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BK 0871 PG 0304

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB-98-1020-0689

ELECTIONS: UNIT W-46
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS 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 January 4, 1999 which was recorded at Deed Book 766, Page 344 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on January 14, 1999, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed POCAHONTAS GAS PARTNERSHIP (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-46;

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, First Union National Bank, Corporate Trust PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, 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 therefor.

ENTERED

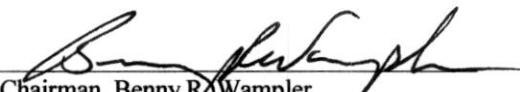
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Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven 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.

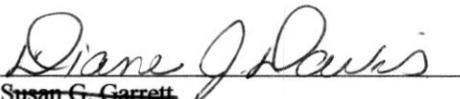
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 18th day of February, 2003, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF WISE

Acknowledged on this 18th day of February, 2003, 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

My commission expires: 9/30/05.

DONE AND PERFORMED THIS 19th day of February, 2003, by Order of the Board.


B. R. Wilson
Director of the Division of Gas & Oil
and Principal Executive to the Board

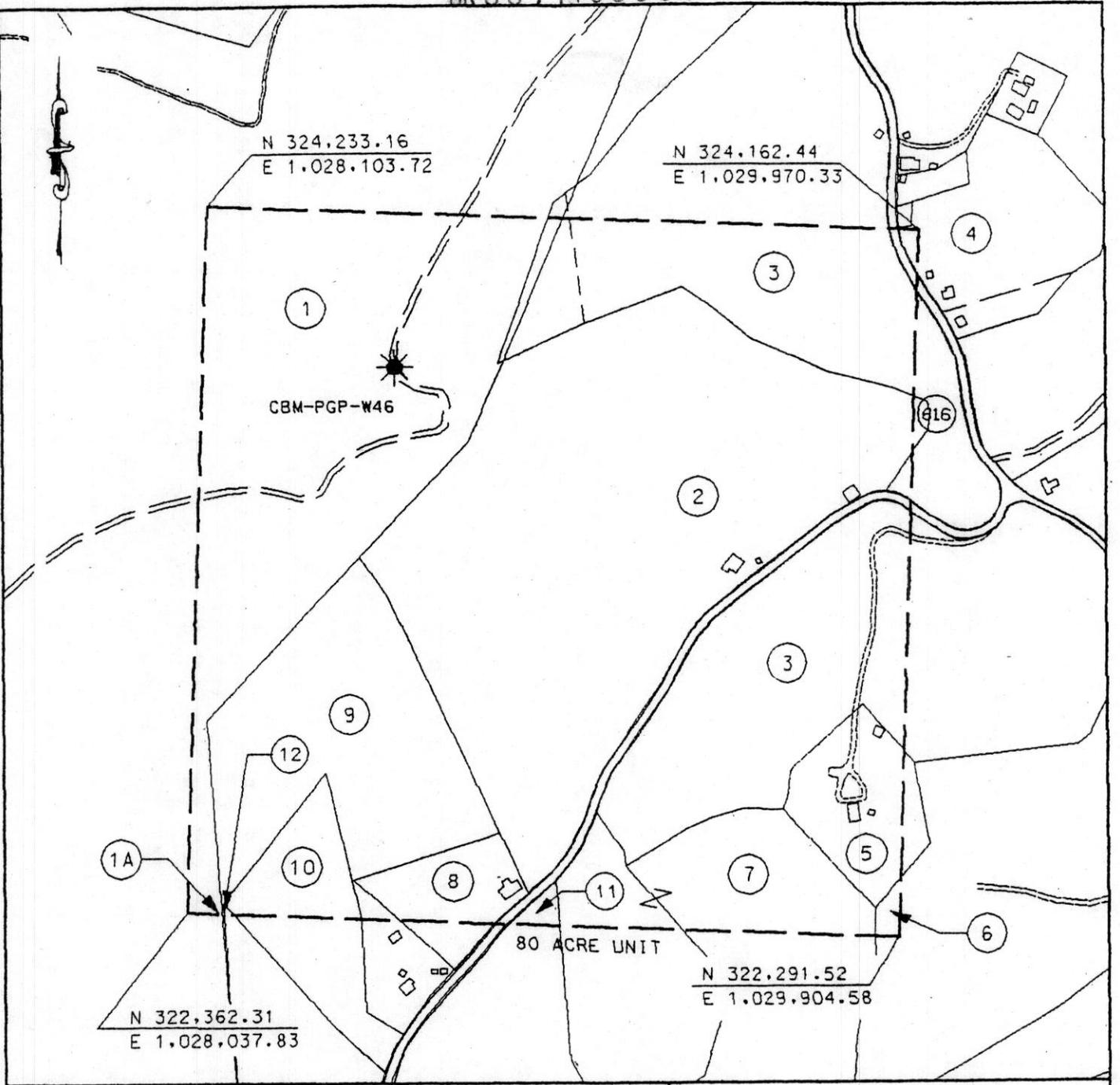
STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 19th day of February, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared B.R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff, Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9/30/05.

