

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

✓ REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 01-0320-0878ELECTIONS: CBM UNIT DD-24
(herein "Subject Drilling Unit")REPORT OF BOARDFINDINGS 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 modifying and supplementing the Order previously in the captioned matter on May 21, 2001 which was recorded at Deed Book 524, Page 699 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on May 25, 2001, (herein "Board Order") and the Supplemental Order(s) entered on November 8, 2001 which was/were recorded at Deed Book 534, Page 271 in the said Clerk's Office on November 14, 2001.

Findings: The Board finds that:

1. The Board Order and previous Supplemental Order(s) directed CNX GAS COMPANY LLC (herein "Designated Operator") to escrow bonus and royalty payments attributable to conflicting claims of ownership by paying the same to the Board's Escrow Agent for deposit in the Escrow Account pursuant to the provisions and requirements of §45.1-361.4, Va. Code Ann.
2. The Designated Operator has filed a Supplemental Affidavit dated June 16, 2003 disclosing that Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc. have entered into a royalty split agreement.
3. By reason of the aforementioned royalty split agreement, it is no longer necessary for the Designated Operator to tender royalty payments to the Escrow Agent attributable to the conflicting claims of Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc.
4. The revised Exhibit E annexed hereto and submitted to the Board by the Designated Operator with its Supplemental Affidavit identifies those persons whose conflicting claims of ownership continue to require escrow.
5. The Supplemental Affidavit further indicates that the Designated Operator has heretofore filed or will forthwith file its petition seeking a further Board Order disbursing escrowed bonus and royalty payments now on deposit in the Escrow Account subject to the aforementioned split agreement.

Order:

6. By this order, the Board vacates those portions of its prior Order(s), and/or Supplemental Orders(s), which required the Designated Operator to deposit funds pertaining to the conflicting claims of Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc. and orders the Designated Operator after entry of this Supplemental Order to pay such funds, which would otherwise have been payable to the Escrow Agent under the Board's prior Orders, directly to the parties to the said split agreement as provided in their agreement.
7. The Board, in the event the Designated Operator has not already done so, directs the Designated Operator to forthwith file its petition seeking disbursement of all funds on deposit in the Escrow Account attributable to the conflicting claims of Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc..

Mailing of Order and Filing of Affidavit: The Designated Operator 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 (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.**

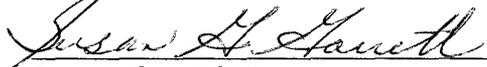
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 28th day of June, 2003, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

**STATE OF VIRGINIA
COUNTY OF WISE**

Acknowledged on this 28th day of June, 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

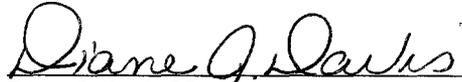
My commission expires: 7-31-06

DONE AND PERFORMED THIS 1st day of July, 2003, by Order of the Board.


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

**STATE OF VIRGINIA
COUNTY OF WASHINGTON**

Acknowledged on this 1st day of July, 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 Acting Principal Executive to the Staff, Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9-30-05

VIRGINIA:

SUPPLEMENTAL AFFIDAVIT RE CBM UNIT DD-24

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit DD-24
VGOB 01-0320-0878 in the Hurricane District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator")
REGARDING ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company, LLC as a Manager - Environmental / Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the Designated Operator;

That the Order entered on November 8, 2001, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to tender to the Escrow Agents funds attributable to the rights, interests and claims of the persons identified in the annexed Exhibit E as subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia;

That after the pooling hearing held in the captioned matter, Hugh MacRae Land Trust /Torch Operating Company and EE & E Fletcher Enterprises, Inc. entered into a royalty split agreement; that by the terms of said agreement escrow regarding the conflicting claims of Hugh MacRae Land Trust /Torch Operating Company and EE & E Fletcher Enterprises, Inc. is no longer required;

That annexed hereto are revised Exhibits E and EE;

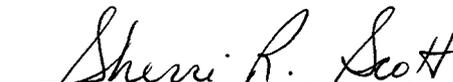
That the Designated Operator has heretofore filed its petition seeking the disbursement from escrow of all funds on deposit attributable to the conflicting claims of Hugh MacRae Land Trust /Torch Operating Company and EE & E Fletcher Enterprises, Inc. or the Designated Operator is preparing its petition seeking disbursement from escrow of all funds on deposit attributable to the conflicting claims of said respondents and will file same at its earliest opportunity; and

That the annexed supplemental order provides that the payment of funds subject to the annexed royalty split agreement shall be made to the said parties thereto rather than to the Escrow Agent.

