

VIRGINIA:

BOOK 511 PAGE 576

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER VGOB-00-0418-0791

ELECTIONS: UNIT Q-49
(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 May 26, 2000 which was recorded at Deed Book 508, Page 160 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on June 2, 2000, (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 that the escrow of funds is required with regard to Unit Q-49;

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.

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.

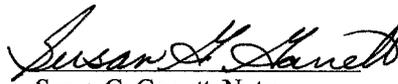
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 14th day of August, 2000, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF WISE

Acknowledged on this 14th day of Aug, 2000, 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: July 31, 2002

DONE AND PERFORMED THIS 15th day of August, 2000, by Order of the Board.


B. R. Wilson
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 August, 2000, 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 Director of the Division of Gas and Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9/30/2001

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas Partnership for Forced Pooling of Interests in CBM Unit Q-49 VGOB-00-0418-0791 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF POCAHONTAS GAS PARTNERSHIP (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 CONSOL Inc., as a Permit Specialist and is duly authorized to make this affidavit on behalf of POCAHONTAS GAS PARTNERSHIP, the designated operator,

That the Order entered on May 26, 2000, 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 county identified above; that said Order was recorded on June 2, 2000;

That the designated operator POCAHONTAS GAS PARTNERSHIP 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 May 26, 2000;

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 not subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

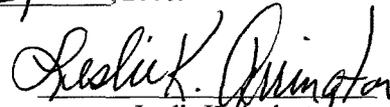
None

That the persons identified in Exhibit EE have 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.

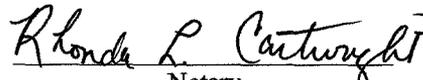
None

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 Tazewell, Virginia, this 13th day of July, 2000.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Permit Specialist of CONSOL Inc., on behalf of the corporate Designated Operator, this 13th day of July, 2000.


Notary

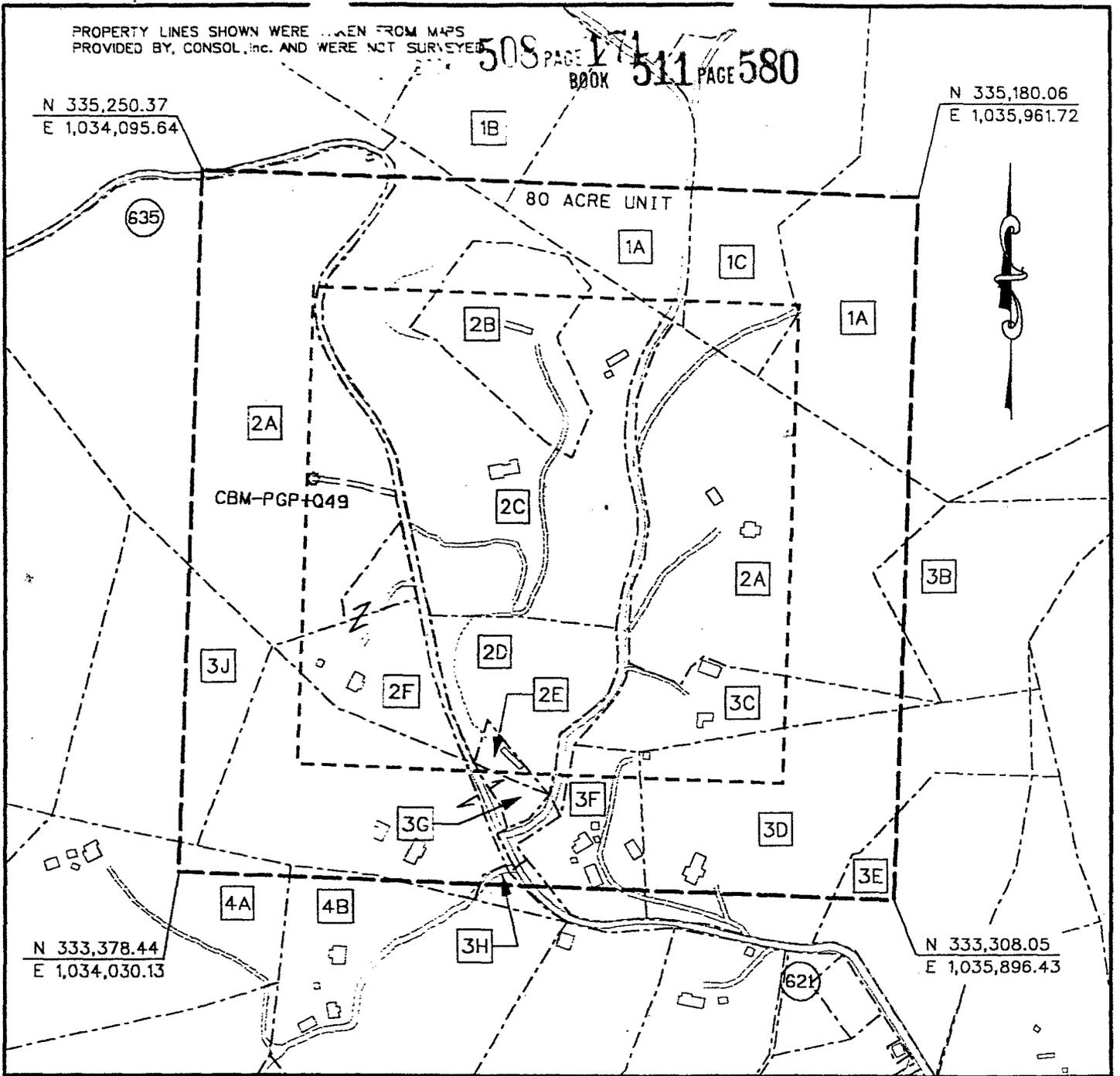
My commission expires: 10/31/01.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CONSOL. INC. AND WERE NOT SURVEYED