Order Recorded Under Code
Virginia Section 45.1-361.



LEGEND

↖ TRACT LAND HOOK

2 TRACT LAND ID'S

EXHIBIT A
 OAKWOOD FIELD UNIT W-46
 FORCE POOLING
 VGOB-98-1020-0689

Company Pocahontas Gas Partnership Well Name and Number UNIT W46
 Tract No. _____ Elevation _____ Quadrangle D. Jewell Ridge
 County Tazewell District MAIDEN SPRINGS Scale: 1" = 400' Date 10/22/98
 This plat is a new plat X ; an updated plat _____ or a final plat _____

POCAHONTAS GAS PARTNERSHIP**UNIT W-46****Tract Identifications**

6. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)
Reserve Coal Properties - (Owner P-3 Seam)
Coal Lessees
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard
Pocahontas Gas Partnership - CBM Lessee
Rebecca Roberts, heirs - Surface, Oil & Gas
0.12 acres 0.1500%
7. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)
Reserve Coal Properties - (Owner P-3 Seam)
Coal Lessees
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard
Pocahontas Gas Partnership - CBM Lessee
Charles Earwood & Daniel Cadle - Surface, Oil & Gas
4.82 acres 6.0250%
8. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)
Reserve Coal Properties - (Owner P-3 Seam)
Coal Lessees
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard
Pocahontas Gas Partnership - CBM Lessee
Rodney Jackson et al - Surface, 5/6 Oil & Gas
Lloyd Smith - 1/6 Oil & Gas
1.53 acres 1.9125%
9. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)
Reserve Coal Properties - (Owner P-3 Seam)
Coal Lessees
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard
Pocahontas Gas Partnership - CBM Lessee
Evelyn Kinder et al - Surface, 5/6 Oil & Gas
Lloyd Smith - 1/6 Oil & Gas
8.62 acres 10.7750%
10. Southern Region Industrial Realty Corp. Et al. Tr. 8 - Coal, (except P-3 seam)
Reserve Coal Properties - (Owner P-3 Seam)
Coal Lessees
Anker Virginia Mining Company Inc. - All seams except P-3, Raven, Tiller and Lower Seaboard
Jewell Ridge Coal Corporation - Raven, Tiller and Lower Seaboard
Pocahontas Gas Partnership - CBM Lessee
Carl D. Kinder - Surface, 5/6 Oil & Gas
Lloyd Smith - 1/6 Oil & Gas
1.67 acres 2.0875%

Exhibit B-2
Unit W-46
Docket No. VGOB-98-1020-0689
List of Owners/Claimants to be Dismissed

		Net Acres in Unit	Interest in Unit	Reason for Dismissal
I. <u>OIL & GAS FEE OWNERSHIP</u>				
<u>Tract #8 - 1.53 acres</u>				
(2)	Lloyd Smith 99 Shannon Heights Richlands, VA 24641	0.26 acres 1/6 of 1.53 acres	0.31875%	Leased
<u>Tract #9 - 8.62 acres</u>				
(2)	Lloyd Smith 99 Shannon Heights Richlands, VA 24641	1.44 acres 1/6 of 8.62 acres	1.79583%	Leased
<u>Tract #10 - 1.67 acres</u>				
(2)	Lloyd Smith 99 Shannon Heights Richlands, VA 24641	0.28 acres 1/6 of 1.67 acres	0.34792%	Leased
<u>Tract #11 - 0.19 acres</u>				
(1)	Yvonne Cash Rt.2, Box 355R Cedar Bluff, VA 24609	0.095 acres 1/2 of 0.19 acres	0.11875%	Leased
(2)	Larry Cole Rt.2, Box 355U Cedar Bluff, VA 24609	0.095 acres 1/2 of 0.19 acres	0.11875%	Leased
<u>Tract #12 - 0.01 acres</u>				
(2)	Lloyd Smith 99 Shannon Heights Richlands, VA 24641	0.0017 acres 1/6 of 0.01 acres	0.00208%	Leased

