

ENTERED

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: POCAHONTAS GAS PARTNERSHIP) VIRGINIA GAS
) AND OIL BOARD

RELIEF SOUGHT: POOLING OF INTERESTS IN)
) DRILLING UNIT NO. AW-116 LOCATED) DOCKET NO.
) IN THE MIDDLE RIDGE I COALBED) 01-0116-0858
) METHANE GAS FIELD PURSUANT TO VA.)
) CODE §§ 45.1-361.21 AND 45.1-361.22,)
) FOR THE PRODUCTION OF OCCLUDED)
) NATURAL GAS PRODUCED FROM COALBEDS)
) AND ROCK STRATA ASSOCIATED THEREWITH)
) (herein collectively referred to as)
) "Coalbed Methane Gas" or "Gas")
))
))
LEGAL DESCRIPTION:)
))
) DRILLING UNIT NUMBER AW-116)
) (herein "Subject Drilling Unit") IN THE)
) MIDDLE RIDGE I COALBED METHANE GAS FIELD)
) NEW GARDEN MAGISTERIAL DISTRICT)
) HONAKER QUADRANGLE)
) RUSSELL COUNTY, VIRGINIA)
) (the "Subject Lands" are more)
) particularly described on Exhibit)
) "A", attached hereto and made a)
) part hereof))

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for final hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on June 19, 2001 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Room 240, Abingdon, Virginia.
2. Appearances: Mark Swartz, Esquire, of the firm Swartz & Stump, L.C., appeared for the Applicant; Danny Dye and Tivis Brown appeared pro se; and Sandra Riggs, Assistant Attorney General, was present to advise the Board.
3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a search of the reasonably available sources to determine the identity and whereabouts of gas and oil owners, coal owners, mineral owners and/or potential owners, i.e., persons identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all coal seams below the Jawbone 1 Seam, including the Tiller Seam, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas No. 8, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 1 and various unnamed coal seams, coalbeds and rock strata associated therewith down to the red and green shales (hereafter "Subject Formation") in Subject Drilling Unit underlying and comprised of Subject Lands; (2) represented it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code §§ 45.1-361.19 and

45.1-361.22, to notice of the Application filed herein; and (3) that the persons set forth in Exhibit B-3 hereto are persons identified by Applicant through its due diligence who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation, in Subject Drilling Unit underlying and comprised of Subject Lands, who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Drilling Unit are listed on Exhibit E and conflicting owners/claimants who have entered into royalty split agreements are listed on Exhibit EE. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Amendments: On June 8, 2001, the Applicant filed with the Board an Amended Notice of Hearing and an Amended Application.

5. Additions and Dismissals: None.

6. Relief Requested: Applicant requests (1) that pursuant to Va. Code § 45.1-361.22, including the applicable portions of Va. Code § 45.1-361.21, the Board pool all the rights, interests and estates in and to the Gas in Subject Drilling Unit, including the pooling of the interests of the Applicant and of the known and unknown persons named in Exhibit B-3 hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas, produced from or allocated to the Subject Drilling Unit established for the Subject Formation underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "Well Development and/or Operation in the Subject Drilling Unit"), and (2) that the Board designate Pocahontas Gas Partnership as Unit Operator.

7. Relief Granted: The Applicant's requested relief in this cause be and hereby is granted: (1) Pursuant to Va. Code § 45.1-361.21.C.3, Pocahontas Gas Partnership (hereafter "Unit Operator") is designated as the Unit Operator authorized to drill and operate the Coalbed Methane Gas well in the Subject Drilling Unit at the location depicted on the plat attached hereto as Exhibit A, subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; prior to October 17, 2000 to the requirements of Va. Code § 45.1-361.17; effective October 17, 2000 to the Middle Ridge I Coalbed Methane Gas Field Order VGOB 00-1017-0835, dated January 19, 2001; to §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; and to §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and (2) all the interests and estates in and to the Gas in Subject Drilling Unit, including that of the Applicant and of the known and unknown persons listed on Exhibit B-3, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, be and hereby are pooled in the Subject Formation in the Subject Drilling Unit underlying and comprised of the Subject Lands.

<u>Subject Formation</u>	<u>Unit Size</u>	<u>Permitted Well Location(s)</u>	<u>Field and Well Classification</u>	<u>Order Number</u>
All below drainage coalbeds and coal seams and associated rock strata which may include but are not limited to the Jawbone seam down to the red and green shales	Approximately 58.7-acre square drilling unit	Well CBM-PGP-AW116 is located in Subject Drilling Unit at the location depicted on the Plat attached hereto as Exhibit A - Well CBM-PGP-AW-116 was drilled on Sept. 4, 2000 to an approximate depth of 2,502.00 feet pursuant to Permit #4627 issued by the Virginia Department of Mines, Minerals and Energy's Division of Gas and Oil.	Well AW-116 was drilled on September 4, 2000 pursuant to the requirements of Va. Code § 45.1-361.17. Effective October 17, 2000, the Board established the Middle Ridge I Coalbed Gas Field for Coalbed Methane Gas produced in advance of mining including Gas from any Additional Well authorized pursuant to Va. Code § 45.1-361.20	Effective October 17, 2000, VGOB 00-1017-0835 (herein Middle Ridge I Field Rules")

For the Subject Drilling Unit underlying and comprised of the Subject Land referred to as:

Unit Number AW-116
Buchanan/Russell Counties, Virginia

Pursuant to the Middle Ridge I Field Rules, the Board has adopted the following method for the calculation of production and revenue and allocation of allowable costs for the production of Coalbed Methane Gas.

For Frac Well Gas. - Gas shall be produced from and allocated to only the 80-acre drilling unit in which the well(s) is located according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Drilling Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire 80-acre drilling unit in the manner set forth in the Middle Ridge I Field Rules.