Dated at Tazewell, Virginia, this 16th day of June, 2003.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Manager - Engineering / Permitting of CNX Gas Company, LLC, on behalf of the corporate Designated Operator, this 16th day of June, 2003.


Notary

My commission expires: 11/30/05.

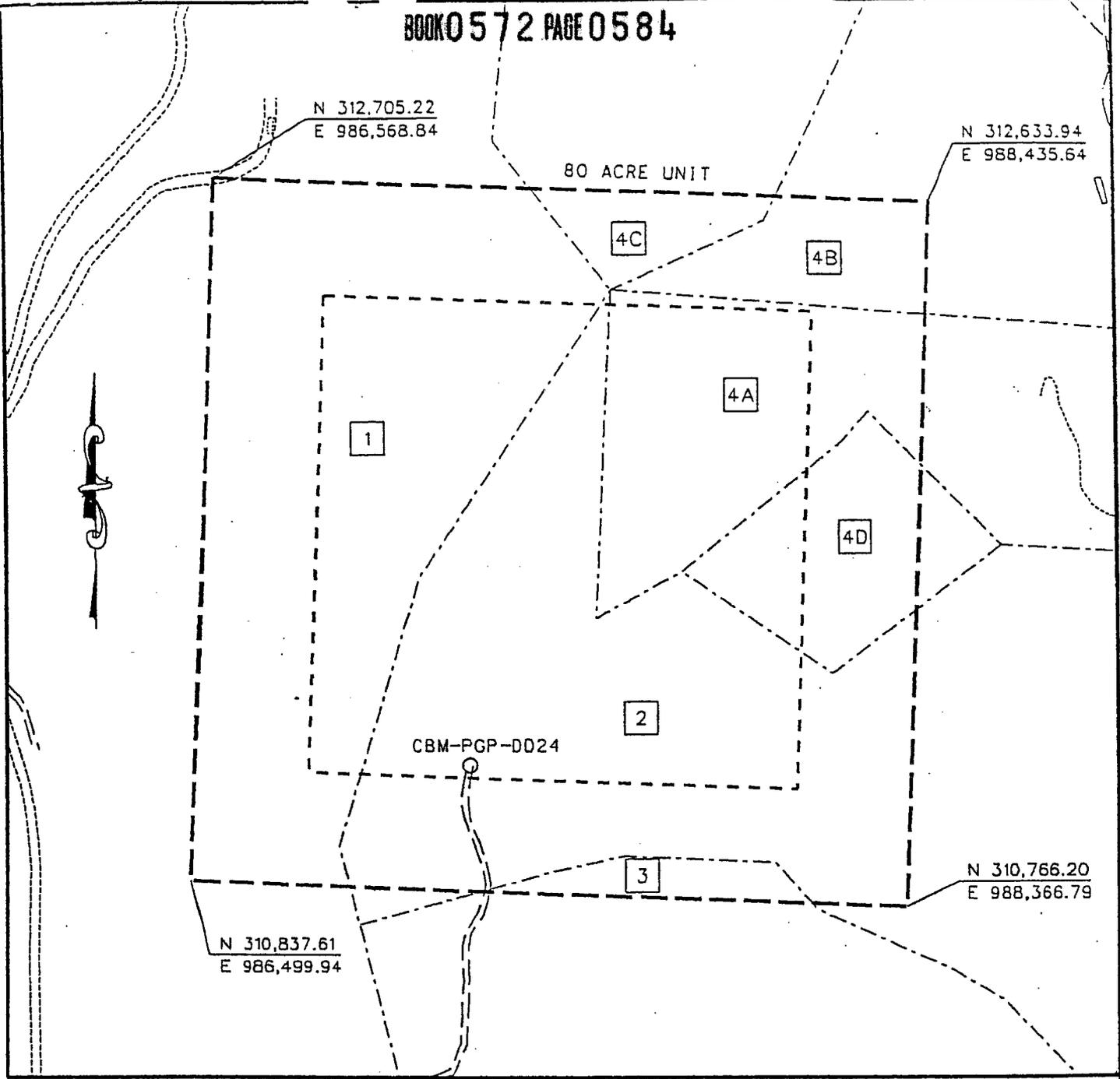


EXHIBIT A
 OAKWOOD FIELD UNIT DD-24
 FORCE POOLING
 VGOB-01-0320-0878

Company Pocahontas Gas Partnership Well Name and Number UNIT DD24
 Tract No. _____ Elevation _____ Quadrangle Keen Mountain
 County Buchanan District Hurricane Scale: 1" = 400' Date: 2/13/01
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7
 Rev. 9/91

