

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

1284

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 97-0318-0571-02

Disbursement Order(s) also filed under: VGOB 97-0318-0571-03

ELECTIONS: UNIT W-34
(herein "Subject Drilling Unit")

REPORT OF BOARDFINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on June 15, 2005 which was recorded at Deed Book 620, Page 307 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on June 22, 2005, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections 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;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (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, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit W-34;

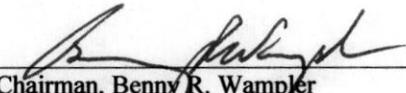
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, 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 the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or 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 Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

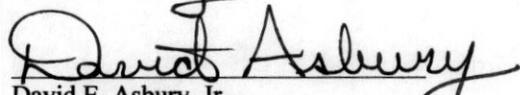
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 15th day of July, 2008, by a majority of the Virginia Gas and Oil Board.

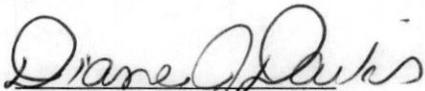

Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 15th day of July, 2008, by Order of the Board.

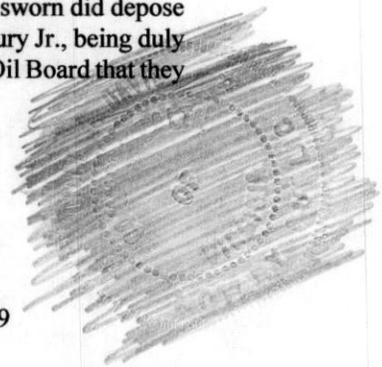

David E. Asbury, Jr.,
Acting Director of the Division of Gas & Oil Board and
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 15th day of July, 2008, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury Jr., 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 were authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: September 30, 2009



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit W-34
VGOB 97-0318-0571-02 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Manager – Environmental Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 15, 2005, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of 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 proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the 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 the Order was recorded in the counties identified above; that said Order was recorded on June 22, 2005;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received 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 the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 15, 2005;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

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:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

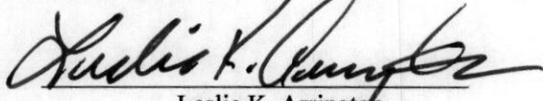
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

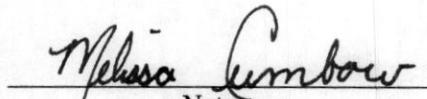
See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

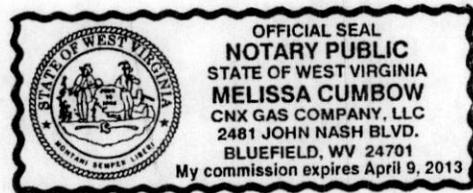
Dated at Mercer, West Virginia, this 30th day of June, 2008.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Director – Environmental Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 30th day of June, 2008.


