

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: Buchanan Production Company

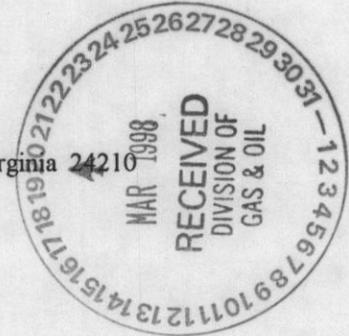
DIVISION OF GAS AND OIL  
DOCKET NO. VGOB-98-0421-0657

RELIEF SOUGHT: POOLING

UNIT NUMBER: S-28

NOTICE OF HEARING

HEARING DATE: April 21, 1998  
PLACE: Southwest Virginia 4-H Center  
Hillman Highway, Abingdon, Virginia 24210  
TIME: 9:00 AM



COMMONWEALTH OF VIRGINIA:

To: Hurt/McGuire heirs, devisees, successors, or assigns.

1. **Applicant and its counsel:** Applicant is Buchanan Production Company, P. O. Box 947, Bluefield, Virginia 24605, 540/988-1016. Applicant's counsel is Mark A. Swartz, P.O. Box 517, Abingdon, VA 24212.
2. **Relief sought:** Pooling under Oakwood Coalbed Methane Gas Field I & II.
3. **Proposed provisions of order:** (a) Pooling all the interests and estates of the persons named above in coalbed methane in the unit in question; (b) Establishing a procedure whereby each respondent shall have the right to make elections; (c) Providing that any respondent who does not make a timely election shall be deemed to have leased or assigned his coalbed methane gas interests to the applicant at a rate to be established by the Board; (d) Designating CONSOL Inc. as Unit Operator; (e) Making any necessary provisions for the escrow of funds; (f) Granting such other relief as is merited by the evidence and is just and equitable, whether or not such relief has been specifically requested herein.
4. **Legal Authority:** Va. Code Ann. §45.1-361.1 et seq. 4 VAC 25-160-10 et seq. and relevant Virginia Gas and Oil Board Orders heretofore promulgated pursuant to law including OGCB 3-90; VGOB-91-1119-162; VGOB 92/02/16-0336; and VGOB 93/03/16-0349.
5. **Type of well(s):** Coalbed methane.
6. **Plat:** Annexed hereto are Exhibit A, Exhibit A1 and the Plat Legend to Exhibit A. The Plat shows the size and shape of the unit and the boundaries of the tracts within the unit. The Legend shows the percentage of acreage in each tract. The plat is certified by a licensed professional engineer and is attested by the undersigned on behalf of the applicant to be in conformity with existing orders issued by the Board.
7. **Your interest or claim sought to be pooled by this Application pertains to coalbed methane gas.**
8. **Formation(s) to be produced and estimates:** All coal seams and associated strata below the Tiller seam of coal all as more particularly described in the annexed proposed order. The estimated total production from subject unit is 125 to 550 MMCF. The estimated amount of reserves from the subject drilling unit is 125 to 550 MMCF. These figures concerning estimated production and the amount of reserves are, however, estimates only that are not based upon actual production and should not be relied upon for any purpose. It should not be assumed that final production before plugging and abandonment will equal estimated reserves.

9. **Estimate of allowable costs:** \$654,076.08.

10. **Attestation:** The foregoing application to the best of my knowledge, information, and belief is true and correct.