 Licensed Professional Engineer or Licensed Land Surveyor
 (Affix Seal)

POCAHONTAS GAS PARTNERSHIP

UNIT DD-24

Tract Identifications

1. Buckhorn Coal Mining - Tr. 2 - Fee
Reserve Coal Properties Company - Below Tiller Coal Leased
Pocahontas Gas Partnership - Oil & Gas Leased
Pocahontas Gas Partnership - CBM Leased
28.94 acres 36.1750%

2. Hugh MacRae Land Trust - TR 9 - Coal
Consolidation Coal Company - Below Tiller coal Leased
Pocahontas Gas Partnership - CBM Leased
Pocahontas Gas Partnership - Oil & Gas Leased
John I. Hale Heirs - Oil & Gas
Pocahontas Gas Partnership - Surface
27.56 acres 34.4500%

3. Hugh MacRae Land Trust - TR 9 - Coal
Consolidation Coal Company - Below Tiller coal Leased
Pocahontas Gas Partnership - CBM Leased
Pocahontas Gas Partnership - Oil & Gas Leased
Ellen Fletcher - Oil & Gas (87.5%)
Laura Boyd Heirs, Devises, Successors or Assigns - Oil & Gas (12.5%)
Floyd Junior Blankenship - Surface
1.54 acres 1.9250%

- 4A. Hugh MacRae Land Trust - TR 18 - Coal
Consolidation Coal Company - Below Tiller Coal Leased
Pocahontas Gas Partnership - CBM Leased
Elmer Jackson - Surface, Oil & Gas
10.56 acres 13.2000%

- 4B. Hugh MacRae Land Trust - TR 18 - Coal
Consolidation Coal Company - Below Tiller Coal Leased
Pocahontas Gas Partnership - CBM Leased
Dorothy Hale - Surface, Oil & Gas
3.74 acres 4.6750%

- 4C. Hugh MacRae Land Trust - TR 18 - Coal
Consolidation Coal Company - Below Tiller Coal Leased
Pocahontas Gas Partnership - CBM Leased
Consolidation Coal Company - Surface, Oil & Gas
2.12 acres 2.6500%

- 4D. Hugh MacRae Land Trust - TR 18 - Coal
Consolidation Coal Company - Below Tiller Coal Leased
Pocahontas Gas Partnership - CBM Leased
John I. Hale Heirs - Oil & Gas
Pocahontas Gas Partnership - Surface
5.54 acres 6.9250%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2 - 27.56 acres</u>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	27.56 acres	34.4500%	56.3139%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
John I. Hale Heirs, et al.	27.56 acres	34.4500%	56.3139%
(2) John W. & Myrtle Hale Heirs, Devisees, Successors or Assigns			
(a) Ralph & Helen Hale Rt.2 Box 33B Oakwood, VA 24631	1.148 acres 1/24 of 27.56 acres	1.4354%	
(b) Bill Hale Heirs, Devisees, Successors or Assigns			
(b.3) William Bill Hale P.O. Box 575 Knoxville, TN 37901	0.383 acres 1/72 of 27.56 acres	0.4785%	
(3) Charles D. & Lillie Hale Heirs, Devisees, Successors or Assigns			
(b) Mamie Hale Heirs, Devisees, Successors or Assigns			
(b.1) Curtis & Barbara Hale P.O. Box 335 Rosedale, VA 24280	0.861 acres 1/32 of 27.56 acres	1.0766%	
(c) Elsie Vance Heirs, Devisees, Successors or Assigns			
(c.2) Billy Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.431 acres 1/64 of 27.56 acres	0.5383%	
(5) Florence A. Hale & John Dye Heirs, Devisees Successors or Assigns			
(a) Pearl Dora Perkins Heirs, Devisees Successors or Assigns			
(a.1) Carl Perkins 8312 Camp Road, Rt.5 Mt. Vernon, OH 43050	0.164 acres 1/168 of 27.56 acres	0.2051%	