8. Election and Election Period: In the event any Owner or Claimant named in Exhibit B-3 hereto does not reach a voluntary agreement to share in the operation of the well located in the Subject Drilling Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address

shown below within thirty (30) days from the date this Order is recorded in the county above named. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

- 9.1 Option 1 - To Participate In The Well Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in Exhibit B-3 who does not reach a voluntary agreement with the Unit Operator may elect to participate in the Well Development and Operation in the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs of the Well Development contemplated by this Order for Gas produced pursuant to the Middle Ridge I Field Rules, including a reasonable supervision fee, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed-for-Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Completed-for-Production Cost as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The Completed-for-Production Cost for the Subject Drilling Unit is as follows:

Completed-for-Production Cost: \$216,269.12

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Interest in Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

- 9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of \$1.00 per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Coalbed Methane Gas produced from any Well Development and Operation covered by this Order multiplied by that person's Interest in Unit or proportional share of said production [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by

Unit Operator or a third person] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, subject to a final legal determination of ownership, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to and hereby does lease and assign, its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

- 9.3. Option 3 - To Share In The Well Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a Cash Bonus Consideration under Paragraph 9.2 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to share in the Well Development and Operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator"] so that the proportionate part of the Completed-for-Production Cost hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Such Carried Well Operator's rights, interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Applicant until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Cost allocable to the interest of such Carried Well Operator. When the Applicant recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his

proportionate part of all further costs of such Well Development and Operation.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the rights, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to have and hereby does assign its rights, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person named in Exhibit B-3 hereto does not reach a voluntary agreement with the Unit Operator and fails to elect within the time, in the manner and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed Well Development and Operation in Subject Drilling Unit and shall be deemed, subject to a final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant. Persons who fail to properly elect shall be deemed, subject to a final legal determination of ownership, to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from the Subject Formation underlying Subject Lands.

11. Default By Participating Person: In the event a person named in Exhibit B-3 elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Completed-for-Production Cost as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interest, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any royalties which would become due pursuant to Paragraph 9.2 hereof.

12. Assignment of Interest: In the event a person named in Exhibit B-3 is unable to reach a voluntary agreement to share in the Well Development and Operation contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Unit Operator, and such person elects or fails to elect to do other than participate under Paragraph 9.1

above in the Well Development and Operation in Subject Formations in Subject Drilling Unit, then subject to a final legal determination of ownership, such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well, and other share in production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said election.

13. Unit Operator (or Operator): Pocahontas Gas Partnership be and hereby is designated as Unit Operator authorized to drill and operate the Coalbed Methane Well in Subject Formation in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; prior to October 17, 2000 to the requirements of Va. Code § 45.1-361.17 and subsequent to said date to the Middle Ridge I Coalbed Gas Field Order VGOB 00-1017-0835, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

Pocahontas Gas Partnership
P. O. Box 947
Bluefield, VA 24605
Phone: (540) 988-1016
Fax: (540) 988-1055
Attn: Leslie K. Arrington

14. Commencement of Operations: On September 4, 2000 Unit Operator drilled Well CBM-PGP-AW116 pursuant to Permit Number 4627 issued on by the Department of Mines, Minerals and Energy, Division of Gas and Oil. Except for any cash sums than payable hereunder, and unless sooner terminated by the Board, this Order shall terminate at 12:00 p.m. on the date on which said well is permanently abandoned and plugged.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are chargeable against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

The Unit Operator represented to the Board that there are unknown or unlocatable Claimants in Tracts 4 and 5 of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.1, and that there are conflicting claimants and/or claimants with clouds on their title in Tract 5 of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Therefore, by this Order, the Board instructs the Escrow Agent named herein or any successor named by the Board to establish an interest-bearing escrow account with subaccounts for Tracts 4 and 5 of Subject Drilling Unit (herein "Escrow Agent") and to receive and account to the Board pursuant to its agreement for funds hereafter described in Paragraph 16.1.

First Union National Bank
Corporate Trust PA1328
123 South Broad Street
Philadelphia, PA 19109-1199
Telephone: (888) 396-0853 or (215) 985-3485
Attention: Corporate Trust Don Ballinghoff

- 16.1. Escrow Provisions For Unknown or Unlocatable Persons: If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.
- 16.2 Escrow Provisions For Conflicting Claimants: If any payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board.
17. Special Findings: The Board specifically and specially finds:
- 17.1. Pocahontas Gas Partnership is a Virginia general partnership composed of Consolidation Coal Company and CONOCO Inc. Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;
- 17.2. Pocahontas Gas Partnership is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;

- 17.3. Pocahontas Gas Partnership, claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing 76.581 percent of the oil and gas interests/claims to Coalbed Methane Gas and 86.4092 percent of the coal interests/claims to Coalbed Methane Gas in Subject Drilling Unit, and Pocahontas Gas Partnership claims the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Middle Ridge I Unit Number AW-116 in Russell County, Virginia, which Subject Lands are more particularly described in Exhibit "A";
- 17.4. The estimated total production from Subject Drilling Unit is 125 to 550 MMCF. The estimated amount of reserves from the Subject Drilling Unit is 125 to 550 MMCF;
- 17.5. Set forth in Exhibit B-3 is the name and last known address of each Owner or Claimant identified by the Unit Operator as having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Drilling Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests/claims in Subject Drilling Unit for its development. The interests/claims of the Respondents listed in Exhibit B-3 comprise 23.419 percent of the oil and gas interests/claims to Coalbed Methane Gas and 13.5908 percent of the coal interests/claims to Coalbed Methane Gas in Subject Drilling Unit;
- 17.6. Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in any well covered hereby are those options provided in Paragraph 9 above;
- 17.7. The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in Exhibit B-3 hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of coalbed methane gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.
18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt to each known and locatable Respondent, if any, named in Exhibit B-3 pooled by this Order and to each Respondent named in Exhibit E whose claims are subject to the escrow requirements of this Order.
19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

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

21. Appeals: Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court.

22. Effective Date: This Order shall be effective on October 17, 2000, the date of the Board's establishment of the Middle Ridge I Coalbed Methane Gas Field in VGOB Docket No. 00-1017-0835.

DONE AND EXECUTED this 8th day of November, 2001, by a majority of the Virginia Gas and Oil Board.

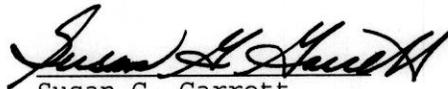

Chairman, Benny R. Wampler

DONE AND PERFORMED this 9th day of November, 2001, by Order of this Board.