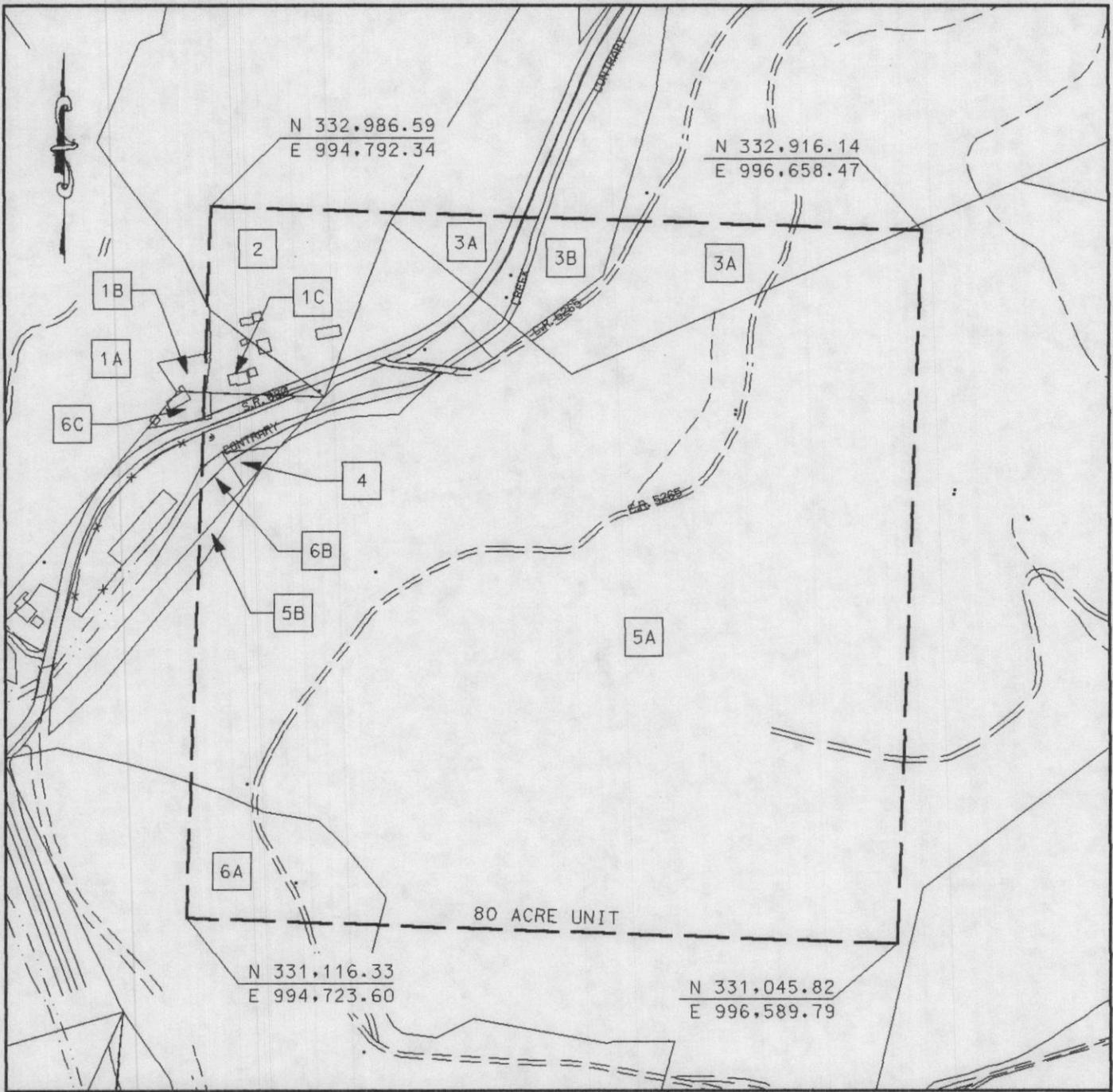
**NOTICE IS FURTHER GIVEN** that this cause has been set for hearing and the taking of evidence before the Board at 9:00 AM, on April 21, 1998, at the Southwest Virginia 4-H Center, Hillman Highway, Abingdon, Virginia 24210, and that notice will be published as required by law and the rules of the Board.

**NOTICE IS FURTHER GIVEN** that you may attend this hearing, with or without an attorney, and offer evidence or state any comments you have. The Board rules require that any written objections you wish to file must be filed with the Board at least 10 days before the hearing. For further information or a copy of the application and exhibits, either contact the Virginia Gas and Oil Board, State Oil and Gas Inspector, Department of Mines, Minerals and Energy, Division of Gas and Oil, P. O. Box 1416, Abingdon, Virginia 24210, 540/676-5423 or the Applicant at the address shown below.

