

710

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 00-0919-0822-01

ELECTIONS: UNIT ZZZ-23  
(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 July 8, 2002 which was recorded at Deed Book 550, Page 674 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on July 15, 2002, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed Consol Energy Inc. (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 ZZZ-23;

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 PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Telephone: (215) 985-3485 or (800) 664-9359, Attn: Don Ballinghoff, 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. The respondents listed in Exhibit B-2 to the Affidavit of Elections are dismissed.

ENTERED

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 or who is hereby dismissed 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.

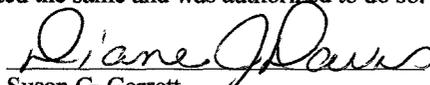
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 18<sup>th</sup> 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 18<sup>th</sup> 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 19<sup>th</sup> day of February, 2003, 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 19<sup>th</sup> 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 Director of the Division of Gas & 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: 9/30/05.

Order Recorded Under Code of  
Virginia Section 45.1-361.23

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Buchanan Production Company for Forced Pooling of Interests in CBM Unit ZZZ-23  
VGOB 01-0919-0822-01 in the Garden & South Grundy Districts of Buchanan County, Virginia

AFFIDAVIT OF Consol Energy Inc. (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 Energy Inc., as a Gas Engineer and is duly authorized to make this affidavit on behalf of Consol Energy Inc., the designated operator,

That the Order entered on July 8, 2002, 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 July 15, 2002;

That the designated operator Consol Energy Inc. 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 July 8, 2002;

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:

None

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:

See attached Exhibit B-2

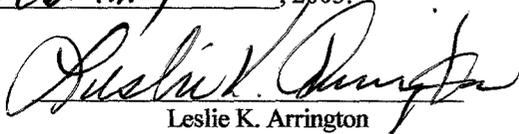
That to the extent any of said persons listed in Exhibit B-2 have rights, they should be dismissed and/or added as respondents; the Operator requests that the following persons be dismissed and/or added as Respondents:

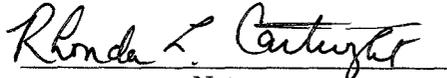
Marshall Curtis, Althea Joubert (prev. listed as "Unknown niece or newpew"), Trustees of Tazewell Presbyterian Church, Trustees of Abingdon Presbytery (Successor of Litz Presbyterian Church), Trustees of Tazewell Presbyterian Church (for benefit of Mountain View Chapel), Trustees of Tazewell Presbyterian Church (for benefit of Black's Chapel), Milfred W. Maxwell, Daniel E. Thompson, Laura Crigger, Nancy Markland, Lloyd G. Taylor, Roger D. Taylor, Sherry T. Nichols (identified heir of Edward L. Taylor), Rudolph M. Taylor, Mary Doty, Joann McElmurray, Catherine Maria Whittaker, William L. Trivett, Robert C. Bowen and Carol Bricker Pharr

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.

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 4<sup>th</sup> day of February, 2003.  
  
Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Gas Engineer of Consol Energy Inc., on behalf of the corporate Designated Operator, this 4<sup>th</sup> day of February, 2003.  
  
Rhonda L. Cartwright  
Notary

My commission expires: 10/31/05.

PROPERTY LINES SHOWN IN THIS MAP WERE NOT SURVEYED.  
PROVIDED BY CONSOL Inc.