B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WISE)

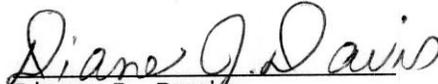
Acknowledged on this 9th day of November, 2001, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary Public

My commission expires July 31, 2002

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 13th day of November, 2001, 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 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, 2005

**Order Recorded Under Code of
Virginia Section 45.1-361.26**

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

BOOK 539 PAGE 600

N 305,247.88
E 993,360.29

58.7 ACRE UNIT

N 305,190.47
E 994,958.77

CBM-PGP-AW116

N 303,649.10
E 993,302.87

N 303,591.70
E 994,901.35

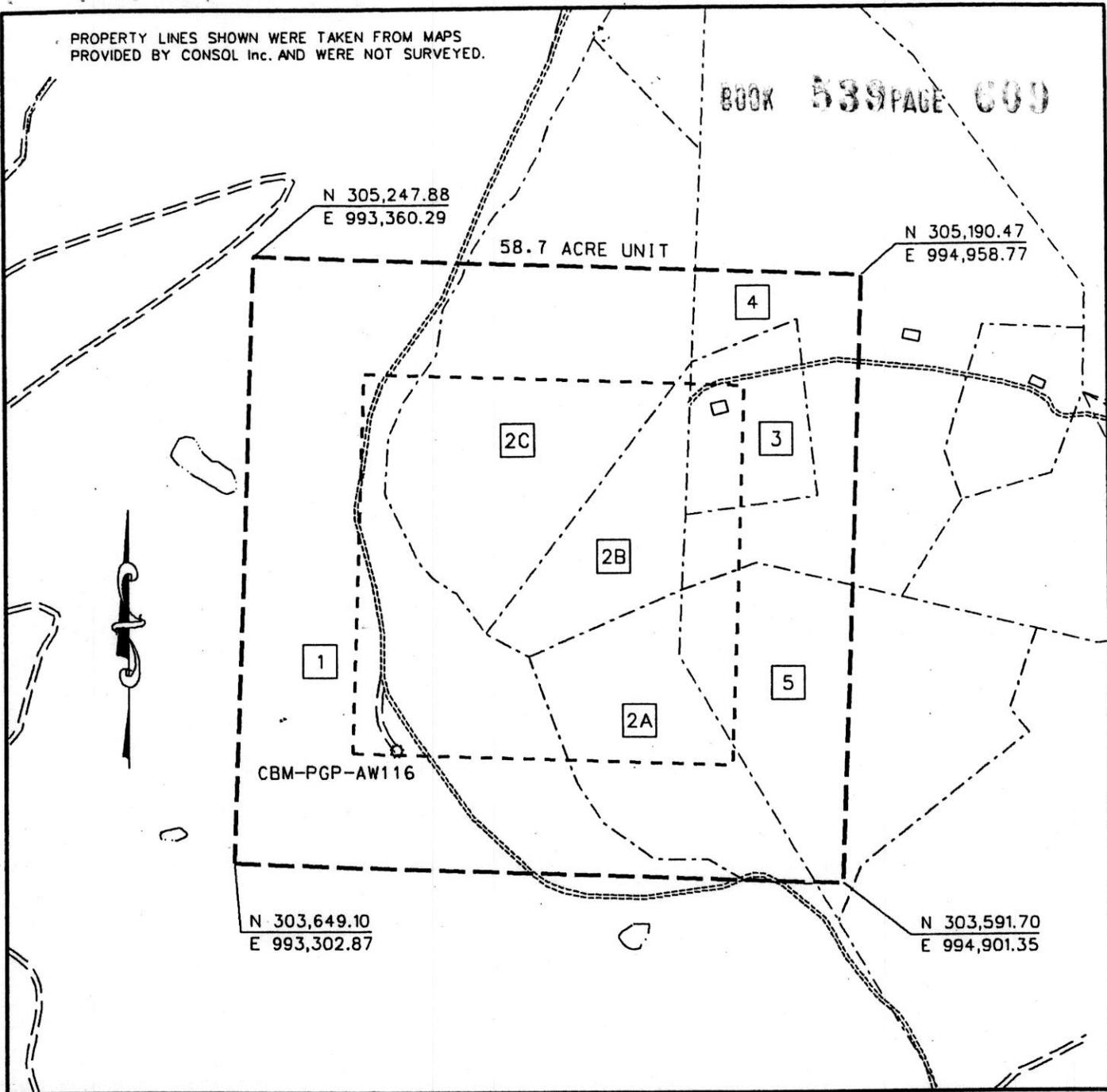


EXHIBIT A
OAKWOOD FIELD UNIT AW-116
FORCE POOLING
VGOB-01-0116-0858

Company Pocahontas Gas Partnership Well Name and Number UNIT AW116
 Tract No. _____ Elevation _____ Quadrangle Honaker
 County Russell District New Garden Scale: 1" = 400' Date 4/9/01
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GD-7
Rev. 9/91

Charles O. May (Affix Seal)
 Licensed Professional Engineer or Licensed Land Surveyor

POCAHONTAS GAS PARTNERSHIP

Unit AW-116

**Tract Identifications
(58.7 Acre Unit)**

1. Buckhorn Coal Company Tr. 7 - Fee
 Consolidation Coal Company - Below Drainage Coal Leased
 Sandy Ridge Energy Company - Above Drainage Coal Leased Except Kennedy Seam
 H. C. Bostic Coal Company - Kennedy Seam Leased
 Pocahontas Gas Partnership - CBM Lessee
 Reserve Coal Properties Company - Oil & Gas Lessee
 23.13 acres 39.4038 %

2. Buckhorn Coal Company Tr. 7 - Coal, Oil & Gas
 Consolidation Coal Company - Below Drainage Coal Leased
 Sandy Ridge Energy Company - Above Drainage Coal Leased Except Kennedy Seam
 H. C. Bostic Coal Company, Inc. - Kennedy Seam Leased
 Pocahontas Gas Partnership - CBM Lessee
 Reserve Coal Properties Company - Oil & Gas Lessee
 21.74 acres 37.0358 %