DATED: MARCH 19, 1998

Buchanan Production Company,  
APPLICANT

By: Leslie K. Arrington  
Leslie K. Arrington, Permit Specialist  
CONSOL Inc.  
P.O. Box 947  
Bluefield, Virginia 24605  
540/988-1016



**LEGEND**

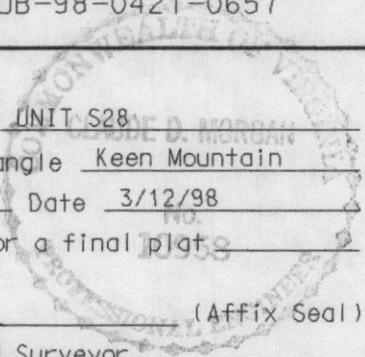
-  TRACT LAND HOOK
- 2 TRACT LAND ID'S

EXHIBIT A  
 OAKWOOD FIELD UNIT S-28  
 FORCE POOLING  
 VGOB-98-0421-0657

Company CONSOL Inc. Well Name and Number UNIT S28  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Keen Mountain  
 County Buchanan District Garden Scale: 1" = 400' Date 3/12/98  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GD-7  
 Rev. 9/91

*Charles D. Morgan*  
 Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)



# BUCHANAN PRODUCTION COMPANY

## UNIT S-28

### Tract Identifications

1. Yukon Pocahontas Coal Co, et al - Tr. 20 - Coal, Oil & Gas  
Island Creek Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased  
Buchanan Production Co. - CBM Leased  
0.59 Acres      0.7375%
- 1A. Yukon Pocahontas Coal Co., et al - Surface
- 1B. Lickus Cox - Surface
- 1C. Robert Looney- Surface
2. Hurt McGuire - Coal, Oil & Gas  
Island Creek Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased  
Permac Inc.  
Buchanan Production Co. - CBM Leased  
3.85 Acres      4.8125%
3. Yukon Pocahontas Coal Co, et al - Tr. 102 - Coal, Oil & Gas  
Island Creek Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased  
Permac Inc.  
Buchanan Production Co. - CBM Leased  
6.46 Acres      8.0750%
- 3A. Yukon Pocahontas Coal Co, et al - Surface
- 3B. Noah Horn - Surface
4. Island Creek Coal Co. - Coal, Oil & Gas  
0.14 acres      0.1750%
5. Yukon Pocahontas Coal Co, et al - Tr. 102 - Coal, Oil & Gas  
Island Creek Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased  
Permac Inc.  
Buchanan Production Co. - CBM Leased  
64.67 Acres      80.8375%
- 5A. Yukon Pocahontas Coal Co, et al - Surface
- 5B. S. J. Mullins - Surface
6. Yukon Pocahontas Coal Co, et al - Tr. 99 - Coal, Oil & Gas  
Island Creek Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased  
Permac Inc.  
Buchanan Production Co. - CBM Leased  
4.29 Acres      5.3625%
- 6A. Yukon Pocahontas Coal Co, et al - Surface
- 6B. S. J. Mullins - Surface
- 6C. Ruby Cox - Surface

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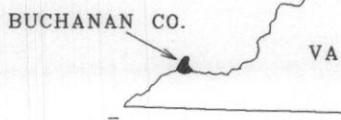
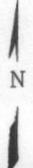