BOOK 563 PAGE 185

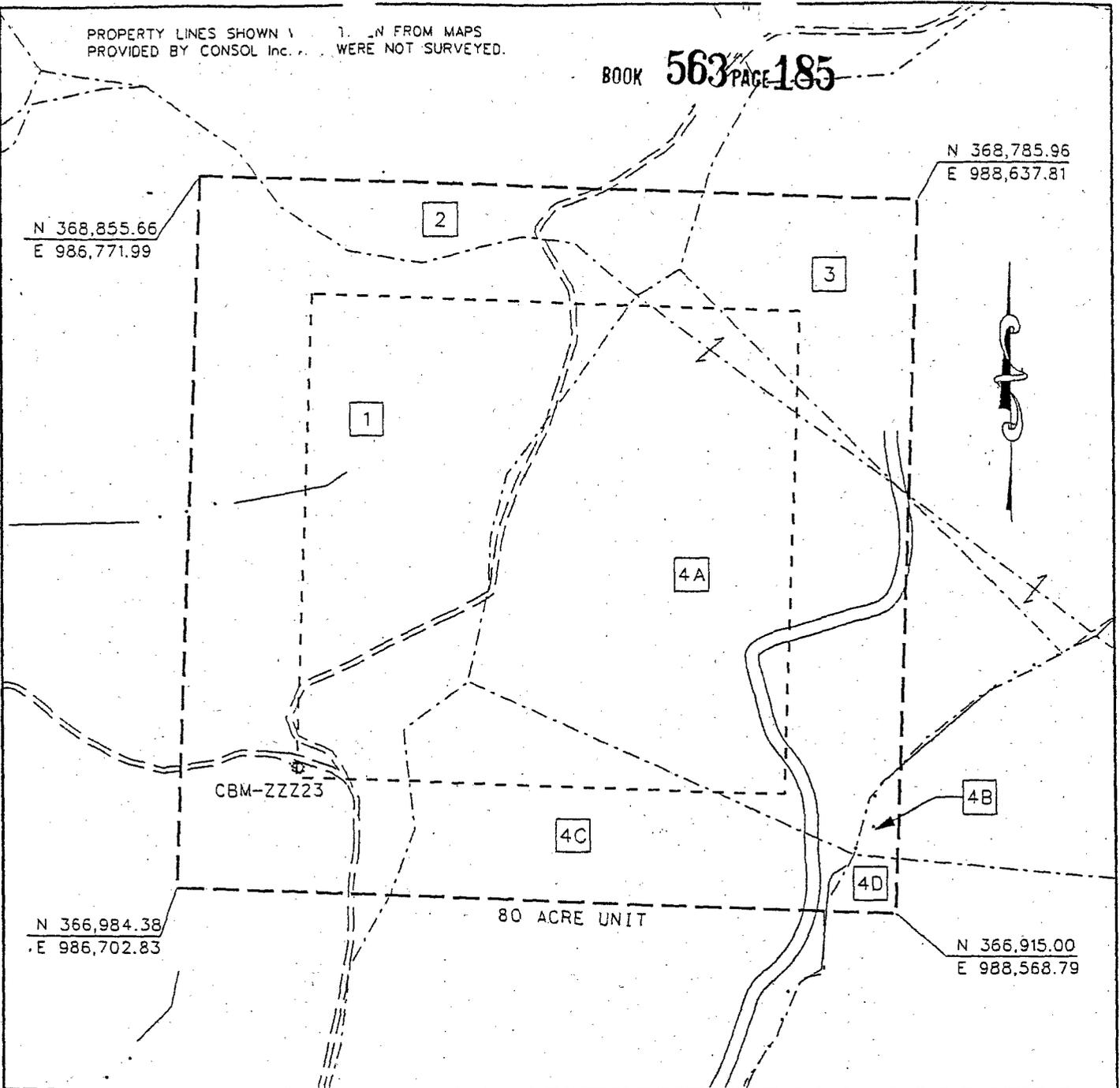
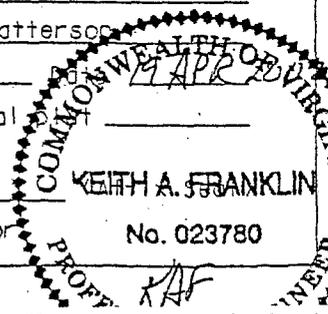


EXHIBIT A  
 OAKWOOD FIELD UNIT ZZZ-23  
 FORCE POOLING  
 VGOB-00-0919-0822-01

Company CONSOL Energy Inc. Well Name and Number UNIT ZZZ23  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Patterson  
 County Buchanan District South Grundy/Garden Scale: 1" = 400'  
 This plat is a new plat X; an updated plat \_\_\_\_\_; or a final \_\_\_\_\_

Form DGO-GD-7 Keith A Franklin  
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor  
 No. 023780



CONSOL Energy, Inc.  
 UNIT ZZZ-23  
 Tract Identification

1. C.L. Ritter Lumber Co. - Tr. 13 - Fee  
 Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
 Jewell Smokeless Coal Corp. - Coal Above Tiller Leased  
 Buchanan Production Company - CBM Leased  
 32.02 acres                      40.0250%
  