Notary

My commission expires: April 9, 2013



PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

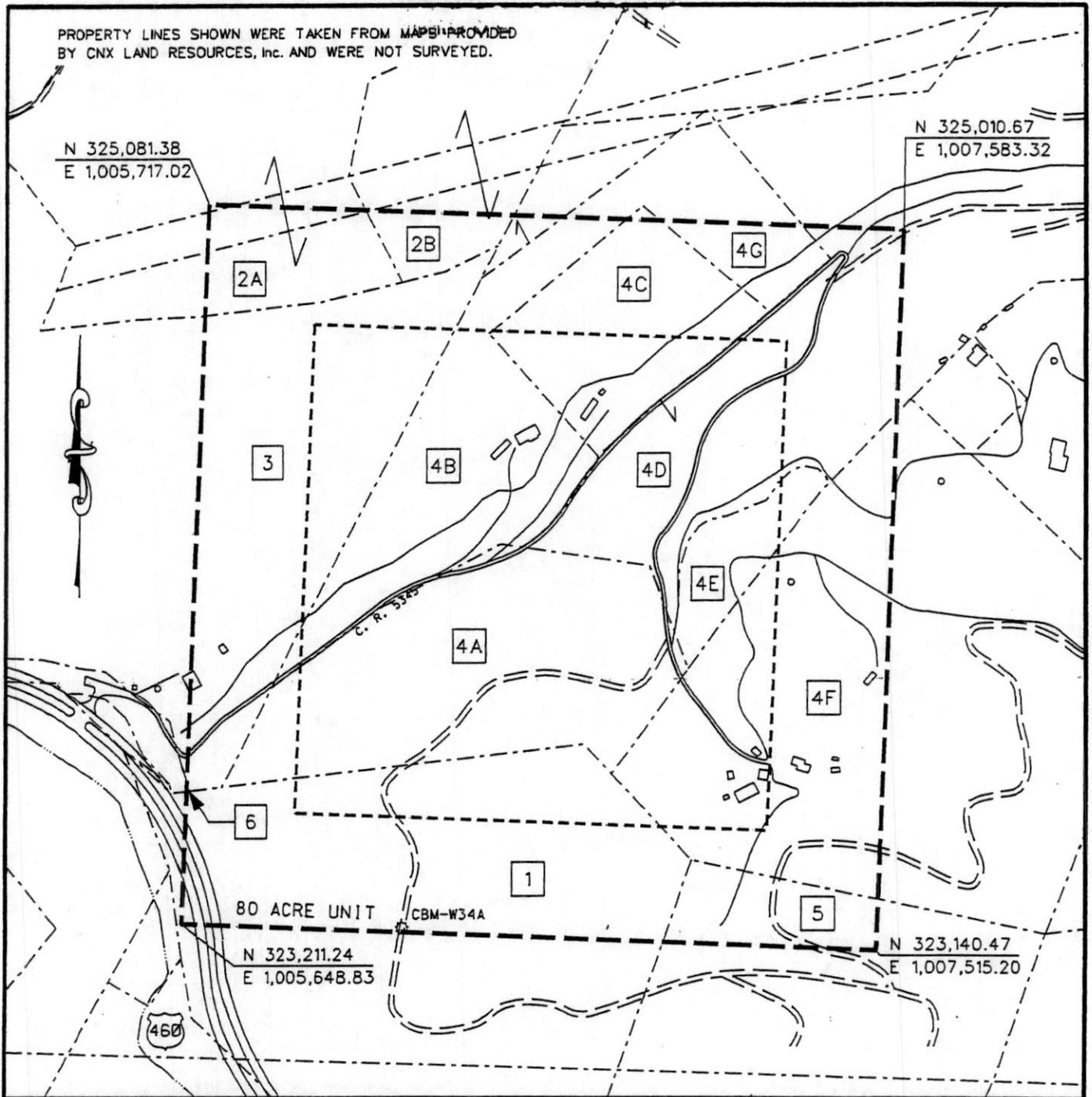
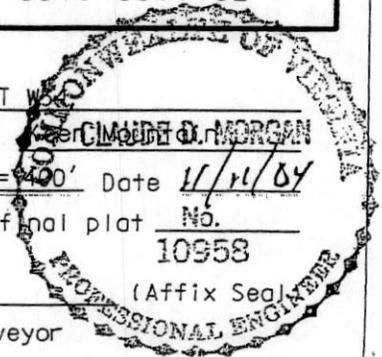


EXHIBIT A
 OAKWOOD FIELD
 UNIT W-34
 FORCE POOLING
 VGOB-97-0318-0571-02

Company CNX Gas Company LLC Well Name and Number UNIT W-34
 Tract No. _____ Elevation _____ Quadrangle 11/11/04
 County Buchanan District Garden Scale: 1" = 400' Date 11/11/04
 This plat is a new plat X ; an updated plat _____ ; or a final plat No. _____

Form DGO-GD-7
 Rev. 9/91

Charles D. Morgan
 Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

Unit W-34

Tract Identifications

1. Yukon Pocahontas Coal Co. et al Big Vein Tr. 94 (24.53 Acre Tract) - Fee
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
CNX Gas Company LLC - CBM Leased
12.78 acres 15.9750%

2. Yukon Pocahontas Coal Co. et al Big Vein Tr. 6 (251.41 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
CNX Gas Company LLC - CBM Leased
3.82 acres 4.7750%

- 2A. Carlos Stilwell, et al – Surface
- 2B. Curtis Davis - Surface

3. Hurt McGuire Land Trust (J. W. Dixon 162 Acre Tract) – Fee
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
12.06 acres 15.0750%