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N 335,250.37
E 1,034,095.64

N 335,180.06
E 1,035,961.72



N 333,378.44
E 1,034,030.13

N 333,308.05
E 1,035,896.43

EXHIBIT A
 OAKWOOD FIELD UNIT Q-49
 FORCE POOLING
 VGOB-00-0418-0791

Company Pocahontas Gas Partnership Well Name and Number UNIT Q49
 Tract No. _____ Elevation _____ Quadrangle Jewell Ridge
 County Buchanan District Garden Scale: 1" = 400' Date 3/17/08
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-60-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

Claude A. May

(Affix Seal)

**POCAHONTAS GAS PARTNERSHIP
UNIT Q-49
Tract Identifications**

- 3C. Hurt-McGuire Trust - Coal, ½ Oil & Gas
Terry Keen - Surface, ½ Oil & Gas
Lessees -
Reserve Coal Properties - Below drainage Coal
Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
Pocahontas Gas Partnership - ½ Oil & Gas Lessee
Pocahontas Gas Partnership - CBM
2.68 acres 3.3500%
- 3D. Hurt-McGuire Trust - Coal, ½ Oil & Gas
Robert Maxwell - Surface, ½ Oil & Gas
Lessees -
Reserve Coal Properties - Below drainage coal Lessee
Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
Pocahontas Gas Partnership - ½ Oil & Gas Lessee
Pocahontas Gas Partnership - CBM
6.17 acres 7.7125%
- 3E. Hurt-McGuire Trust - Coal, ½ Oil & Gas
Freda A. Snyder et al - Surface, ½ Oil & Gas
Lessees -
Reserve Coal Properties - Below drainage Coal
Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
Pocahontas Gas Partnership - ½ Oil & Gas Lessee
Pocahontas Gas Partnership - CBM
0.48 acres 0.6000%
- 3F. Hurt-McGuire Trust - Coal, ½ Oil & Gas
Shelby Maxwell - Surface, ½ Oil & Gas
Lessees -
Reserve Coal Properties - Below drainage Coal
Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
Pocahontas Gas Partnership - ½ Oil & Gas Lessee
Pocahontas Gas Partnership - CBM
2.12 acres 2.6500%
- 3G. Hurt-McGuire Trust - Coal, ½ Oil & Gas
Michael Robinson - Surface, ½ Oil & Gas
Lessees -
Reserve Coal Properties - Below drainage Coal
Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
Pocahontas Gas Partnership - ½ Oil & Gas Lessee
Pocahontas Gas Partnership - CBM
0.74 acres 0.9250%