2. C.L. Ritter Lumber Co. - Tr. 11 - Coal, Oil and Gas  
 Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
 Jewell Smokeless Coal Corp. - Coal Above Tiller Leased  
 Buchanan Production Company - CBM Leased  
 4.41 acres                      5.5125%
  
3. Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns - Coal, Oil and Gas (Tract A)  
 Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
 Jewell Smokeless Coal Corp. - Coal Above Tiller Leased  
 Buchanan Production Company - Surface  
 6.74 acres                      8.4250%
  
4. Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns - Coal, Oil and Gas (Tract B)  
 Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
 Jewell Smokeless Coal Corp. - Coal Above Tiller Leased  
 Buchanan Production Company - Oil, Gas and CBM Leased  
 36.83 acres                      46.0375%
  
- 4A. Unknown Surface Owner
- 4B. Unknown Surface Owner
- 4C. Buchanan Production Company
- 4D. Buchanan Production Company

Docket # VGOB 00-0919-0822-01  
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
<b>I. COAL FEE OWNERSHIP</b>			
<b><u>Tract #3, 6.74 Acres</u></b>			
Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract A)	6.74 acres	8.425000%	
(26) Marshall Curtis P.O. Box 277 Great Falls, VA 22066	0.14041667 2.08333333% of 6.74 acres	0.175521%	Leased
(27) Althea Joubert 6229 Carlson Drive New Orleans, LA 70122 <i>*(prev. listed as Unknown niece or nephew)</i>	0.14041667 2.08333333% of 6.74 acres	0.175521%	Leased
(50) Trustees of Tazewell Presbyterian Church P.O. Box 26 Tazewell, VA 24651	0.24962963 3.70370370% of 6.74 acres	0.312037%	Leased
(51) Trustees of Abingdon Presbytery (Successor of Litz Prebyterian Church) c/o Mary Frances Campbell P.O. Box 317 Wytheville, VA 24382	0.24962963 3.70370370% of 6.74 acres	0.312037%	Leased
(53) Trustees of Tazewell Presbyterian Church (for benefit of Mountain View Chapel) P.O. Box 26 Tazewell, VA 24651	0.24962963 3.70370370% of 6.74 acres	0.312037%	Leased
(54) Trustees of Tazewell Presbyterian Church (for benefit of Black's Chapel) P.O. Box 26 Tazewell, VA 24651	0.24962963 3.70370370% of 6.74 acres	0.312037%	Leased
(58) Milfred W. Maxwell HC66 Box 76 Whitewood, VA 24657	0.00780093 0.11574074% of 6.74 acres	0.009751%	Leased
(64) Margaret Long Thompson Heirs, Devisees, Successors or Assigns			
(64.b) Daniel E. Thompson 614 South Main Street Blacksburg, VA 24060	0.00173354 0.02572016% of 6.74 acres	0.002167%	Leased
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns			
(67.a) Laura Crigger 19 Lyn Way Drive Fairborn, OH 45324	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
(67.d) Nancy Markland 826 Park Chase Drive Evans, GA 30809	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
(70) Lloyd G. Taylor Box 163 Piney View, WV 25906	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased

Docket # VGOB 00-0919-0822-01  
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
(71) Roger D. Taylor 284 Shannontown Road Beckley, WV 25801	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
(72) Edward L. Taylor Heirs, Devisees, Successors or Assigns <i>*(Heir previously unknown)</i>			
(72.a) Sherry T. Nichols 4609 Down East Court Virginia Beach, VA 24355	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
(85) Rudolph M. Taylor RR1, Box 578 Pounding Mill, VA 24637	0.00124815 0.01851852% of 6.74 acres	0.001560%	Leased
(91) Mary Doty 8319 Mt. Vernon Road Lithia Springs, GA 30122	0.00208025 0.03086420% of 6.74 acres	0.002600%	Leased
(100) Joann McElmurray 1905 Hope Road S.W. Roanoke, VA 24018	0.00390046 0.05787037% of 6.74 acres	0.004876%	Leased
(104) <i>Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns</i>			
(104.a) Catherine Maria Whittaker 1910 Deyerle Road S.W. Roanoke, VA 24018	0.00130015 0.01929012% of 6.74 acres	0.001625%	Leased
(106) William L. Trivett 120 Joann Drive Florence, KY 41042	0.00390046 0.05787037% of 6.74 acres	0.004876%	Leased
(107) Robert C. Bowen 104 Stoney Brook Lane Tazewell, VA 24651	0.08135250 1.20701040% of 6.74 acres	0.101691%	Leased
(109) Carol Bricker Pharr 1608 Calfrop Neck Road Yorktown, VA 24692	0.23558796 3.49537030% of 6.74 acres	0.294485%	Leased