- 4A. Hurt McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Dewey Rowe – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
11.22 acres 14.0250%

- 4B. Hurt McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Dewey Rowe – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
7.97 acres 9.9625%

- 4C. Hurt McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Carl Davis, et ux – Surface and All Minerals except Coal
5.47 acres 6.8375%

CNX Gas Company LLC

Unit W-34

Tract Identifications

- 4D. Hurt McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Dewey Rowe – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
9.47 acres 11.8375%
- 4E. Hurt McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Dewey Rowe – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
1.87 acres 2.3375%
- 4F. Hurt McGuire Land Trust – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
O.H. Keen Heirs - All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (45.9033%)
11.91 acres 14.8875%
- 4G. Hurt McGuire Land Trust – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Company – Coal In Tiller Seam and Above Leased
CNX Gas Company LLC – CBM Leased
Johnnie B. Keen, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
1.26 acres 1.5750%
5. Yukon Pocahontas Coal Co. et al Big Vein Tr. 95 (37.09 Acre Tract) - Fee
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
CNX Gas Company LLC - CBM Leased
2.16 acres 2.7000%
6. Commonwealth of Virginia – Fee except Coal In P-3 Seam
Consolidation Coal Company – P-3 Seam
CNX Gas Company LLC – CBM in P-3 Seam Leased
0.01 acres 0.0125%

Exhibit B-3
Unit W-34
Docket # VGOB-97-0318-0571-02
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	4 Right 0.67104%	Division of Interest in 11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
I. COAL FEE OWNERSHIP						
<u>Tract #6, 0.01 acres</u>						
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201	0.01 acres	0.01250%	0.00008%	0.00002%	0.00094%	0.00053%
II. OIL & GAS FEE OWNERSHIP						
<u>Tract #4C, 5.47 acres</u>						
(1) Carl Davis P.O. Box 343 Doran, VA 24612	5.47 acres	6.83750%	0.04588%	0.01159%	0.51633%	0.29005%
<u>Tract #4F, 11.91 acres</u>						
O.H. Keen Heirs, Devisees, Successors or Assigns	11.91 acres	14.88750%	0.09990%	0.02523%	1.12421%	0.63154%
(2) Mary Elizabeth Horn Heirs, Devisees, Successors or Assigns						
(a) Arizona Osborne Heirs, Devisees, Successors or Assigns						
(a.1) Martha Guilliams 1911 McViety Salem, VA 24153	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(a.2) Sidney Smith 1977 McViety Salem, VA 24153	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(a.3) Kenneth Osborne 848 Peyton Street Roanoke, VA 24019	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(b) Lydia Bell Osborne Deel Blankenship Heirs, Devisees, Successors or Assigns						
(b.1) Mary Keen Rt.1 Box 154 Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.2) Shirley Keen Rt.1 Box 159M Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.6) Clifford Heirs, Devisees, Successors or Assigns						
(b.6.1) Phyllis W. Osborne Rt.1 Box 157E Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.9) Richard Osborne P.O. Box 585 Keen Mountain, VA 24624	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(c) Henry Horn Heirs, Devisees, Successors or Assigns						

Exhibit B-3
Unit W-34
Docket # VGOB-97-0318-0571-02
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	4 Right 0.67104%	Division of Interest in		
				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
(c.1) Patricia Horton 1 Birch Street Raven, VA 24639	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.2) Nellie Maynard Box 296 Raven, VA 24639	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.3) Tammy Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.4) Margie Dye 784 Big Creek Road Richlands, VA 24641	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.5) Danny Horn <i>Address Unknown</i>	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.6) Bobby Horn <i>Address Unknown</i>	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(d) Thelma Osborne P.O. Box 33 Raven, VA 24639	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(e) Joseph P. Horn HC66 Box 323 Jewell Ridge, VA 24622	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(f) Nancy Stilwell 147 Rasnake Road N. Tazewell, VA 24630	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(g) Martha E. Smith P.O. Box 395 Max Meadows, VA 24360	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(h) Sarah Jane Day P.O. Box 208 Peterstown, WV 24963	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(i) Carl Horn Rt.1 Box 1445 Pounding Mill, VA 24637	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(4) Georgie Bell Short Clifton Heirs, Devisees, Successors or Assigns						
(a) Shelby Jean Vandyke 4768 Red Root Ridge Road Raven, VA 24639	0.99 acres 1/12 of 11.91 acres	1.24063%	0.00833%	0.00210%	0.09368%	0.05263%
(b) Frances Stella Gross P.O. Box 295 Richlands, VA 24641	0.99 acres 1/12 of 11.91 acres	1.24063%	0.00833%	0.00210%	0.09368%	0.05263%
(5) Harry Neal Keen Heirs, Devisees, Successors or Assigns						
(a) Larry Roger Keen P.O. Box 635 Keen Mountain, VA 24639	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(c) Phillip Keen P.O. Box 215 Wytheville, VA 24383	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%