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.2) Clyde Perkins 7679 Co. Road 20 Mt. Gilhead, OH 43338	0.164 acres 1/168 of 27.56 acres	0.2051%	
(a.3) Lawrence Perkins 1252 St. Rt. 314S Mansfield, OH 44903	0.164 acres 1/168 of 27.56 acres	0.2051%	
(e) Ida Dye 4728 Lee Highway Bristol, VA 24201	0.492 acres 1/56 of 27.56 acres	0.6152%	
(g) Charles Whited 2727 9th Street Cuyahoga Falls, OH 44221	0.492 acres 1/56 of 27.56 acres	0.6152%	
(7) Sparrel H. Hale, Heirs, Devisees, Successors or Assigns			
(a) Dewey & Rosa Hale Heirs, Devisees, Successors or Assigns			
(a.1) Jack Hale <i>Address Unknown</i>	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.2) Helen T. Martin Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.3) Roger Hale Box 228 Lester, WV 25865	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.4) John Lewis & Terri Hale 2865 Coal River Road Glen Daniel, WV 25844	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.5) Dewey Hale, Jr. Box 60 Saxon, WV 25180	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.6) Jerry Hale Box 228 Lester, WV 25865	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.7) Sandra Trent P.O. Box 1137 Crab Orchard, WV 25827	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.8) Bonnie Harless 917 Lincoln Drive South Charleston, WV 25309	0.069 acres 1/400 of 27.56 acres	0.0861%	
(a.9) Virginia Young Box 228 Lester, WV 25865	0.069 acres 1/400 of 27.56 acres	0.0861%	

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List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.10) Don Hale Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.069 acres 1/400 of 27.56 acres	0.0861%	
(c) Lula Hale Heirs, Devisees, Successors or Assigns			
(c.1) Daniel V. Hale P.O. Box 112 Davy, WV 24828	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.2) Mary Doris Hopkins Box 645 Stollings, WV 25646	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.3) Nancy L. Keys 4710 Mayview Court Blue Springs, MO 64015	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.4) David Wayne Hale Box 262 Davy, WV 24828	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.5) Genevieve Marshall Box 71 Chaples, WV 24820	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.6) Dorothy Robinson 5205 Wythe Avenue Richmond, VA 23226	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.7) Donald Everett Hale Box 262 Davy, WV 24828	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.8) Bertha Lester Hale 4743 Wilson Blvd. Abingdon, VA 24210	0.077 acres 1/360 of 27.56 acres	0.0957%	
(c.9) Margie Smith Hale Heirs, Devisees, Successors or Assigns			
(c.9.1) Kendra Hale 114 Luna Street Alexandria, VA 22306	0.038 acres 1/720 of 27.56 acres	0.0478%	
(c.9.2) Jeffery Glenn Hale 114 Luna Street Alexandria, VA 22306	0.038 acres 1/720 of 27.56 acres	0.0478%	
(d) Unis Hale Mullins Heirs, Devisees, Successors or Assigns			
(d.1) Benny Mullins 38 Lake Drive Welch, WV 24801	0.138 acres 1/200 of 27.56 acres	0.1723%	

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(d.2) Melinda Mullins Jackson, Administratrix Estate of Vincent Dale Mullins, Sr. 4641 Maurey Road Jackson, MS 39211	0.138 acres 1/200 of 27.56 acres	0.1723%	
(d.3) Jack Mullins 33 Spruce Street Hazlett, NJ 07737	0.138 acres 1/200 of 27.56 acres	0.1723%	
(d.4) Betty Gaiamo 51 Nautilus Drive Leonardo, NJ 07737	0.138 acres 1/200 of 27.56 acres	0.1723%	
(d.5) Patricia Mullins 256 Summerfield Road Princeton, WV 24740	0.138 acres 1/200 of 27.56 acres	0.1723%	

Tract #3 - 1.54 acres

(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	0.193 acres 1/8 of 1.54 acres	0.24063%	0.39334%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			