**Tract #4, 36.83 Acres**

Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract B)	36.83 acres	46.037500%	
(26) Marshall Curtis P.O. Box 277 Great Falls, VA 22066	0.76729167 2.08333333% of 36.83 acres	0.959115%	Leased
(27) Althea Joubert 6229 Carlson Drive New Orleans, LA 70122 <i>*(prev. listed as Unknown neice or nephew)</i>	0.76729167 2.08333333% of 36.83 acres	0.959115%	Leased
(50) Trustees of Tazewell Presbyterian Church P.O. Box 26 Tazewell, VA 24651	1.36407407 3.70370370% of 36.83 acres	1.705093%	Leased

Exhibit B-2  
Unit ZZZ-23  
Docket # VGOB 00-0919-0822-01  
List of Respondents to be Dismissed

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	Acres in Unit	Percent of Unit	Reason for Dismissal
(51) Trustees of Abingdon Presbytery (Successor of Litz Presbyterian Church) c/o Mary Frances Campbell P.O. Box 317 Wytheville, VA 24382	1.36407407 3.70370370% of 36.83 acres	1.705093%	Leased
(53) Trustees of Tazewell Presbyterian Church (for benefit of Mountain View Chapel) P.O. Box 26 Tazewell, VA 24651	1.36407407 3.70370370% of 36.83 acres	1.705093%	Leased
(54) Trustees of Tazewell Presbyterian Church (for benefit of Black's Chapel) P.O. Box 26 Tazewell, VA 24651	1.36407407 3.70370370% of 36.83 acres	1.705093%	Leased
(58) Milfred W. Maxwell HC66 Box 76 Whitewood, VA 24657	0.04262731 0.11574074% of 36.83 acres	0.053284%	Leased
(64) <i>Margaret Long Thompson Heirs, Devisees, Successors or Assigns</i>			
(64.b) Daniel E. Thompson 614 South Main Street Blacksburg, VA 24060	0.00947273 0.02572016% of 36.83 acres	0.011841%	Leased
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns			
(67.a) Laura Crigger 19 Lyn Way Drive Fairborn, OH 45324	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(67.d) Nancy Markland 826 Park Chase Drive Evans, GA 30809	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(70) Lloyd G. Taylor Box 163 Piney View, WV 25906	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(71) Roger D. Taylor 284 Shannontown Road Beckley, WV 25801	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(72) Edward L. Taylor Heirs, Devisees, Successors or Assigns <i>*(Heir previously unknown)</i>			
(72.a) Sherry T. Nichols 4609 Down East Court Virginia Beach, VA 24355	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(85) Rudolph M. Taylor RR1, Box 578 Pounding Mill, VA 24637	0.00682037 0.01851852% of 36.83 acres	0.008525%	Leased
(91) Mary Doty 8319 Mt. Vernon Road Lithia Springs, GA 30122	0.01136728 0.03086420% of 36.83 acres	0.014209%	Leased

Exhibit B-2  
Unit ZZZ-23  
Docket # VGOB 00-0919-0822-01  
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
(100) Joann McElmurray 1905 Hope Road S.W. Roanoke, VA 24018	0.02131366 0.05787037% of 36.83 acres	0.026642%	Leased
(104) <i>Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns</i>			
(104.a) Catherine Maria Whittaker 1910 Deyerle Road S.W. Roanoke, VA 24018	0.00710455 0.01929012% of 36.83 acres	0.008881%	Leased
(106) William L. Trivett 120 Joann Drive Florence, KY 41042	0.02131366 0.05787037% of 36.83 acres	0.026642%	Leased
(107) Robert C. Bowen 104 Stoney Brook Lane Tazewell, VA 24651	0.44454193 1.20701040% of 36.83 acres	0.555677%	Leased
(109) Carol Bricker Pharr 1608 Caltrop Neck Road Yorktown, VA 24692	1.44080323 3.91203700% of 36.83 acres	1.801004%	Leased