**POCAHONTAS GAS PARTNERSHIP
UNIT Q-49
Tract Identifications**

- 3H. Hurt-McGuire Trust - Coal, ½ Oil & Gas
 Janice Patrick Rutherford - Surface, ½ Oil & Gas
Lessees -
 Reserve Coal Properties - Below drainage Coal
 Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
 Pocahontas Gas Partnership - ½ Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM
 0.07 acres 0.0875%
- 3I. Hurt-McGuire Trust - Coal, ½ Oil & Gas
 Janice Robinson - Surface, ½ Oil & Gas
Lessees -
 Reserve Coal Properties - Below drainage coal Lessee
 Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
 Pocahontas Gas Partnership - ½ Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM
 6.52 acres 8.1500%
- 3J. Hurt-McGuire Trust - Coal, ½ Oil & Gas
 Lilly B. Osborne Elswick, et al - Surface, ½ Oil & Gas
Lessees -
 Reserve Coal Properties - Below drainage Coal
 Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
 Pocahontas Gas Partnership - ½ Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM
 2.21 acres 2.7625%
4. Hurt-McGuire Trust - Coal, Oil & Gas
Lessees -
 Reserve Coal Properties - Below drainage Coal
 Jewell Ridge Coal Corp.- Jawbone and Tiller Seams
 Pocahontas Gas Partnership - Oil & Gas
 Pocahontas Gas Partnership - CBM
 0.47 acres 0.5875%
- 4A. Lilly B. Osborne Elswick, et al - Surface
 4B. Dolly Hicks - Surface

	Net Acres in Unit	Interest in Unit
I. OIL & GAS FEE OWNERSHIP		
TRACT #3A - 11.91 acres		
(a) Sydra Moore RR2 Box 70 Pounding Mill, VA 24637	5.955 acres 1/2 of 11.91 acres	7.44375%
TRACT #3C - 2.68 acres		
(a) Terry Keen HC66 Box 316 Jewell Ridge, VA 24622	1.34 acres 1/2 of 2.68 acres	1.67500%
TRACT #3D - 6.17 acres		
(a) Robert Maxwell HC 66, Box 326 Jewell Ridge, VA 24622	3.085 acres 1/2 of 6.17 acres	3.85625%
TRACT #3E - 0.48 acres		
(b) Freda Ann Snyder, et al.	0.24 acres 1/2 of 0.48 acres	0.30000%
(1) Freda Ann Snyder 1803 Brickhaven Lane Lawrenceville, GA 30043	0.1029 acres 3/7 of 0.24 acres	0.12857%
(2) Patricia Lynn Campbell 1405 Stewart Mill Road McLeansville, NC 27301	0.1029 acres 3/7 of 0.24 acres	0.12857%
(3) Virginia Harman, et al. HC 66, Box 330 Jewell Ridge, VA 24622	0.0343 acres 1/7 of 0.24 acres	0.04286%
TRACT #3F - 2.12 acres		
(a) Shelby Maxwell HCR66 Box 324 Jewell Ridge, VA 24622	1.06 acres 1/2 of 2.12 acres	1.32500%
TRACT #3G - 0.74 acres		
(a) Michael Robinson HC 66, Box 312 Jewell Ridge, VA 24622	0.37 acres 1/2 of 0.74 acres	0.46250%
TRACT #3H - 0.07 acres		
(a) Janice Patrick Rutherford 214 Rolling Road Burlington, NC 27217-2504	0.035 acres 1/2 of 0.07 acres	0.04375%