- 2A. Jeraldine Whited, et al. - Surface
- 2B. Bostic Brothers, Inc. - Surface
- 2C. Tivis P. Brown and Mary F. Brown - Surface

3. Tivis P. Brown, et ux. - Fee
 3.13 acres 5.3322 %

4. Dora Dye Heirs, Devisees, Successors or Assigns - Fee (Map No. 7-BL-3225)
 4.93 acres 8.3986 %

5. Swords Creek Land Partnership Tr. 17 -Coal
 Reserve Coal Properties Company -Below Tiller Coal Leased
 Sandy Ridge Energy Company -Tiller and Above Coal Leased
 Pocahontas Gas Partnership -CBM Leased
 Jeraldine Whited, et al. - Surface, Oil & Gas
 5.77 acres 9.8296 %

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 611

	Acres in Unit	Interest in Unit
I. COAL FEE OWNERSHIP		
<u>Tract #3, 3.13 acres</u>		
(1) Tivis P. Brown, et ux. Rt.1 Box 257 Swords Creek, VA 24649	3.13 acres	5.33%
<u>Tract #4, 4.93 acres</u>		
(1) Dora Dye Heirs, Devisees, Successors or Assigns c/o Ethel Brown RR1 Box 233 Swords Creek, VA 24649	4.93 acres	8.399%
(1) Patton & Annie Dye Heirs, Devisees, Successors or Assigns		
(a) Kenneth Dye RR2 Box 357 Honaker, VA 24260	0.0342 1/144 of 4.93 acres	0.058%
(b) Marie Dye Heirs, Devisees, Successors or Assigns		
(b.1) Rita D. Batton P.O. Box 61 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(c) Beulah Hubbard Heirs, Devisees, Successors or Assigns		
(c.1) Roger Hubbard Rt.1 Box 136A Swords Creek, VA 24649	0.0171 1/288 of 4.93 acres	0.029%
(c.2) Danny Hubbard Address Unknown	0.0171 1/288 of 4.93 acres	0.029%
(d) Ruel Dye Rt.1 Box 245 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(e) Vida Dye Harris Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(f) Bert Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(g) Geneva Hess Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(1.1) Patton & Dora Dye Heirs, Devisees, Successors or Assigns		

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 612

	Acres in Unit	Interest in Unit
(h) Frank Dye RR2 Box 55 Honaker, VA 24260	0.0342 1/144 of 4.93 acres	0.058%
(i) Bill Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(j) Evie Dye Hale Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(k) Louise Hale Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(l) Perry Dye Rt.1 Box 143 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(m) Mary Ann Dye, Deceased (NO HEIRS)		
(n) Evelyn Dye, Deceased (NO HEIRS)		
(2) Marshall Dye Heirs, Devisees, Successors or Assigns		
(a) Luther Dye P.O. Box 326 Tazewell, VA 24651	0.0342 1/144 of 4.93 acres	0.058%
(b) Claude E. Dye Box 85 Jewell Ridge, VA 24622	0.0342 1/144 of 4.93 acres	0.058%
(c) Unice Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(d) Doris Dye Corns Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(e) Delcie Dye Rt.1 Box 227 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(f) Dolfus Dye c/o Delcie Dye Rt.1 Box 227 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(g) Cecil Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(h) Donald Dye Heirs, Devisees, Successors or Assigns		
(h.1) Doris Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 013

	Acres in Unit	Interest in Unit
(i) Ronnie Dye ✓ c/o Delcie Dye Rt. 1 Box 227 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(j) Connie Dye Richardson ✓ Rt. 1 Box 327 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(k) Wanda Richardson ✓ Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(l) Judy Dye, Deceased (NO HEIRS)		
(m) Stanley Dye, Deceased (NO HEIRS)		
(n) Roxy Dye, Deceased (NO HEIRS)		
(o) Olie Dye, Deceased (NO HEIRS)		
(p) Danny Dye ✓ Rt. 1 Box 337 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(3) Fred Dye Heirs, Devisees, Successors or Assigns		
(a) Hazel Dye Campbell ✓ P.O. Box 340 Doran, VA 24612	0.0316 1/156 of 4.93 acres	0.054%
(b) Johnny Dye, Deceased (NO HEIRS)		
(c) Joe Elmer Dye ✓ Rt. 1 Box 267 Swords Creek, VA 24649	0.0316 1/156 of 4.93 acres	0.054%
(d) Jeraldine Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(e) Slate Dye ✓ Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(f) Arnold Dye ✓ Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(g) Hestor Dye ✓ Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(h) Draxie Dye Johnson ✓ Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(i) Shelby Dye ✓ Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(j) Maxie Dye ✓ Address Unknown	0.0316 1/156 of 4.93 acres	0.054%

Exhibit B-3
CBM-PGP-AW116
Docket No. VGOB-01-0116-0858
List of Unleased Owners/Claimants

BOOK 539 PAGE 614

	Acres in Unit	Interest in Unit
(k) Billie Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(l) Loraine Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(m) Bobby Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(n) Darlene Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(4) Dewey Dye Heirs, Devisees, Successors or Assigns		
(a) Gaylene Dye Heirs, Devisees, Successors or Assigns		
(a.1) Rafty Dye Rt.1 Box 243 Swords Creek, VA 24649	0.0822 1/60 of 4.93 acres	0.140%
(b) Barbara Dye Address Unknown	0.0822 1/60 of 4.93 acres	0.140%
(c) L.D. Dye Heirs, Devisees, Successors or Assigns		
(c.1) Helen Dye, widow 2395 Ferguson Road Mansfield, OH 44906	0.0822 1/60 of 4.93 acres	0.140%
(d) Peggy Dye Rasnake Rt.2 Box 497 Honaker, VA 24260	0.0822 1/60 of 4.93 acres	0.140%
(e) Jerry Dye Rt.1 Box 267 Swords Creek, VA 24649	0.0822 1/60 of 4.93 acres	0.140%
(5) Walter Dye Heirs, Devisees, Successors or Assigns		
(a) Francis Dye Bredlowe Heirs, Devisees, Successors or Assigns		
(a.1) Bradley Bredlowe Address Unknown	0.0257 1/192 of 4.93 acres	0.044%
(a.2) Danny Bredlowe Address Unknown	0.0257 1/192 of 4.93 acres	0.044%
(b) Mary A. Tuggle 3155 Arrow Smith Drive Reynoldsburg, OH 43068	0.0514 1/96 of 4.93 acres	0.087%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 015