OIL & GAS FEE OWNERSHIP

(2) Laura Hale Boyd Heirs, Devisees, Successors or Assigns, et al. (1/8 int.)	0.193 acres 1/8 of 1.54 acres	0.24063%	0.39334%
(a) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns			
(a.1) Velva Marie Charles Rt.5 Box 543 Grundy, VA 24614	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.2) Opal Mattie Hunt 1207-2059 Huntington Avenue Alexandria, VA 22303	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.3) Pauline Baldwin 5773 Governors Pond Circle Alexandria, VA 22310	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.4) Leah Mae Mullins Rt.4 Box 123A Grundy, VA 24614	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.5) Beulah Diane Boyd Rt.2 Box 453 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.6) Laura Virginia Manier Rt.2 Box 54 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.7) Henry Nathan Baldwin, Jr. Rt.2 Box 453 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.8) Judy Elizabeth Hagy Rt.2 Box 448 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.9) Gary Raymond Baldwin 49 Amsterdam Road Daleville, VA 24083-2921	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.10) Bradley Dean Baldwin Rt.2 Box 453 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.11) James Curtis Baldwin Rt.1 Box 422A Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.12) Samuel Marcus Baldwin, II P.O. Box 994 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.13) Brandon Scott Baldwin P.O. Box 994 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(a.14) Samantha Leah Baldwin P.O. Box 994 Vansant, VA 24656	0.0013 acres 1/154 of 0.193 acres	0.00156%	0.00255%
(b) Lizzie Trula Greenwood 4518 Maple Grove Road Hampstead, MD 21074	0.0175 acres 1/11 of 0.193 acres	0.02188%	0.03576%
(c) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns			
(c.1) Patricia G. Rice Rt.1 Box 425 Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(c.2) Teresa Church P.O. Box 473 Davenport, VA 24239	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(c.3) Shelia Miller 22455 Wylldwood Road Abingdon, VA 24211	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(c.4) Vickie Viers Rt.1 Box 425A Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(c.5) Terry Boyd Rt.1 Box 425A Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(c.6) Wayne Stiltner Rt.1 Box 425A Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(d) Marcus Boyd 863 Evins Avenue Smithville, TN 37166	0.0175 acres 1/11 of 0.193 acres	0.02188%	0.03576%
(e) Ireson Boyd Heirs, Devisees, Successors or Assigns			
(e.1) Hassie C. Boyd 612 Dry Creek Road Smithville, TN 37166	0.0175 acres 1/11 of 0.193 acres	0.02188%	0.03576%
(f) Charles Milton Boyd Heirs, Devisees, Successors or Assigns			
(f.1) Annie Boyd Heirs, Devisees, Successors or Assigns			
(f.1.1) Lester Boyd Box 182 Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(f.1.2) Helen Viola Coleman Rt.1 Box 586 Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(f.1.3) Betty Perkins Rt.1 Box 421 Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(f.1.4) Peggy Tiller Rt.2 Box 466 Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(f.1.5) Joan B. Boyd Rt.2 Box 461 Vansant, VA 24656	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(f.1.6) Barbara Evans 1685 Peach Grove Avenue Harrisonburg, VA 22801	0.0029 acres 1/66 of 0.193 acres	0.00365%	0.00596%
(g) Mary Boyd Cook Heirs, Devisees, Successors or Assigns			
(g.1) Edward Cook Heirs, Devisees, Successors or Assigns			
(g.1.1) Nancy Cook, widow 33967 Wadsworth Libonia, MI 48150	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(g.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%
(g.3) Willard Cook 6227 East Owens Las Vegas, NV 89110	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%
(g.4) Ercil Cook Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%
(h) Marion Boyd, Jr. Heirs, Devisees, Successors or Assigns			
(h.1) Sandra Boyd Street P.O. Box 595 Vansant, VA 24656	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%
(h.2) Larry Ireson Boyd 612 Dry Creek Road Smithville, TN 37166	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%
(h.3) Sherry Boyd Stacy P.O. Box 396 Vansant, VA 24656	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%
(h.4) Rodney Boyd HCR Box 29H Grundy, VA 24614	0.0044 acres 1/44 of 0.193 acres	0.00547%	0.00894%
(i) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns			
(i.1) Marshall Boyd 4797 Hayden Crest Drive Hilliard, OH 43026	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.2) Thelma Boyd Lester HCR Box 1088 Big Rock, VA 24603	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.3) Ferrell Boyd Rt.2 Box 516 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.4) James H. Boyd Rt.1 Box 55 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.5) Anna Lou Boyd Colley Rt.1 Box 343 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.6) Estil Boyd Heirs, Devisees, Successors or Assigns			