II. OIL & GAS FEE OWNERSHIP

Tract #3, 6.74 Acres

Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract A)	6.74 acres	8.425000%	
(26) Marshall Curtis P.O. Box 277 Great Falls, VA 22066	0.14041667 2.08333333% of 6.74 acres	0.175521%	Leased
(27) Althea Joubert 6229 Carlson Drive New Orleans, LA 70122 <i>*(prev. listed as Unknown neice or nephew)</i>	0.14041667 2.08333333% of 6.74 acres	0.175521%	Leased
(50) Trustees of Tazewell Presbyterian Church P.O. Box 26 Tazewell, VA 24651	0.24962963 3.70370370% of 6.74 acres	0.312037%	Leased
(51) Trustees of Abingdon Presbytery (Successor of Litz Prebyterian Church) c/o Mary Frances Campbell P.O. Box 317 Wytheville, VA 24382	0.24962963 3.70370370% of 6.74 acres	0.312037%	Leased
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Exhibit B-2  
Unit ZZZ-23  
Docket # VGOB 00-0919-0822-01  
List of Respondents to be Dismissed

BOOK 563 PAGE 191

	Acres in Unit	Percent of Unit	Reason for Dismissal
(58) Milfred W. Maxwell HC66 Box 76 Whitewood, VA 24657	0.00780093 0.11574074% of 6.74 acres	0.009751%	Leased
(64) Margaret Long Thompson Heirs, Devisees, Successors or Assigns			
(64.b) Daniel E. Thompson 614 South Main Street Blacksburg, VA 24060	0.00173354 0.02572016% of 6.74 acres	0.002167%	Leased
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns			
(67.a) Laura Crigger 19 Lyn Way Drive Fairborn, OH 45324	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
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(70) Lloyd G. Taylor Box 163 Piney View, WV 25906	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
(71) Roger D. Taylor 284 Shannontown Road Beckley, WV 25801	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
(72) Edward L. Taylor Heirs, Devisees, Successors or Assigns <i>*(Heir previously unknown)</i>			
(72.a) Sherry T. Nichols 4609 Down East Court Virginia Beach, VA 24355	0.00104012 0.01543210% of 6.74 acres	0.001300%	Leased
(85) Rudolph M. Taylor RR1, Box 578 Pounding Mill, VA 24637	0.00124815 0.01851852% of 6.74 acres	0.001560%	Leased
(91) Mary Doty 8319 Mt. Vernon Road Lithia Springs, GA 30122	0.00208025 0.03086420% of 6.74 acres	0.002600%	Leased
(100) Joann McElmurray 1905 Hope Road S.W. Roanoke, VA 24018	0.00390046 0.05787037% of 6.74 acres	0.004876%	Leased
(104) Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns			
(104.a) Catherine Maria Whittaker 1910 Deyerle Road S.W. Roanoke, VA 24018	0.00130015 0.01929012% of 6.74 acres	0.001625%	Leased
(106) William L. Trivett 120 Joann Drive Florence, KY 41042	0.00390046 0.05787037% of 6.74 acres	0.004876%	Leased

Exhibit B-2  
Unit ZZZ-23  
Docket # VGOB 00-0919-0822-01  
List of Respondents to be Dismissed

BOOK 563 PAGE 192

	Acres in Unit	Percent of Unit	Reason for Dismissal
(107) Robert C. Bowen 104 Stoney Brook Lane Tazewell, VA 24651	0.08135250 1.20701040% of 6.74 acres	0.101691%	Leased
(109) Carol Bricker Pharr 1608 Caltrop Neck Road Yorktown, VA 24692	0.23558796 3.49537030% of 6.74 acres	0.294485%	Leased
<b><u>Tract #4, 36.83 Acres</u></b>			
Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract B)	36.83 acres	46.037500%	
(26) Marshall Curtis P.O. Box 277 Great Falls, VA 22066	0.76729167 2.08333333% of 36.83 acres	0.959115%	Leased
(27) Althea Joubert 6229 Carlson Drive New Orleans, LA 70122 <i>*(prev. listed as Unknown niece or nephew)</i>	0.76729167 2.08333333% of 36.83 acres	0.959115%	Leased
(50) Trustees of Tazewell Presbyterian Church P.O. Box 26 Tazewell, VA 24651	1.36407407 3.70370370% of 36.83 acres	1.705093%	Leased
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(58) Milfred W. Maxwell HC66 Box 76 Whitewood, VA 24657	0.04262731 0.11574074% of 36.83 acres	0.053284%	Leased
(64) <i>Margaret Long Thompson Heirs, Devisees, Successors or Assigns</i>			
(64.b) Daniel E. Thompson 614 South Main Street Blacksburg, VA 24060	0.00947273 0.02572016% of 36.83 acres	0.011841%	Leased
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns			
(67.a) Laura Crigger 19 Lyn Way Drive Fairborn, OH 45324	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased

Exhibit B-2  
Unit ZZZ-23  
Docket # VGOB 00-0919-0822-01  
List of Respondents to be Dismissed

BOOK 563 PAGE 193

	Acres in Unit	Percent of Unit	Reason for Dismissal
(67.d) Nancy Markland 826 Park Chase Drive Evans, GA 30809	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(70) Lloyd G. Taylor Box 163 Piney View, WV 25906	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(71) Roger D. Taylor 284 Shannontown Road Beckley, WV 25801	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(72) Edward L. Taylor Heirs, Devisees, Successors or Assigns <i>*(Heir previously unknown)</i>			
(72.a) Sherry T. Nichols 4609 Down East Court Virginia Beach, VA 24355	0.00568364 0.01543210% of 36.83 acres	0.007105%	Leased
(85) Rudolph M. Taylor RR1, Box 578 Pounding Mill, VA 24637	0.00682037 0.01851852% of 36.83 acres	0.008525%	Leased
(91) Mary Doty 8319 Mt. Vernon Road Lithia Springs, GA 30122	0.01136728 0.03086420% of 36.83 acres	0.014209%	Leased
(100) Joann McElmurray 1905 Hope Road S.W. Roanoke, VA 24018	0.02131366 0.05787037% of 36.83 acres	0.026642%	Leased
(104) <i>Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns</i>			
(104.a) Catherine Maria Whittaker 1910 Deyerle Road S.W. Roanoke, VA 24018	0.00710455 0.01929012% of 36.83 acres	0.008881%	Leased
(106) William L. Trivett 120 Joann Drive Florence, KY 41042	0.02131366 0.05787037% of 36.83 acres	0.026642%	Leased
(107) Robert C. Bowen 104 Stoney Brook Lane Tazewell, VA 24651	0.44454193 1.20701040% of 36.83 acres	0.555677%	Leased
(109) Carol Bricker Pharr 1608 Caltrop Neck Road Yorktown, VA 24692	1.44080323 3.91203700% of 36.83 acres	1.801004%	Leased

	Acres in Unit	Percent of Unit
<b>I. COAL FEE OWNERSHIP</b>		
<b><u>Tract #3, 6.74 Acres</u></b>		
Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract A)	6.74 acres	8.425000%
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns		
(67.c) Connie Buckley 4057 Park Chase Drive Evans, GA 30809	0.00104012 0.01543210% of 6.74 acres	0.001300%
(69) Anita L. Groseclose 1950 M. West 32nd Street Miami, FL 33142	0.00520062 0.07716049% of 6.74 acres	0.006501%
(83) Roger E. Groseclose 1701 Lee Road, Apt.#337J Winter Park, FL 32789	0.00312037 0.04629630% of 6.74 acres	0.003900%
(86) Peggy T. Elliot 4710 West Ridge Drive Charlotte, NC 28200	0.00124815 0.01851852% of 6.74 acres	0.001560%
(104) Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns		
(104.b) Gloria Whittaker Bethke 1308 Deep Run Lane Reston, VA 22090	0.00130015 0.01929012% of 6.74 acres	0.001625%
(104.c) Margaret Whittaker Cauthen 1581 Mt. Olive Church Road Newton, NC 28658	0.00130015 0.01929012% of 6.74 acres	0.001625%
<b><u>Tract #4, 36.83 Acres</u></b>		
Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract B)	36.83 acres	46.037500%
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns		
(67.c) Connie Buckley 4057 Park Chase Drive Evans, GA 30809	0.00568364 0.01543210% of 36.83 acres	0.007105%
(69) Anita L. Groseclose 1950 M. West 32nd Street Miami, FL 33142	0.02841821 0.07716049% of 36.83 acres	0.035523%
(83) Roger E. Groseclose 1701 Lee Road, Apt.#337J Winter Park, FL 32789	0.01705093 0.04629630% of 36.83 acres	0.021314%