Exhibit B-3
Unit W-34
Docket # VGOB-97-0318-0571-02
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	4 Right 0.67104%	Division of Interest in		
				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
(d) Eddie Keen Rt.1 Box 96 Raven, VA 24639	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(f) Richard Keen P.O. Box 431 Oakwood, VA 24624	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(g) Inez Adkins 332 Mary Street Bristol, VA 24201	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(h) Janice Cook Rt.1 Box 649 Swords Creek, VA 24649	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(6) James Henry Keen Heirs, Devisees, Successors or Assigns						
(g) Hester Brown Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%
<u>Tract #6, 0.01 acres</u>						
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201	0.01 acres	0.01250%	0.00008%	0.00002%	0.00094%	0.00053%

Exhibit E
Unit W-34
Docket # VGOB-97-0318-0571-02
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	4 Right 0.67104%	Division of Interest in		
				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
<u>Tract #4C, 5.47 acres</u>						
<u>COAL FEE OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	5.47 acres	6.83750%	0.04588%	0.01159%	0.51633%	0.29005%
<u>OIL & GAS FEE OWNERSHIP</u>						
(1) Carl Davis P.O. Box 343 Doran, VA 24612	5.47 acres	6.83750%	0.04588%	0.01159%	0.51633%	0.29005%
<u>Tract #4F, 11.91 acres</u>						
<u>COAL FEE OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	11.91 acres	14.88750%	0.09990%	0.02523%	1.12421%	0.63154%
<u>OIL & GAS FEE OWNERSHIP</u>						
O.H. Keen Heirs, Devisees, Successors or Assigns	11.91 acres	14.88750%	0.09990%	0.02523%	1.12421%	0.63154%
(2) Mary Elizabeth Horn Heirs, Devisees, Successors or Assigns						
(a) Arizona Osborne Heirs, Devisees, Successors or Assigns						
(a.1) Martha Guilliams 1911 McViety Salem, VA 24153	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(a.2) Sidney Smith 1977 McViety Salem, VA 24153	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(a.3) Kenneth Osborne 848 Peyton Street Roanoke, VA 24019	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(b) Lydia Bell Osborne Deel Blankenship Heirs, Devisees, Successors or Assigns						
(b.1) Mary Keen Rt.1 Box 154 Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.2) Shirley Keen Rt.1 Box 159M Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.7) Ronnie Osborne Rt.1 Box 159M Raven, VA 24639 <i>(Has royalty split, refuses payout)</i>	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(c) Henry Horn Heirs, Devisees, Successors or Assigns						