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Exhibit B-3
 Unit W-46
 Docket No. VGOB-98-1020-0689
 List of Unleased Owners/Claimants

	Net Acres in Unit	Interest in Unit	Election	Tax Map #
I. OIL & GAS FEE OWNERSHIP				
<u>Tract #4 - 0.12 acres</u>				
(1) G. R. Stevenson Heirs	0.12 acres	0.15000%		Map #45A-0001
(a) G. R. Stevenson Heirs, Devises, Successors or Assigns c/o James E. Stevenson 3083 Wagon Trail Flint, MI 48507-1213	0.0214 acres 17.86% of 0.12 acres	0.02679%	Deemed Leased	
<u>Tract #6 - 0.12 acres</u>				
(1) Rebecca Roberts heirs	0.12 acres	0.15000%		Map #46A-0008
(b) Rebecca Roberts heirs, devisees Successors or Assigns c/o William S. Roberts P.O. Box 122 Jewell Ridge, VA 24622	0.0400 acres 1/3 of 0.12 acres	0.05000%	Deemed Leased	
(b.1) Milford Roberts Address Unknown				
(b.2) Juanita Pendergrass Address Unknown				
(b.3) Lillian Bales Address Unknown				
(b.4) Johnny Roberts Address Unknown				
(b.5) Lavina Rye Address Unknown				
(b.6) Donna Roberts Address Unknown				
(b.7) Shona Murphy Address Unknown				
(b.8) James Ira Roberts Address Unknown				
(b.9) Vernia Roberts Address Unknown				
(b.10) Helen Ally Roberts Address Unknown				
(b.11) Goldie Ellen Roberts Address Unknown				
(b.12) Lester Roberts Address Unknown				
(b.13) Doyle Roberts Address Unknown				

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Exhibit B-3
Unit W-46
Docket No. VGOB-98-1020-0689
List of Unleased Owners/Claimants

	Net Acres in Unit	Interest in Unit	Election	Tax Map #
(b.14) David Roberts Address Unknown				
(b.15) Regina Roberts Address Unknown				
(b.16) Edith Nanie Roberts Address Unknown				
b.17) Shelia Pierera Address Unknown				
<u>Tract #7 - 4.82 acres</u>				
(1) Charles Earwood & Daniel Cadle Box E Cedar Bluff, VA 24609	4.82 acres	6.02500%	Deemed Leased	Map #45A-0017

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Exhibit EE
Unit W-46

Docket No. VGOB-98-1020-0689

List of Conflicting Owners/Claimants with Royalty Division Agreements

	Net Acres in Unit	Interest in Unit
<u>TRACT #2 - 25.42 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	10.53 acres	13.16250%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Roger Brown P. O. Box 100 Richlands, VA 24614	10.53 acres	13.16250%
<u>TRACT #3 - 17.17 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	17.17 acres	21.46250%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Larry Keen HC 63, Box 211 Jewell Ridge, VA 24622	17.17 acres	21.46250%

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Exhibit EE
Unit W-46

Docket No. VGOB-98-1020-0689

List of Conflicting Owners/Claimants with Royalty Division Agreements

	Net Acres in Unit	Interest in Unit
<u>TRACT #4 - 0.12 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.12 acres	0.15000%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) G. R. Stevenson Heirs	0.12 acres	0.15000%
(a) James E. Stevenson 3083 Wagon Trail Flint, MI 48507	0.1029 acres 85.71% of 0.12 acres	0.12857%
<u>TRACT #5 - 2.41 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	2.41 acres	3.01250%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Millard C. Horne Star Route 1, Box 209A Jewell Ridge, VA 24622	2.41 acres	3.01250%

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Exhibit EE
Unit W-46

Docket No. VGOB-98-1020-0689

List of Conflicting Owners/Claimants with Royalty Division Agreements

	Net Acres in Unit	Interest in Unit
<u>TRACT #6 - 0.12 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	0.12 acres	0.15000%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Rebecca Roberts heirs	0.12 acres	0.15000%
(a) Betty E. Roberts P. O. Box 75 Jewell Ridge, VA 24622	0.0800 acres 2/3 of 0.12 acres	0.10000%
<u>TRACT #8 - 1.53 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	1.53 acres	1.91250%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(2) Lloyd Smith 99 Shannon Heights Richlands, VA 24641	0.26 acres 1/6 of 1.53 acres	0.31875%