	Acres in Unit	Interest in Unit
(c) Linda Lester ✓ Rt.1 Box 137 Bandy, VA 24602	0.0514 1/96 of 4.93 acres	0.087%
(d) Debbie Brown ✓ P.O. Box 405 Rosedale, VA 24280	0.0514 1/96 of 4.93 acres	0.087%
(e) Robert Dye ✓ P.O. Box Oakwood, VA 24631	0.0514 1/96 of 4.93 acres	0.087%
(f) Chester Dye ✓ 3849 Blacks Road Helsron, OH 43025	0.0514 1/96 of 4.93 acres	0.087%
(g) Dexter Dye Heirs, Devisees, Successors or Assigns		
(g.1) Shirley Hubbard, widow ✓ Rt.1 Box 158 Swords Creek, VA 24649	0.0514 1/96 of 4.93 acres	0.087%
(h) Cletis Dye, Deceased (NO HEIRS)		
(i) James Earl Dye ✓ 460 Middle Creek Road Cedar Bluff, VA 24609	0.0514 1/96 of 4.93 acres	0.087%
(6) Floyd Dye Heirs, Devisees, Successors or Assigns		
(a) Nelson Dye Heirs, Devisees, Successors or Assigns		
(a.1) Bertie Dye, widow ✓ Rt.1 Box 266 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(b) Norma Jean Hale ✓ Rt.1 Box 259 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(7) Ethel Dye Heirs, Devisees, Successors or Assigns		
(a) Lillian Murray ✓ 6123 Steve Street Salisbury, MD 21804	0.1027 1/48 of 4.93 acres	0.175%
(b) Charlie William Brown ✓ Rt.1 Box 233 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(c) Wilma Jean Keen ✓ Rt.1 Box 233 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 016

	Acres in Unit	Interest in Unit
(d) Shirley Marie Brown ✓ P.O. Box 44 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(8) Emily Dye, Deceased (NO HEIRS)		
(9) Maggie Dye Heirs, Devisees, Successors or Assigns		
(a) Tivis Brown ✓ Rt.1 Box 257 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(b) Mildred Hale ✓ Rt.1 Box 197 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(10) Elizabeth Brown ✓ P.O. Box 187 Swords Creek, VA 24649	0.4108 1/12 of 4.93 acres	0.700%
(11) Jettie Dye Heirs, Devisees, Successors or Assigns		
(a) Russell Dye ✓ Rt.1 Box 165 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(b) Shirley Dye Sparks ✓ Rt.1 Box 487 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(c) Limuel Dye ✓ Rt.1 Box 255 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(d) (Linda) Jean Dye ✓ Rt.1 Box 256 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(12) Lona Dye Stiltner Heirs, Devisees, Successors or Assigns		
(a) Brenda Hess ✓ P.O. Box 623 Honaker, VA 24260	0.2054 1/24 of 4.93 acres	0.350%
(b) Annis Miller ✓ 108 Skyline Drive Bristol, TN 37620	0.2054 1/24 of 4.93 acres	0.350%
(13) Exie Dye Hale, et ux. ✓ c/o Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.4108 1/12 of 4.93 acres	0.700%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 617

	Acres in Unit	Interest in Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #3, 3.13 acres</u>		
(1) Tivis P. Brown, et ux. Rt. 1 Box 257 Swords Creek, VA 24649	3.13 acres	5.33%
<u>Tract #4, 4.93 acres</u>		
(1) Dora Dye Heirs, Devisees, Successors or Assigns c/o Ethel Brown RR1 Box 233 Swords Creek, VA 24649	4.93 acres	8.399%
(1) Patton & Annie Dye Heirs, Devisees, Successors or Assigns		
(a) Kenneth Dye RR2 Box 357 Honaker, VA 24260	0.0342 1/144 of 4.93 acres	0.058%
(b) Marie Dye Heirs, Devisees, Successors or Assigns		
(b.1) Rita D. Batton P.O. Box 61 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(c) Beulah Hubbard Heirs, Devisees, Successors or Assigns		
(c.1) Roger Hubbard Rt. 1 Box 136A Swords Creek, VA 24649	0.0171 1/288 of 4.93 acres	0.029%
(c.2) Danny Hubbard Address Unknown	0.0171 1/288 of 4.93 acres	0.029%
(d) Ruel Dye Rt. 1 Box 245 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(e) Vida Dye Harris Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(f) Bert Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(g) Geneva Hess Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(1.1) Patton & Dora Dye Heirs, Devisees, Successors or Assigns		

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 618

	Acres in Unit	Interest in Unit
(h) Frank Dye RR2 Box 55 Honaker, VA 24260	0.0342 1/144 of 4.93 acres	0.058%
(i) Bill Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(j) Evie Dye Hale Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(k) Louise Hale Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(l) Perry Dye Rt.1 Box 143 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(m) Mary Ann Dye, Deceased (NO HEIRS)		
(n) Evelyn Dye, Deceased (NO HEIRS)		
(2) Marshall Dye Heirs, Devisees, Successors or Assigns		
(a) Luther Dye P.O. Box 326 Tazewell, VA 24651	0.0342 1/144 of 4.93 acres	0.058%
(b) Claude E. Dye Box 85 Jewell Ridge, VA 24622	0.0342 1/144 of 4.93 acres	0.058%
(c) Unice Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(d) Doris Dye Corns Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(e) Delcie Dye Rt.1 Box 227 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(f) Dolfus Dye c/o Delcie Dye Rt.1 Box 227 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(g) Cecil Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%
(h) Donald Dye Heirs, Devisees, Successors or Assigns		
(h.1) Doris Dye Address Unknown	0.0342 1/144 of 4.93 acres	0.058%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 619