**Exhibit EE
Unit W-34
Docket # VGOB-97-0318-0571-02
List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Division of Interest in			
			4 Right 0.67104%	11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
<u>Tract #4F, 11.91 acres</u>						
<u>COAL FEE OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	11.91 acres	14.88750%	0.09990%	0.02523%	1.12421%	0.63154%
<u>OIL & GAS FEE OWNERSHIP</u>						
O.H. Keen Heirs, Devisees, Successors or Assigns	11.91 acres	14.88750%	0.09990%	0.02523%	1.12421%	0.63154%
(1) Stella Keen Clifton Heirs, Devisees, Successors or Assigns						
(a) Jean Davis Rt.1 Box 175B Raven, VA 24639	0.40 acres 1/30 of 11.91 acres	0.49625%	0.00333%	0.00084%	0.03747%	0.02105%
(b) Guster Clifton RR1 Box 184 Raven, VA 24639	0.40 acres 1/30 of 11.91 acres	0.49625%	0.00333%	0.00084%	0.03747%	0.02105%
(c) Jerrell Clifton P.O. Box 668 John Clifton Road Oakwood, VA 24631	0.40 acres 1/30 of 11.91 acres	0.49625%	0.00333%	0.00084%	0.03747%	0.02105%
(d) Delcia Alderson 4701 Florist Road NW Roanoke, VA 24012	0.40 acres 1/30 of 11.91 acres	0.49625%	0.00333%	0.00084%	0.03747%	0.02105%
(e) Andrew Short Heirs, Devisees, Successors or Assigns						
(e.1) Ruby G. Short Winesett 1341 Johnsbury Court NE Roanoke, VA 24109	0.40 acres 1/30 of 11.91 acres	0.49625%	0.00333%	0.00084%	0.03747%	0.02105%
(2) Mary Elizabeth Horn Heirs, Devisees, Successors or Assigns						
(b) Lydia Bell Osborne Deel Blankenship Heirs, Devisees, Successors or Assigns						
(b.3) Patsy Moore HC62 Box 114 Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.4) Brenda Justice P.O. Box 522 Keen Mountain, VA 24624	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.5) James Osborne P.O. Box 484 Keen Mountain, VA 24624	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.6) Clifford Heirs, Devisees, Successors or Assigns						
(b.6.1) Phyllis W. Osborne Rt.1 Box 157E Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.8) Charles M. Osborne 216 Plantation Road Richlands, VA 24641	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.9) Richard Osborne P.O. Box 585 Keen Mountain, VA 24624	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.10) William Osborne Heirs, Devisees, Successors or Assigns						

Exhibit EE
Unit W-34
Docket # VGOB-97-0318-0571-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in			
			4 Right 0.67104%	11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
(b.10.1) Joyce Lineberry 110 Barn View Lane Woodleaf, NC 27054	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.11) John David Osborne Heirs, Devisees, Successors or Assigns						
(b.11.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(3) William David Lewis Keen Heirs, Devisees, Successors or Assigns						
(a) Edward Keen Rt.4 Box 159 Bluefield, WV 24701	0.25 acres 1/48 of 11.91 acres	0.31016%	0.00208%	0.00053%	0.02342%	0.01316%
(b) Homer Keen 1771 Heidelberg School Road Stuart, VA 24171	0.25 acres 1/48 of 11.91 acres	0.31016%	0.00208%	0.00053%	0.02342%	0.01316%
(c) Virginia Ball Heirs, Devisees, Successors or Assigns						
(c.1) Carol Anita Davis 202 Cliff Street, Lot #12 Richlands, VA 24641	0.08 acres 1/144 of 11.91 acres	0.10339%	0.00069%	0.00018%	0.00781%	0.00439%
(c.2) Richard Ball 147 Chesnut Street Fieldale, VA 24089	0.08 acres 1/144 of 11.91 acres	0.10339%	0.00069%	0.00018%	0.00781%	0.00439%
(c.3) Carl Ball 1162 Longview Drive Bassett, VA 24055	0.08 acres 1/144 of 11.91 acres	0.10339%	0.00069%	0.00018%	0.00781%	0.00439%
(d) William Albert Keen 6091 Red Root Ridge Road Raven, VA 24639	0.25 acres 1/48 of 11.91 acres	0.31016%	0.00208%	0.00053%	0.02342%	0.01316%
(e) Lillie Mae Cook 424 Moreland Drive Kingsport, TN 37660	0.25 acres 1/48 of 11.91 acres	0.31016%	0.00208%	0.00053%	0.02342%	0.01316%
(f) Georgia Keen Rt.1 Box 76 Powells Point, NC 27966	0.25 acres 1/48 of 11.91 acres	0.31016%	0.00208%	0.00053%	0.02342%	0.01316%
(g) Bonnie Absher P.O. Box 635 Richlands, VA 24641	0.25 acres 1/48 of 11.91 acres	0.31016%	0.00208%	0.00053%	0.02342%	0.01316%
(h) Ruby Stanley Heirs, Devisees, Successors or Assigns						
(h.1) Ruth Ann Hunt Heirs, Devisees, Successors or Assigns						
(h.1.1) Sandra Hunt Conner Heirs, Devisees, Successors or Assigns						
(h.1.1.1) Roger W. Conner P.O. Box 9 Axton, VA 24054	0.02 acres 1/480 of 11.91 acres	0.03102%	0.00021%	0.00005%	0.00234%	0.00132%
(h.1.2) Kimberly Hunt Kidd 128 Susan Drive Collinsville, VA 24078	0.02 acres 1/480 of 11.91 acres	0.03102%	0.00021%	0.00005%	0.00234%	0.00132%
(h.2) Arlene Gilbert Heirs, Devisees, Successors or Assigns						
(h.2.1) Fred Gilbert P.O. Box 204 Doran, VA 24613	0.05 acres 1/240 of 11.91 acres	0.06203%	0.00042%	0.00011%	0.00468%	0.00263%