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(i.6.1) Katherine Boyd P.O. Box 6883 Statesville, NC 28687	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.7) Charles Boyd Rt.1 Box 578 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.8) William P. Boyd Rt.2 Box 464 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.9) David G. Boyd Box 54 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.10) Steve Boyd Rt.1 Box 415 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.11) Robert G. Boyd Rt.1 Box 416 Vansant, VA 24656	0.0015 acres 1/132 of 0.193 acres	0.00182%	0.00298%
(i.12) Carlie B. Clevinger Heirs, Devisees, Successors or Assigns			
(i.12.1) Donald Clevinger Rt.1 Box 422C Vansant, VA 24656	0.0007 acres 1/264 of 0.193 acres	0.00091%	0.00149%
(i.12.2) Franklin Clevinger Rt.1 Box 503A Vansant, VA 24656	0.0007 acres 1/264 of 0.193 acres	0.00091%	0.00149%
(2) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.0350 acres 2/11 of 0.193 acres	0.04375%	0.07152%

Tract #4A - 10.56 acres

(1) Hugh Macrae Land Trust, Tr.18 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	10.56 acres	13.2000%	21.5774%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			

OIL & GAS FEE OWNERSHIP

(1) Elmer & Evelyn Jackson P.O. Box 415 Vansant, VA 24656	10.56 acres	13.2000%	21.5774%
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List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #4B - 3.74 acres</u>			
(1) Hugh Macrae Land Trust, Tr.18 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	3.74 acres	4.6750%	7.6420%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
(1) Dorothy Hale P.O. Box 415 Vansant, VA 24656	3.74 acres	4.6750%	7.6420%
<u>Tract #4D - 5.54 acres</u>			
(1) Hugh Macrae Land Trust, Tr.18 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	5.54 acres	6.9250%	11.3200%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
John I. Hale Heirs, et al.	5.54 acres	6.9250%	11.3200%
(2) John W. & Myrtle Hale Heirs, Devisees, Successors or Assigns			
(a) Ralph & Helen Hale Rt.2 Box 33B Oakwood, VA 24631	0.231 acres 1/24 of 5.54 acres	0.2885%	0.4717%
(b) Bill Hale Heirs, Devisees, Successors or Assigns			
(b.3) William Bill Hale P.O. Box 575 Knoxville, TN 37901	0.077 acres 1/72 of 5.54 acres	0.0962%	0.1572%
(3) Charles D. & Lillie Hale Heirs, Devisees, Successors or Assigns			
(b) Mamie Hale Heirs, Devisees, Successors or Assigns			
(b.1) Curtis & Barbara Hale P.O. Box 335 Rosedale, VA 24280	0.173 acres 1/32 of 5.54 acres	0.2164%	0.3537%
(c) Elsie Vance Heirs, Devisees, Successors or Assigns			