	Acres in Unit	Interest in Unit
(i) Ronnie Dye c/o Delcie Dye Rt.1 Box 227 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(j) Connie Dye Richardson Rt.1 Box 327 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(k) Wanda Richardson <i>Address Unknown</i>	0.0342 1/144 of 4.93 acres	0.058%
(l) Judy Dye, Deceased (NO HEIRS)		
(m) Stanley Dye, Deceased (NO HEIRS)		
(n) Roxy Dye, Deceased (NO HEIRS)		
(o) Olie Dye, Deceased (NO HEIRS)		
(p) Danny Dye Rt.1 Box 337 Swords Creek, VA 24649	0.0342 1/144 of 4.93 acres	0.058%
(3) Fred Dye Heirs, Devisees, Successors or Assigns		
(a) Hazel Dye Campbell P.O. Box 340 Doran, VA 24612	0.0316 1/156 of 4.93 acres	0.054%
(b) Johnny Dye, Deceased (NO HEIRS)		
(c) Joe Elmer Dye Rt.1 Box 267 Swords Creek, VA 24649	0.0316 1/156 of 4.93 acres	0.054%
(d) Jeraldine Dye <i>Address Unknown</i>	0.0316 1/156 of 4.93 acres	0.054%
(e) Slate Dye <i>Address Unknown</i>	0.0316 1/156 of 4.93 acres	0.054%
(f) Arnold Dye <i>Address Unknown</i>	0.0316 1/156 of 4.93 acres	0.054%
(g) Hestor Dye <i>Address Unknown</i>	0.0316 1/156 of 4.93 acres	0.054%
(h) Draxie Dye Johnson <i>Address Unknown</i>	0.0316 1/156 of 4.93 acres	0.054%
(i) Shelby Dye <i>Address Unknown</i>	0.0316 1/156 of 4.93 acres	0.054%
(j) Maxie Dye <i>Address Unknown</i>	0.0316 1/156 of 4.93 acres	0.054%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 620

	Acres in Unit	Interest in Unit
(k) Billie Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(l) Loraine Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(m) Bobby Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(n) Darlene Dye Address Unknown	0.0316 1/156 of 4.93 acres	0.054%
(4) Dewey Dye Heirs, Devisees, Successors or Assigns		
(a) Gaylene Dye Heirs, Devisees, Successors or Assigns		
(a.1) Rafty Dye Rt.1 Box 243 Swords Creek, VA 24649	0.0822 1/60 of 4.93 acres	0.140%
(b) Barbara Dye Address Unknown	0.0822 1/60 of 4.93 acres	0.140%
(c) L.D. Dye Heirs, Devisees, Successors or Assigns		
(c.1) Helen Dye, widow 2395 Ferguson Road Mansfield, OH 44906	0.0822 1/60 of 4.93 acres	0.140%
(d) Peggy Dye Rasnake Rt.2 Box 497 Honaker, VA 24260	0.0822 1/60 of 4.93 acres	0.140%
(e) Jerry Dye Rt.1 Box 267 Swords Creek, VA 24649	0.0822 1/60 of 4.93 acres	0.140%
(5) Walter Dye Heirs, Devisees, Successors or Assigns		
(a) Francis Dye Bredlowe Heirs, Devisees, Successors or Assigns		
(a.1) Bradley Bredlowe Address Unknown	0.0257 1/192 of 4.93 acres	0.044%
(a.2) Danny Bredlowe Address Unknown	0.0257 1/192 of 4.93 acres	0.044%
(b) Mary A. Tuggle 3155 Arrow Smith Drive Reynoldsburg, OH 43068	0.0514 1/96 of 4.93 acres	0.087%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 021

	Acres in Unit	Interest in Unit
(c) Linda Lester Rt.1 Box 137 Bandy, VA 24602	0.0514 1/96 of 4.93 acres	0.087%
(d) Debbie Brown P.O. Box 405 Rosedale, VA 24280	0.0514 1/96 of 4.93 acres	0.087%
(e) Robert Dye P.O. Box Oakwood, VA 24631	0.0514 1/96 of 4.93 acres	0.087%
(f) Chester Dye 3849 Blacks Road Helsron, OH 43025	0.0514 1/96 of 4.93 acres	0.087%
(g) Dexter Dye Heirs, Devisees, Successors or Assigns		
(g.1) Shirley Hubbard, widow Rt.1 Box 158 Swords Creek, VA 24649	0.0514 1/96 of 4.93 acres	0.087%
(h) Cletis Dye, Deceased (NO HEIRS)		
(i) James Earl Dye 460 Middle Creek Road Cedar Bluff, VA 24609	0.0514 1/96 of 4.93 acres	0.087%
(6) Floyd Dye Heirs, Devisees, Successors or Assigns		
(a) Nelson Dye Heirs, Devisees, Successors or Assigns		
(a.1) Bertie Dye, widow Rt.1 Box 266 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(b) Norma Jean Hale Rt.1 Box 259 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(7) Ethel Dye Heirs, Devisees, Successors or Assigns		
(a) Lillian Murray 6123 Steve Street Salisbury, MD 21804	0.1027 1/48 of 4.93 acres	0.175%
(b) Charlie William Brown Rt.1 Box 233 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(c) Wilma Jean Keen Rt.1 Box 233 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 622

	Acres in Unit	Interest in Unit
(d) Shirley Marie Brown P.O. Box 44 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(8) Emily Dye, Deceased (NO HEIRS)		
(9) Maggie Dye Heirs, Devisees, Successors or Assigns		
(a) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(b) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.2054 1/24 of 4.93 acres	0.350%
(10) Elizabeth Brown P.O. Box 187 Swords Creek, VA 24649	0.4108 1/12 of 4.93 acres	0.700%
(11) Jettie Dye Heirs, Devisees, Successors or Assigns		
(a) Russell Dye Rt.1 Box 165 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(b) Shirley Dye Sparks Rt.1 Box 487 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(c) Limuel Dye Rt.1 Box 255 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(d) (Linda) Jean Dye Rt.1 Box 256 Swords Creek, VA 24649	0.1027 1/48 of 4.93 acres	0.175%
(12) Lona Dye Stiltner Heirs, Devisees, Successors or Assigns		
(a) Brenda Hess P.O. Box 623 Honaker, VA 24260	0.2054 1/24 of 4.93 acres	0.350%
(b) Annis Miller 108 Skyline Drive Bristol, TN 37620	0.2054 1/24 of 4.93 acres	0.350%
(13) Exie Dye Hale, et ux. c/o Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.4108 1/12 of 4.93 acres	0.700%