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				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
(c) Zelvia Keen Rt. 1 Box 622 Tazewell, VA 24651	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%
(d) William Keen, Jr. P.O. Box 481 Mabscot, WV 25871	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%
(e) Della Monk Lancaster 625 Prater Drive Richlands, VA 24641	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%
(f) Audrey Law 102 Lob Lolly Lane Stafford, VA 22554	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%

INSTRUMENT #080002956
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 8, 2008 AT 04:24PM

BEVERLY S. TILLER, CLERK
RECORDED BY: NKE

Exhibit EE
Unit W-34
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	Acres in Unit	Percent of Unit	4 Right 0.67104%	Division of Interest in		
				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
(h.3) William E. Stanley, Jr. 401 Clearview Road Martinsville, VA 24112	0.05 acres 1/240 of 11.91 acres	0.06203%	0.00042%	0.00011%	0.00468%	0.00263%
(h.4) James H. Stanley 25 Raceway Drive Bassett, VA 24055	0.05 acres 1/240 of 11.91 acres	0.06203%	0.00042%	0.00011%	0.00468%	0.00263%
(h.5) Victoria Webb 326 Greyson Street Martinsville, VA 24112	0.05 acres 1/240 of 11.91 acres	0.06203%	0.00042%	0.00011%	0.00468%	0.00263%
(4) Georgie Bell Short Clifton Heirs, Devisees, Successors or Assigns						
(a) Shelby Jean Vandyke 4768 Red Root Ridge Road Raven, VA 24639	0.99 acres 1/12 of 11.91 acres	1.24063%	0.00833%	0.00210%	0.09368%	0.05263%
(b) Frances Stella Gross P.O. Box 295 Richlands, VA 24641	0.99 acres 1/12 of 11.91 acres	1.24063%	0.00833%	0.00210%	0.09368%	0.05263%
(5) Harry Neal Keen Heirs, Devisees, Successors or Assigns						
(a) Larry Roger Keen P.O. Box 635 Keen Mountain, VA 24639	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(b) Carnice Keen HCR Box 116B Pilgrims Knob, VA 24634	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(c) Phillip Keen P.O. Box 215 Wytheville, VA 24383	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(d) Eddie Keen Rt.1 Box 96 Raven, VA 24639	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(e) Remus Keen P.O. Box 70 Doran, VA 24612	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(f) Richard Keen P.O. Box 431 Oakwood, VA 24624	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(g) Inez Acklin 332 Mary Street Bristol, VA 24201	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(h) Janice Cook Rt.1 Box 649 Swords Creek, VA 24649	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(i) Harry D. Keen Heirs, Devisees, Successors or Assigns						
(l.1) Beautil Honaker Jarvins 5593 Hayes Road Groveport, OH 43125	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(6) James Henry Keen Heirs, Devisees, Successors or Assigns						
(a) Dexter Keen Rt.2 Box 1 North Tazewell, VA 24630	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%
(b) Dorothy Clifton P.O. Box 123 Springdale, WV 25986	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%

