feb, 2011.

And further deponents saith not. _____



Sworn and subscribe before me this 18th day of February, 2011

My commission expires: Sept. 10, 2017
Christina L. Smith
Notary Public

Affidavit reviewed by the Office of Oil and Gas: [Signature] Title: 2/22/11