

STATE OF WEST VIRGINIA

At a regular term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on November 22, 2011, the following order was made and entered:

James Martin, in his official capacity as Director,
Office of Oil and Gas, West Virginia Department
of Environmental Protection; Office of Oil and Gas,
West Virginia Department of Environmental Protection;
and EQT Production Company, Petitioners

vs.) No. 11-1157

Matthew L. Hamblet, Respondent

West Virginia Surface Owners' Rights Organization,
Intervenor

On a former day, to-wit, November 14, 2011, came Independent Oil and Gas Association of West Virginia, Inc., by George A. Patterson, III and H. Hampton Rose, IV, Bowles Rice McDavid Graff & Love LLP, its attorneys, and presented to the Court its motion in writing for leave to file an *Amicus Curiae* brief, out-of-time, and attached said brief thereto. Included in the motion for leave to file an *Amicus Curiae* brief is a request to participate in oral argument in the above-captioned proceeding.

On the same day, came the West Virginia Oil and Natural Gas Association, by Thomas J. Hurney, Jr. And Kenneth E. Tawney, Jackson Kelly PLLC, its attorneys, and presented to the Court its motion in writing for leave to file an *Amicus Curiae* brief in the above-captioned proceeding, and attached said brief thereto.

Upon consideration whereof, the Court is of opinion to and doth hereby grant said motions for leave to file the *Amicus Curiae* briefs in the above-captioned proceeding, and doth hereby order said briefs filed. It is further ordered that the request to participate in oral argument of

Independent Oil and Gas Association of West Virginia, Inc. is hereby refused.

It is finally ordered that the respondents may file a brief in response to the *amicus curiae* briefs within thirty days of receipt of this order.

A True Copy

Attest: /s/ Rory L. Perry II, Clerk of Court