EXHIBIT A1  
VGOB-98-0421-0657

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: BUCHANAN PRODUCTION COMPANY )  
RELIEF SOUGHT: APPLICATION TO POOL INTERESTS ) VIRGINIA GAS  
IN CERTAIN 80.0 ACRE DRILLING ) AND OIL BOARD  
UNITS LOCATED IN THE OAKWOOD ) DOCKET NOS.  
COALBED METHANE GAS FIELDS I ) VGOB:  
AND II AND KNOWN AS UNITS Q-28, ) 98-0421-0652  
Q-27 R-27, R-28, S-27, S-28 AND Q-32 ) 98-0421-0653  
(herein collectively "Subject Drilling Units") ) 98-0421-0654  
PURSUANT TO VA. §§ 45.1-361.21 AND ) 98-0421-0655  
45.1-361.22 FOR THE PRODUCTION OF ) 98-0421-0656  
OCCLUDED NATURAL GAS FROM ) 98-0421-0657  
COALBEDS AND ROCK STRATA ) 98-0421-0658  
ASSOCIATED THEREWITH (herein )  
referred to as "Coalbed Methane Gas" )  
LEGAL DESCRIPTION: )  
SUBJECT DRILLING UNITS )  
KEEN MOUNTAIN QUADRANGLE, )  
GARDEN DISTRICT, )  
BUCHANAN COUNTY, VIRGINIA )  
(herein the "Subject Lands") )

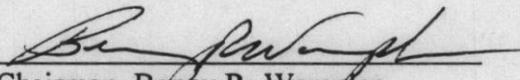
REPORT OF THE BOARD

ORDER OF DISMISSAL

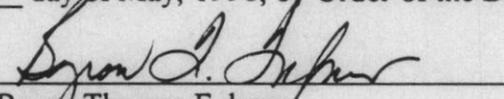
1. Hearing Date and Place: These matters came on for hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on April 21, 1998, at which time they were continued at the request of the Applicant and came on again for hearing at 9:00 a.m. on May 19, 1998, Dickenson Conference Center, Southwest Virginia Education 4-H Center, Abingdon, Virginia.
2. Appearances: Sandra B. Riggs, Assistant Attorney General, was present to advise the Board.
3. Jurisdiction: Pursuant to Va. Code § 45.1-361.1 *et seq.*, the Board finds that it has jurisdiction over the subject matter.

4. Relief Requested: Buchanan Production Company's applications in these matters sought to have the Board: (1) pool the rights, interests and claims of the Gas Owners or Claimants in Subject Drilling Units for the drilling and operation, including production thereof, from the pool defined as all coal seams below the Tiller seam, including the Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas No. 9, Pocahontas No. 8, Pocahontas No. 7, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 2, and various unnamed coal seams, coalbed and rock strata associated therewith (hereinafter "Subject Formation") underlying and comprised of Subject Lands; and (2) name CONSOL Inc. as the Operator of Subject Drilling Units. Prior to the hearing of these matters, Applicant advised the Board that it had reached voluntary agreements with all parties in interest and asked that the Applicant be permitted to withdraw its Application for the compulsory pooling of each of the Subject Drilling Units.
  
5. Relief Granted: Based upon Applicant's representation that it has reached voluntary agreements with all parties in interest, and there being no objections, the Board finds that the Applications filed in the above-styled causes for the compulsory pooling of each of the Subject Drilling Units are moot, and therefore, grants without prejudice Applicant's Motion to withdraw same.

DONE AND EXECUTED this 29<sup>th</sup> day of May, 1998, by the Chairman in behalf of the Virginia Gas and Oil Board.

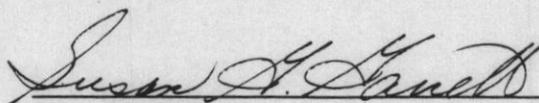
  
 Chairman, Benny R. Wampler

DONE AND PERFORMED this 29<sup>th</sup> day of May, 1998, by Order of the Board.

  
 Byron Thomas Fulmer  
 Principal Executive to the Staff  
 Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA     )  
 COUNTY OF WISE                     )

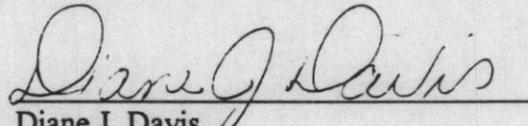
Acknowledged on this 29<sup>th</sup> day of May, 1998, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
 Susan G. Garrett  
 Notary Public

My commission expires: July 31, 1998

COMMONWEALTH OF VIRGINIA     )  
COUNTY OF WASHINGTON         )

Acknowledged on this 29<sup>th</sup> day of ~~June~~ May, 1998, personally before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public

My commission expires: September 30, 2001