Exhibit B-3
CBM-PGP-AW116
Docket No. VGOB-01-0116-0858
List of Unleased Owners/Claimants

BOOK 539 PAGE 628

	Acres in Unit	Interest in Unit
<u>Tract #5, 5.77 acres</u>		
(1) Jeraldine Whited et al. (formerly - M.P. Whited Heirs, Devisees, Successors or Assigns)	5.77 acres	9.83%
<i>*Individual interest amounts not yet determined</i>		
(a) Jeraldine Whited RR1 Box 256AA Swords Creek, VA 24649		
(b) Pauline & Manuel McPherson Heirs, Devisees, Successors or Assigns		
(b.1) Roger McPherson P.O. Box 1222 Wise, VA 24293		
(c) Audrey Franklin 106 Johnson Street Weber City, VA 24290		
(d) Wiley & Betty Whited, Both Deceased (NO HEIRS)		
(e) Eveline Whited & John Franklin Heirs, Devisees, Successors or Assigns		
(e.1) John Glen Franklin 250 Click Town road Church Hill, TN 37642		
(f) Roby & Naomi Whited Heirs, Devisees, Successors or Assigns		
(f.1) Linkous Whited Rt.2 Box 100 Honaker, VA		
(f.2) McKinley Whited P.O. Box 1079 Raven, VA 24639		
(f.3) Virginia Phipps HCR 63 Box 53 Jewell Ridge, VA 24622		
(f.4) Hubert Whited 3120 St. Rt.98 Bucyurs, OH 44820		
(g) Thelma Whited 160 Charleston St. Box 8 Weber City, VA 24290		
(h) Lucy Whited & W.H. Brown Heirs, Devisees, Successors or Assigns		

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 024

	Acres in Unit	Interest in Unit
(h.1) Kyle Brown Rt.1 Box 231 Swords Creek, VA 24649		
(h.2) Beulah Brown Rt.1 Box 247 Swords Creek, VA 24649		
(h.3) Ada Reedy c/o Ralph Reedy, Power of Attorney P.O. Box 159 Davin, WV 25617		
(h.4) Idinia Perkins 1003 N. Trumble Road Mansfield, OH 44906		
(i) Charley Whited <i>Address Unknown</i>		
(m) Bura Whited <i>Address Unknown</i>		
(n) H.C. Bostic Coal Company P.O. Box 220 Swords Creek, VA 24649		

***Possible owners (M.P. Whited Heirs), not yet verified**

- | | |
|------------------------|------------------------|
| Herbert Whited | Gleene Lively |
| Artie Boyd | Linda Lively |
| Bert Corns | Gary L. Lively |
| Ruth Cole | Debbie Lively |
| Reba Dye | Catherine Lively |
| Cecil Corns | Naomi Whited |
| Bill Corns | <i>Virginia Phipps</i> |
| Sam Whited | Herbert Whited |
| Tommy Whited | Sherman Whited |
| Harold Whited | <i>Linkous Whited</i> |
| Arnold Vance | Ollie Whited |
| Lacy Vance | Marie Whited |
| Zeola Sisk | Irene Whited |
| Trudell Shelton | Junior Whited (OH) |
| Vernell Robinette | Cecilia Whited Miller |
| Henry Horton, Jr. | Junior Whited (VA) |
| Robert Horton | J.L. Whited |
| Acie Horton | Chester Whited |
| Donald Horton | Artie W. Rickman |
| Arnold M. Horton | Rachel Whited |
| Phyllis Dye | Mrs. Jessie Crawford |
| Carl Whited | Mrs. Calvin Dunford |
| Maggie Whited | Mrs. Roger Johnson |
| Grace Whited | Shirley Elswick |
| Cranston Q. Whited | Cecil Whited |
| Virgal Whited | Minnie Hankins |
| Elma Whited Ray | Aragie Irvine |
| Mrs. Kenneth C. Whited | William E. Whited |

Exhibit B-3
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Unleased Owners/Claimants

BOOK 539 PAGE 625

	Acres in Unit	Interest in Unit
Bonnie W. Eusey		Ruby Morgan
Kenneth C. Whited, Jr.		Loretta Zellman
Wiley Whited		Zora Whited
Thelma Whited		Rose Mary Wallace
Pauline McFern		Fayne Sweeney
Johnny G. Franklin		Velda Compton
Audrey Franklin		Leonard Whited
Truel Brown		William Whited
Kyle Brown		Shirley Swihart
Lydia Brown		Joyce Whited
Idene Perkins		Sandra Whited
Mamie Ray		Dorothy Whited
Ada Reedy		Tina Whited
Beulah Brown		marie Brogt
Roger Brown		Mary Whited
Angela Brown Bain		Leslie Whited
Mamie Brown Bostic		Brent Whited
Bernice Matney		Brenda Whited
Geraldine Smith		David Whited
Ethel Brown		Marsha Whited
Wilma Keen		Myra Whited
Shirley Brown		Victoria Whited
Charley W. Brown		Judy Farmer
Lillian Elswick		Bobby Whited
Carl Miller		Clarence Whited
R.C. Miller		Delmo Whited
Sandra Harris		Harley Whited
Freda Owens		Fayne Whited
Judy Cordle		Helen Patterson
Alberta Ray		Pauline Presley
James Miller		Maxine Buskill
Venia Jones		Ethel Whited Lee
Ollie Boyd		Timothy Whited
Hattie Griffith		Mildred Thacket
Audrey Ward		Kenneth Whited
Irene Breedlove		Leon Whited
James Brown		Jerry Whited
Elbert Brown		Larry Whited
Edward Brown		Sherry Dixon
Charley M. Brown		Eunice Whited
Goldie Compton		Joan Nuckels
Corine Perkins		Doris Brown
Earl Whited		Major Whited
Mason Whited		Grace Duncan
Goldia Hess		Vera Chapel
Lydia Hess		Sarah Whited
Arlene Compton		Ocie Whited
Eugene Whited		Nylie Whited
Oney Breedlove		Arphia Davis
Elsie Whited Miller		Gladys Johnson
Magiline Richardson		

Exhibit E
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Conflicting Owners/Claimants that require escrow