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(c.2) Billy Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.087 acres 1/64 of 5.54 acres	0.1082%	0.1769%
(5) Florence A. Hale & John Dye Heirs, Devisees Successors or Assigns			
(a) Pearl Dora Perkins Heirs, Devisees Successors or Assigns			
(a.1) Carl Perkins 8312 Camp Road, Rt.5 Mt. Vernon, OH 43050	0.033 acres 1/168 of 5.54 acres	0.0412%	0.0674%
(a.2) Clyde Perkins 7679 Co. Road 20 Mt. Gilhead, OH 43338	0.033 acres 1/168 of 5.54 acres	0.0412%	0.0674%
(a.3) Lawrence Perkins 1252 St. Rt. 314S Mansfield, OH 44903	0.033 acres 1/168 of 5.54 acres	0.0412%	0.0674%
(e) Ida Dye 4728 Lee Highway Bristol, VA 24201	0.099 acres 1/56 of 5.54 acres	0.1237%	0.2021%
(g) Charles Whited 2727 9th Street Cuyahoga Falls, OH 44221	0.099 acres 1/56 of 5.54 acres	0.1237%	0.2021%
(7) Sparrel H. Hale, Heirs, Devisees, Successors or Assigns			
(a) Dewey & Rosa Hale Heirs, Devisees, Successors or Assigns			
(a.1) Jack Hale <i>Address Unknown</i>	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.2) Helen T. Martin Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.3) Roger Hale Box 228 Lester, WV 25865	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.4) John Lewis & Terri Hale 2865 Coal River Road Glen Daniel, WV 25844	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.5) Dewey Hale, Jr. Box 60 Saxon, WV 25180	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.6) Jerry Hale Box 228 Lester, WV 25865	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.7) Sandra Trent P.O. Box 1137 Crab Orchard, WV 25827	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.8) Bonnie Harless 917 Lincoln Drive South Charleston, WV 25309	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.9) Virginia Young Box 228 Lester, WV 25865	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(a.10) Don Hale Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.014 acres 1/400 of 5.54 acres	0.0173%	0.0283%
(c) Lula Hale Heirs, Devisees, Successors or Assigns			
(c.1) Daniel V. Hale P.O. Box 112 Davy, WV 24828	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.2) Mary Doris Hopkins Box 645 Stollings, WV 25646	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.3) Nancy L. Keys 4710 Mayview Court Blue Springs, MO 64015	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.4) David Wayne Hale Box 262 Davy, WV 24828	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.5) Genevieve Marshall Box 71 Chaples, WV 24820	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.6) Dorothy Robinson 5205 Wythe Avenue Richmond, VA 23226	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.7) Donald Everett Hale Box 262 Davy, WV 24828	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.8) Bertha Lester Hale 4743 Wilson Blvd. Abingdon, VA 24210	0.015 acres 1/360 of 5.54 acres	0.0192%	0.0314%
(c.9) Margie Smith Hale Heirs, Devisees, Successors or Assigns			
(c.9.1) Kendra Hale 114 Luna Street Alexandria, VA 22306	0.008 acres 1/720 of 5.54 acres	0.0096%	0.0157%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(c.9.2) Jeffery Glenn Hale 114 Luna Street Alexandria, VA 22306	0.008 acres 1/720 of 5.54 acres	0.0096%	0.0157%
(d) Unis Hale Mullins Heirs, Devisees, Successors or Assigns			
(d.1) Benny Mullins 38 Lake Drive Welch, WV 24801	0.028 acres 1/200 of 5.54 acres	0.0346%	0.0566%
(d.2) Melinda Mullins Jackson, Administratrix Estate of Vincent Dale Mullins, Sr. 4641 Maurey Road Jackson, MS 39211	0.028 acres 1/200 of 5.54 acres	0.0346%	0.0566%
(d.3) Jack Mullins 33 Spruce Street Hazlett, NJ 07737	0.028 acres 1/200 of 5.54 acres	0.0346%	0.0566%
(d.4) Betty Giaimo 51 Nautilus Drive Leonardo, NJ 07737	0.028 acres 1/200 of 5.54 acres	0.0346%	0.0566%
(d.5) Patricia Mullins 256 Summerfield Road Princeton, WV 24740	0.028 acres 1/200 of 5.54 acres	0.0346%	0.0566%

List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2 - 27.56 acres</u>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	27.56 acres	34.4500%	n/a
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
John I. Hale Heirs, et al.	27.56 acres	34.4500%	
(2) Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	21.19 acres 253/329 of 27.56 acres	26.4919%	n/a
<u>Tract #3 - 1.54 acres *</u>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	1.35 acres 7/8 of 1.54 acres	1.6844%	2.7534%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
(1) EE & E Fletcher Enterprises HC65 Box 27A Rowe, VA 24646 (previously Ellen Fletcher)	1.35 acres 7/8 of 1.54 acres	1.6844%	2.7534%
<u>Tract #4C - 2.12 acres</u>			
(1) Hugh Macrae Land Trust, Tr.18 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	2.12 acres	2.6500%	n/a
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	2.12 acres	2.6500%	n/a

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List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #4D - 5.54 acres</u>			
(1) Hugh Macrae Land Trust, Tr.18 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	5.54 acres	6.9250%	n/a
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
John I. Hale Heirs, et al.	5.54 acres	6.9250%	
(2) Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	4.26 acres 253/329 of 5.54 acres	5.3253%	n/a

* Only Tract #3 has been previously escrowed. The remaining tracts have been paid directly to the owners.

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 3rd day of July, 2003 at 11:05A M.
 Deed Book No. 572 and Page No. 581.
 Returned to: None TESTE: James M. Bevins, Jr. Clerk
 TESTE: Quincy S. Miller Deputy Clerk

INSTRUMENT #030002445
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY, OH
JULY 31, 2003 AT 11:08AM
JAMES H. BEVINS, CLERK

BY: _____