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Unit W-34
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	Acres in Unit	Percent of Unit	4 Right 0.67104%	Division of Interest in		
				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
<u>Tract #4C, 5.47 acres</u>						
<u>COAL FEE OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	5.47 acres	6.83750%	0.04588%	0.01159%	0.51633%	0.29005%
<u>OIL & GAS FEE OWNERSHIP</u>						
(1) Carl Davis P.O. Box 343 Doran, VA 24612	5.47 acres	6.83750%	0.04588%	0.01159%	0.51633%	0.29005%
<u>Tract #4F, 11.91 acres</u>						
<u>COAL FEE OWNERSHIP</u>						
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	11.91 acres	14.88750%	0.09990%	0.02523%	1.12421%	0.63154%
<u>OIL & GAS FEE OWNERSHIP</u>						
O.H. Keen Heirs, Devisees, Successors or Assigns	11.91 acres	14.88750%	0.09990%	0.02523%	1.12421%	0.63154%
(2) Mary Elizabeth Horn Heirs, Devisees, Successors or Assigns						
(a) Arizona Osborne Heirs, Devisees, Successors or Assigns						
(a.1) Martha Guilliams 1911 McVieety Salem, VA 24153	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(a.2) Sidney Smith 1977 McVieety Salem, VA 24153	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(a.3) Kenneth Osborne 848 Peyton Street Roanoke, VA 24019	0.07 acres 1/162 of 11.91 acres	0.09190%	0.00062%	0.00016%	0.00694%	0.00390%
(b) Lydia Bell Osborne Deel Blankenship Heirs, Devisees, Successors or Assigns						
(b.1) Mary Keen Rt.1 Box 154 Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.2) Shirley Keen Rt.1 Box 159M Raven, VA 24639	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(b.7) Ronnie Osborne Rt.1 Box 159M Raven, VA 24639 <i>(Has royalty split, refuses payout)</i>	0.02 acres 1/594 of 11.91 acres	0.02506%	0.00017%	0.00004%	0.00189%	0.00106%
(c) Henry Horn Heirs, Devisees, Successors or Assigns						

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	Acres in Unit	Percent of Unit	4 Right 0.67104%	Division of Interest in		
				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
(c.1) Patricia Horton 1 Birch Street Raven, VA 24639	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.2) Nellie Maynard Box 296 Raven, VA 24639	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.3) Tammy Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.4) Margie Dye 784 Big Creek Road Richlands, VA 24641	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.5) Danny Horn <i>Address Unknown</i>	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(c.6) Bobby Horn <i>Address Unknown</i>	0.04 acres 1/324 of 11.91 acres	0.04595%	0.00031%	0.00008%	0.00347%	0.00195%
(d) Thelma Osborne P.O. Box 33 Raven, VA 24639	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(e) Joseph P. Horn HC66 Box 323 Jewell Ridge, VA 24622	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(f) Nancy Stilwell 147 Rasnake Road N. Tazewell, VA 24630	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(g) Martha E. Smith P.O. Box 395 Max Meadows, VA 24360	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(h) Sarah Jane Day P.O. Box 208 Peterstown, WV 24963	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(i) Carl Horn Rt.1 Box 1445 Pounding Mill, VA 24637	0.22 acres 1/54 of 11.91 acres	0.27569%	0.00185%	0.00047%	0.02082%	0.01170%
(g) Hester Brown Heirs, Devises, Successors or Assigns <i>Heirs Unknown</i>	0.28 acres 1/42 of 11.91 acres	0.35446%	0.00238%	0.00060%	0.02677%	0.01504%

Tract #4G, 1.26 acres

COAL FEE OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.26 acres	1.57500%	0.01057%	0.00267%	0.11893%	0.06681%
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OIL & GAS FEE OWNERSHIP

(1) Johnnie B. Keen, et ux. P.O. Box 15 Pounding Mill, VA 24637	1.26 acres	1.57500%	0.01057%	0.00267%	0.11893%	0.06681%
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				11 East 0.1695%	12 East 7.5514%	13 East 4.2421%
<u>Tract #6, 0.01 acres</u>						
<u>COAL FEE OWNERSHIP</u>						
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.01 acres	0.01250%	0.00008%	0.00002%	0.00094%	0.00053%
(2) Consolidation Coal Company (Pocahontas No. 3 Seam Only) P. O. Box 947 Bluefield, VA 24605			<i>Escrow 28.6716% of this tract for P3 Seam Conflict</i>			
<u>OIL & GAS FEE OWNERSHIP</u>						
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.26 acres	1.57500%	0.01057%	0.00267%	0.11893%	0.06681%