BOOK 539 PAGE 626

	Acres in Unit	Interest in Unit
<u>Tract #5, 5.77 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership P.O. Box 29 Tazewell, VA 24651	5.77 acres	9.83%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Jeraldine Whited et al. <i>(formerly - M.P. Whited Heirs, Devisees, Successors or Assigns)</i>	5.77 acres	9.83%
*Individual interest amounts not yet determined		
(a) Jeraldine Whited RR1 Box 256AA Swords Creek, VA 24649		
(b) Pauline & Manuel McPherson Heirs, Devisees, Successors or Assigns		
(b.1) Roger McPherson P.O. Box 1222 Wise, VA 24293		
(c) Audrey Franklin 106 Johnson Street Weber City, VA 24290		
(d) Wiley & Betty Whited, Both Deceased (NO HEIRS)		
(e) Eveline Whited & John Franklin Heirs, Devisees, Successors or Assigns		
(e.1) John Glen Franklin 250 Click Town road Church Hill, TN 37642		
(f) Roby & Naomi Whited Heirs, Devisees, Successors or Assigns		
(f.1) Linkous Whited Rt.2 Box 100 Honaker, VA		
(f.2) McKinley Whited P.O. Box 1079 Raven, VA 24639		
(f.3) Virginia Phipps HCR 63 Box 53 Jewell Ridge, VA 24622		
(f.4) Hubert Whited 3120 St. Rt.98 Bucyurs, OH 44820		

Exhibit E
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Conflicting Owners/Claimants that require escrow

BOOK 539 PAGE 627

	Acres in Unit	Interest in Unit
(g) Thelma Whited 160 Charleston St. Box 8 Weber City, VA 24290		
(h) Lucy Whited & W.H. Brown Heirs, Devisees, Successors or Assigns		
(h.1) Kyle Brown Rt. 1 Box 231 Swords Creek, VA 24649		
(h.2) Beulah Brown Rt. 1 Box 247 Swords Creek, VA 24649		
(h.3) Ada Reedy c/o Ralph Reedy, Power of Attorney P.O. Box 159 Davin, WV 25617		
(h.4) Idinia Perkins 1003 N. Trumble Road Mansfield, OH 44906		
(i) Charley Whited Address Unknown		
(m) Bura Whited Address Unknown		
(n) H.C. Bostic Coal Company P.O. Box 220 Swords Creek, VA 24649		

***Possible owners (M.P. Whited Heirs), not yet verified**

Herbert Whited	Gleene Lively
Artie Boyd	Linda Lively
Bert Corns	Gary L. Lively
Ruth Cole	Debbie Lively
Reba Dye	Catherine Lively
Cecil Corns	Naomi Whited
Bill Corns	Virginia Phipps
Sam Whited	Herbert Whited
Tommy Whited	Sherman Whited
Harold Whited	Linkous Whited
Arnold Vance	Ollie Whited
Lacy Vance	Marie Whited
Zeola Sisk	Irene Whited
Trudell Shelton	Junior Whited (OH)
Vernell Robinette	Cecilia Whited Miller
Henry Horton, Jr.	Junior Whited (VA)
Robert Horton	J.L. Whited
Acie Horton	Chester Whited
Donald Horton	Artie W. Rickman
Arnold M. Horton	Rachel Whited
Phyllis Dye	Mrs. Jessie Crawford

Exhibit E
 CBM-PGP-AW116
 Docket No. VGOB-01-0116-0858
 List of Conflicting Owners/Claimants that require escrow

BOOK 539 PAGE 628

Acres in Unit	Interest in Unit
Carl Whited	Mrs. Calvin Dunford
Maggie Whited	Mrs. Roger Johnson
Grace Whited	Shirley Elswick
Cranston Q. Whited	Cecil Whited
Virgal Whited	Minnie Hankins
Elma Whited Ray	Archie Irvine
Mrs. Kenneth C. Whited	William E. Whited
Bonnie W. Eusey	Ruby Morgan
Kenneth C. Whited, Jr.	Loretta Zellman
Wiley Whited	Zora Whited
Thelma Whited	Rose Mary Wallace
Pauline McFern	Fayne Sweeney
Johnny G. Franklin	Velda Compton
Audrey Franklin	Leonard Whited
Truel Brown	William Whited
Kyle Brown	Shirley Swihart
Lydia Brown	Joyce Whited
Idene Perkins	Sandra Whited
Mamie Ray	Dorothy Whited
Ada Reedy	Tina Whited
Beulah Brown	marie Brogt
Roger Brown	Mary Whited
Angela Brown Bain	Leslie Whited
Mamie Brown Bostic	Brent Whited
Bernice Matney	Brenda Whited
Geraldine Smith	David Whited
Ethel Brown	Marsha Whited
Wilma Keen	Myra Whited
Shirley Brown	Victoria Whited
Charley W. Brown	Judy Farmer
Lillian Elswick	Bobby Whited
Carl Miller	Clarence Whited
R.C. Miller	Delmo Whited
Sandra Harris	Harley Whited
Freda Owens	Fayne Whited
Judy Cordle	Helen Patterson
Alberta Ray	Pauline Presley
James Miller	Maxine Buskill
Venia Jones	Ethel Whited Lee
Ollie Boyd	Timothy Whited
Hattie Griffith	Mildred Thacket
Audrey Ward	Kenneth Whited
Irene Breedlove	Leon Whited
James Brown	Jerry Whited
Elbert Brown	Larry Whited
Edward Brown	Sherry Dixon
Charley M. Brown	Eunice Whited
Goldie Compton	Joan Nuckels
Corine Perkins	Doris Brown
Earl Whited	Major Whited
Mason Whited	Grace Duncan
Goldia Hess	Vera Chapel
Lydia Hess	Sarah Whited
Arlene Compton	Ocie Whited
Eugene Whited	Nylie Whited
Ony Breedlove	Arphia Davis
Elsie Whited Miller	Gladys Johnson
Magiline Richardson	

0004234

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 11-14, 2001. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:30 o'clock A.M. after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: *Quinn Davis*
 BY: *Quinn Davis* CLERK
 TESTE: *Quinn Davis* CLERK