List of Conflicting Owners/Claimants with Royalty Division Agreements

	Net Acres in Unit	Interest in Unit
<u>TRACT #9 - 8.62 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	8.62 acres	10.77500%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Evelyn Kinder HC 63, Box 207 Jewell Ridge, VA 24622	7.18 acres 5/6 of 8.62 acres	8.97917%
(2) Lloyd Smith 99 Shannon Heights Richlands, VA 24641	1.44 acres 1/6 of 8.62 acres	1.79583%
<u>TRACT #10 - 1.67 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Southern Region Industrial Realty, Inc. et al Tr 8 Pocahontas Land Corporation, Agent P. O. Box 1517 Bluefield, WV 24701	1.67 acres	2.08750%
(2) Penn Virginia Oil & Gas Corporation (CBM Royalty Owner) P. O. Box 386 Duffield, VA 24244 Anker Virginia Mining Company 2708 Cranberry Square Morgantown, WV 26505		
* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.		
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Carl D. Kinder HC 63, Box 207 Jewell Ridge, VA 24622	1.39 acres 5/6 of 1.67 acres	1.73958%
(2) Lloyd Smith 99 Shannon Heights Richlands, VA 24641	0.28 acres 1/6 of 1.67 acres	0.34792%

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Exhibit EE
Unit W-46

Docket No. VGOB-98-1020-0689

List of Conflicting Owners/Claimants with Royalty Division Agreements

Net Acres
in Unit

Interest in
Unit

TRACT #12 - 0.01 acres

COAL FEE OWNERSHIP

- | | | | |
|-----|--|------------|----------|
| (1) | Southern Region Industrial Realty, Inc. et al Tr 8
Pocahontas Land Corporation, Agent
P. O. Box 1517
Bluefield, WV 24701 | 0.01 acres | 0.01250% |
| (2) | Penn Virginia Oil & Gas Corporation (CBM Royalty Owner)
P. O. Box 386
Duffield, VA 24244

Anker Virginia Mining Company
2708 Cranberry Square
Morgantown, WV 26505 | | |

* According to the agreement between the parties named in (2), they will split the CBM royalties 50/50.

OIL & GAS FEE OWNERSHIP

- | | | | |
|-----|---|-----------------------------------|----------|
| (1) | Daniel Johnson
HC 63, Box 207B
Jewell Ridge, VA 24622 | 0.0083 acres
5/6 of 0.01 acres | 0.01042% |
| (2) | Lloyd Smith
99 Shannon Heights
Richlands, VA 24641 | 0.0017 acres
1/6 of 0.01 acres | 0.00208% |

INSTRUMENT #030000968
RECORDED IN THE CLERK'S OFFICE OF
TAEWELL COUNTY ON
FEBRUARY 25, 2003 AT 10:45AM
JAMES E. BLEVINS, CLERK

BY: Angela D. Ray (DC)

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
TAZEWELL COUNTY CIRCUIT COURT
DEED RECEIPT

DATE: 02/25/03 TIME: 10:45:35 ACCOUNT: 185CLR030000968 RECEIPT: 03000002526
CASHIER: ADR REG: T213 TYPE: ODU PAYMENT: FULL PAYMENT
INSTRUMENT : 030000968 BOOK: 271 PAGE: 304 RECORDED: 02/25/03 AT 10:45
GRANTOR: VIRGINIA GAS AND OIL BOARD EX: N LOC: CO
GRANTEE: POCAHONTAS GAS PARTNERSHIP EX: N PCT: 100%

AND ADDRESS :
RECEIVED OF : DEPT OF MINES MINERALS ENERGY
CHECK : \$59.00
DESCRIPTION 1: REPORT OF BOARD

PAGES: 21
NAMES: 0
MAP: PAID
59.00
31.00
29.00

CONSIDERATION: .00 ASSUME/VAL:
PAID CODE DESCRIPTION
301 DEEDS 31.00

TENDERED :
AMOUNT PAID:
CHANGE AMT :

CLERK OF COURT: JAMES E. BLEVINS