Exhibit B-3  
Unit ZZZ-23  
Docket # VGOB 00-0919-0822-01  
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
(86) Peggy T. Elliot 4710 West Ridge Drive Charlotte, NC 28200	0.00682037 0.01851852% of 36.83 acres	0.008525%
(104) <i>Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns</i>		
(104.b) Gloria Whittaker Bethke 1308 Deep Run Lane Reston, VA 22090	0.00710455 0.01929012% of 36.83 acres	0.008881%
(104.c) Margaret Whittaker Cauthen 1581 Mt. Olive Church Road Newton, NC 28658	0.00710455 0.01929012% of 36.83 acres	0.008881%
<b>II. <u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
<b><u>Tract #3, 6.74 Acres</u></b>		
Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract A)	6.74 acres	8.425000%
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns		
(67.c) Connie Buckley 4057 Park Chase Drive Evans, GA 30809	0.00104012 0.01543210% of 6.74 acres	0.001300%
(69) Anita L. Groseclose 1950 M. West 32nd Street Miami, FL 33142	0.00520062 0.07716049% of 6.74 acres	0.006501%
(83) Roger E. Groseclose 1701 Lee Road, Apt.#337J Winter Park, FL 32789	0.00312037 0.04629630% of 6.74 acres	0.003900%
(86) Peggy T. Elliot 4710 West Ridge Drive Charlotte, NC 28200	0.00124815 0.01851852% of 6.74 acres	0.001560%
(104) <i>Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns</i>		
(104.b) Gloria Whittaker Bethke 1308 Deep Run Lane Reston, VA 22090	0.00130015 0.01929012% of 6.74 acres	0.001625%
(104.c) Margaret Whittaker Cauthen 1581 Mt. Olive Church Road Newton, NC 28658	0.00130015 0.01929012% of 6.74 acres	0.001625%
<b><u>Tract #4, 36.83 Acres</u></b>		
Mariah Lou Bowen Kroll Heirs, Devisees, Successors or Assigns (Tract B)	36.83 acres	46.037500%

Exhibit B-3  
 Unit ZZZ-23  
 Docket # VGOB 00-0919-0822-01  
 List of Unleased Owners/Claimants

BOOK 563 PAGE 196

	Acres in Unit	Percent of Unit
(67) Carter L. Long, Heirs, Devisees, Successors or Assigns		
(67.c) Connie Buckley 4057 Park Chase Drive Evans, GA 30809	0.00568364 0.01543210% of 36.83 acres	0.007105%
(69) Anita L. Groseclose 1950 M. West 32nd Street Miami, FL 33142	0.02841821 0.07716049% of 36.83 acres	0.035523%
(83) Roger E. Groseclose 1701 Lee Road, Apt.#337J Winter Park, FL 32789	0.01705093 0.04629630% of 36.83 acres	0.021314%
(86) Peggy T. Elliot 4710 West Ridge Drive Charlotte, NC 28200	0.00682037 0.01851852% of 36.83 acres	0.008525%
(104) Ellora T. Whittaker, Heirs, Devisees, Successors or Assigns		
(104.b) Gloria Whittaker Bethke 1308 Deep Run Lane Reston, VA 22090	0.00710455 0.01929012% of 36.83 acres	0.008881%
(104.c) Margaret Whittaker Cauthen 1581 Mt. Olive Church Road Newton, NC 28658	0.00710455 0.01929012% of 36.83 acres	0.008881%

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 21st day of February, 20 03 1:30 P. M.  
 Deed Book No. 563 and Page No. 181.  
 Returned to: J.M.E. TESTE: James M. Bevens, Jr., Clerk  
Shelby S. Villa Deputy Clerk

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BL

BY:

*OK*

INSTRUMENT #000000629  
RECORDED IN THE CLERK'S OFFICE OF  
BISHOPIAN COUNTY ON  
FEBRUARY 21, 2003 AT 04:24PM  
JAMES M. BEVINS JR., CLERK