Exhibit B-3
Unit Q-49
Docket No. VGOB-00-0418-0791
List of Unleased Owners/Claimants

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	Net Acres in Unit	Interest in Unit
TRACT #3I - 6.52 acres		
(a) Janice Robinson HC 66, Box 318 Jewell Ridge, VA 24622	3.26 acres 1/2 of 6.52 acres	4.07500%
TRACT #3J - 2.21 acres		
(1) Lilly B. Osborne Elswick et al.	1.105 acres 1/2 of 2.21 acres	1.38125%
(a) Joseph Paul Horn P.O. Box 775 Raven, VA 24639	0.158 acres 1/7 of 1.105 acres	0.19732%
(b) Lilly Belle Osborne Elswick Rt.1 Box 331 Tazewell, VA 24651	0.158 acres 1/7 of 1.105 acres	0.19732%
(c) Roy Rogers Horn Address unknown	0.158 acres 1/7 of 1.105 acres	0.19732%
(d) Shelby Jean Reynolds P.O. Box 34 Wyco, WV 25943	0.158 acres 1/7 of 1.105 acres	0.19732%
(e) Willie Mae Mutter Address unknown	0.158 acres 1/7 of 1.105 acres	0.19732%
(f) William Ray Horn HC66 Jewell Ridge, VA 24622	0.158 acres 1/7 of 1.105 acres	0.19732%
(g) Thelma Marie Underwood Address unknown	0.158 acres 1/7 of 1.105 acres	0.19732%

Exhibit E
Unit Q-49
Docket No. VGOB-00-0418-0791
List of Conflicting Owners/Claimants

BOOK 511 PAGE 586

	Net Acres in Unit	Interest in Unit
TRACT #3A - 11.91 acres		
<u>COAL FEE OWNERSHIP</u>		
(a) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	5.955 acres 1/2 of 11.91 acres	7.44375%
<u>OIL & GAS FEE OWNERSHIP</u>		
(a) Sydra Moore RR2 Box 70 Pounding Mill, VA 24637	5.955 acres 1/2 of 11.91 acres	7.44375%
TRACT #3B - 0.23 acres		
<u>COAL FEE OWNERSHIP</u>		
(a) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	0.115 acres 1/2 of 0.23 acres	0.14375%
<u>OIL & GAS FEE OWNERSHIP</u>		
(a) Pocahontas Mining Company Limited Partnership, L.L.P. P. O. Box 1339 Bluefield, WV 24701	0.115 acres 1/2 of 0.23 acres	0.14375%
TRACT #3C - 2.68 acres		
<u>COAL FEE OWNERSHIP</u>		
(a) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	1.34 acres 1/2 of 2.68 acres	1.67500%
<u>OIL & GAS FEE OWNERSHIP</u>		
(a) Terry Keen HC66 Box 316 Jewell Ridge, VA 24622	1.34 acres 1/2 of 2.68 acres	1.67500%
TRACT #3D - 6.17 acres		
<u>COAL FEE OWNERSHIP</u>		
(a) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	3.085 acres 1/2 of 6.17 acres	3.85625%

Docket No. VGOB-00-0418-0791
List of Conflicting Owners/Claimants

	Net Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(a) Robert Maxwell HC 66, Box 326 Jewell Ridge, VA 24622	3.085 acres 1/2 of 6.17 acres	3.85625%
TRACT #3E - 0.48 acres		
<u>COAL FEE OWNERSHIP</u>		
(a) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	0.24 acres 1/2 of 0.48 acres	0.30000%
<u>OIL & GAS FEE OWNERSHIP</u>		
(b) Freda Ann Snyder, et al.	0.24 acres 1/2 of 0.48 acres	0.30000%
(1) Freda Ann Snyder 1803 Brickhaven Lane Lawrenceville, GA 30043	0.1029 acres 3/7 of 0.24 acres	0.12857%
(2) Patricia Lynn Campbell 1405 Stewart Mill Road McLeansville, NC 27301	0.1029 acres 3/7 of 0.24 acres	0.12857%
(3) Virginia Harman, et al. HC 66, Box 330 Jewell Ridge, VA 24622	0.0343 acres 1/7 of 0.24 acres	0.04286%
TRACT #3F - 2.12 acres		
<u>COAL FEE OWNERSHIP</u>		
(1) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	1.06 acres 1/2 of 2.12 acres	1.32500%
<u>OIL & GAS FEE OWNERSHIP</u>		
(b) Shelby Maxwell HCR66 Box 324 Jewell Ridge, VA 24622	1.06 acres 1/2 of 2.12 acres	1.32500%
TRACT #3G - 0.74 acres		
<u>COAL FEE OWNERSHIP</u>		
(1) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	0.37 acres 1/2 of 0.74 acres	0.46250%

Docket No. VGOB-00-0418-0791
List of Conflicting Owners/Claimants

	Net Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(b) Michael Robinson HC 66, Box 312 Jewell Ridge, VA 24622	0.37 acres 1/2 of 0.74 acres	0.46250%
TRACT #3H - 0.07 acres		
<u>COAL FEE OWNERSHIP</u>		
(1) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	0.035 acres 1/2 of 0.07 acres	0.04375%
<u>OIL & GAS FEE OWNERSHIP</u>		
(b) Janice Patrick Rutherford 214 Rolling Road Burlington, NC 27217-2504	0.035 acres 1/2 of 0.07 acres	0.04375%
TRACT #3I - 6.52 acres		
<u>COAL FEE OWNERSHIP</u>		
(1) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	3.26 acres 1/2 of 6.52 acres	4.07500%
<u>OIL & GAS FEE OWNERSHIP</u>		
(b) Janice Robinson HC 66, Box 318 Jewell Ridge, VA 24622	3.26 acres 1/2 of 6.52 acres	4.07500%
TRACT #3J - 2.21 acres		
<u>COAL FEE OWNERSHIP</u>		
(1) Hurt-McGuire Land Trust c/o Charles Green 1805 1/2 Jefferson Avenue Bluefield, WV 24701	1.105 acres 1/2 of 2.21 acres	1.38125%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Lilly B. Osborne Elswick et al.	1.105 acres 1/2 of 2.21 acres	1.38125%
(a) Joseph Paul Horn P.O. Box 775 Raven, VA 24639	0.158 acres 1/7 of 1.105 acres	0.19732%

Exhibit E
Unit Q-49
Docket No. VGOB-00-0418-0791
List of Conflicting Owners/Claimants

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	Net Acres in Unit	Interest in Unit
(b) Lilly Belle Osborne Elswick Rt.1 Box 331 Tazewell, VA 24651	0.466 acres 1/7 of 1.105 acres	0.58214%
(c) Roy Rogers Horn Address unknown	0.466 acres 1/7 of 1.105 acres	0.58214%
(d) Shelby Jean Reynolds P.O. Box 34 Wyco, WV 25943	0.466 acres 1/7 of 1.105 acres	0.58214%
(e) Willie Mae Mutter Address unknown	0.466 acres 1/7 of 1.105 acres	0.58214%
(f) William Ray Horn HC66 Jewell Ridge, VA 24622	0.466 acres 1/7 of 1.105 acres	0.58214%
(g) Thelma Marie Underwood Address unknown	0.466 acres 1/7 of 1.105 acres	0.58214%

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 17th day of August 2000 3:25 P. M.
 Deed Book No. 511 and Page No. 576 TESTE: James M. Bevins, Jr., Clerk
 Returned this date to; Th ME TESTE: Jewell S. Miller Deputy Clerk

INSTRUMENT #00000274
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
AUGUST 17, 2000 AT 03:25PM
JAMES M. BEVINS JR., CLERK

BY:

[Handwritten Signature]