

1288

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD BOOK 570 PAGE 126

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 01-0821-0908

ELECTIONS: UNIT AW-108
(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 December 18, 2001 which was recorded at Deed Book 537, Page 774 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on January 11, 2002, and at Deed Book 544, Page 448 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on January 10, 2002, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AW-108;

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.

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 and whose address is known within seven seven (7) days from the date of receipt of this Order.

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

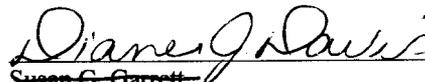
Effective Date: This Order shall be effective on the date of its execution.

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


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF WISE

Acknowledged on this 18th day of February, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


~~Susan G. Garrett~~
Notary

My commission expires: 9/30/05.

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


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

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 19th day of February, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is 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 45.1-361.26

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas Partnership for Forced Pooling of Interests in CBM Unit AW-108 VGOB-01-0821-0908 in the Hurricane District of Buchanan County and the New Garden District of Russell County, Virginia

AFFIDAVIT OF POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") REGARDING ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

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

That your affiant is employed by Consol Energy Inc., as a Gas Engineer and is duly authorized to make this affidavit on behalf of POCAHONTAS GAS PARTNERSHIP, the designated operator,

That the Order entered on December 18, 2001, 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 counties identified above; that said Order was recorded on January 11, 2002 and January 10, 2002 respectively;

That the designated operator POCAHONTAS GAS PARTNERSHIP has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

James D. Rasnake

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 December 18, 2001;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator, no longer have an interest, etc.:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

Doris Smith, Marvin Fuller, Jackie Rasnake, Nelson Ray, Betty Rasnake, Louella Rasnake, Goldine Lilly, Richard E. Rose, Arcel Rose, Hassel Raymond Abshire, Daniel Abshire, Anna Nuckles, Tolvy "Tracy" Perkins, Carolyn Whited, Kimberly Lynn Street and Lennie Perkins

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.

See attached Exhibit EE

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 4th day of February, 2003.

Leslie K. Arrington
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 4th day of February, 2003.

Rhonda Z Cantuigh
Notary

My commission expires: 10/31/05.

Exhibit B-2
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Respondents to be Dismissed

BOOK 563 PAGE 83

BOOK 576 PAGE 130

	Acres in Unit	Interest in Unit	Reason for Dismissal
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #1B, 12.31 acres</u>			
Jacob Fuller Heirs, Devisees, Successors or Assigns (68 Acre Tract)	12.31 acres	20.9710%	
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns			
(a) Claude and Lauran Compton Heirs			
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.0570 acres 0.004630 of 12.31 acres	0.0971%	Leased
(4) William T. Fuller Heirs, Devisees Successors or Assigns			
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643		<i>*Bought by Mike & James Rasnake</i>	Not an owner
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns			
(a) Fred Rasnake Heirs, Devisees, Successors or Assigns			
(a.2) Jackie Rasnake, Widow 565 49th Street SW Canton, OH 44706		<i>*Bought by Mike & James Rasnake</i>	Not an owner
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns			
(b.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260		<i>*Bought by Mike & James Rasnake</i>	Not an owner
(d) Ralph Rasnake Heirs, Devisees, Successors or Assigns			
(d.1) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260		<i>*Bought by Mike & James Rasnake</i>	Not an owner
(e) James Earl Rasnake Heirs, Devisees, Successors or Assigns			
(e.1) Louella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740		<i>*Bought by Mike & James Rasnake</i>	Not an owner
(9) Ellen Brown Heirs, Devisees, Successors or Assigns			

Exhibit B-2
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Respondents to be Dismissed

BOOK 573 PAGE 131

BOOK 563 PAGE 84

	Acres in Unit	Interest in Unit	Reason for Dismissal
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.0492 acres 0.004000 of 12.31 acres	0.0839%	Leased
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.0492 acres 0.004000 of 12.31 acres	0.0839%	Leased
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.0492 acres 0.004000 of 12.31 acres	0.0839%	Leased
(e) Hassel Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.0082 acres 0.000667 of 12.31 acres	0.0140%	Leased
(g) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0082 acres 0.000667 of 12.31 acres	0.0140%	Leased
(i) Anna Nuckles Rt.1 Box 156 Vansant, VA 24565	0.0657 acres 0.005334 of 12.31 acres	0.1119%	Leased
(j) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.0657 acres 0.005334 of 12.31 acres	0.1119%	Leased
(w) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.0246 acres 0.002000 of 12.31 acres	0.0419%	Leased
(ag) Kimberly Lynn Street Box 999 Honaker, VA 24260	0.0109 acres 0.000889 of 12.31 acres	0.0186%	Not an owner
(ag) Dexter Perkins Heirs, Devisees, Successors or Assigns			
(ag.1) Lennie E. Perkins 3814 Ludgate Drive Chesapeake, VA 23321	0.0027 acres 0.000223 of 12.31 acres	0.0047%	Leased

Exhibit B-3
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Unleased Owners/Claimants

BOOK 570 PAGE 132

BOOK 563 PAGE 85

	Acres in Unit	Interest in Unit	Election
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #1B, 12.31 acres</u>			
Jacob Fuller Heirs, Devisees, Successors or Assigns (68 Acre Tract)	12.31 acres	20.9710%	
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns			
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.22797 acres 0.018519 of 12.31 acres	0.3884%	Deemed Leased
(c) Brady Massie Heirs, Devisees, Successors or Assigns			
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.04560 acres 0.003704 of 12.31 acres	0.0777%	Deemed Leased
(2) Alta Cordell Heirs, Devisees, Successors or Assigns			
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns			
(a.1) Virgie Correll Address Unknown	1.36778 acres 0.111111 of 12.31 acres	2.3301%	Deemed Leased
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns			
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns			
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.11398 acres 0.009259 of 12.31 acres	0.1942%	Deemed Leased
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	1.31081 acres 0.106483 of 12.31 acres	2.2331%	Deemed Leased
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	1.31081 acres 0.106483 of 12.31 acres	2.2331%	Carried Operator
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns			
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns			
(a.2) Carolyn Carty 1614 River Creek Drive Suffolk, VA 23434	0.13678 acres 0.011111 of 12.31 acres	0.2330%	Deemed Leased

Exhibit B-3
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Unleased Owners/Claimants

BOOK 563 PAGE 86

BOOK 570 PAGE 133

	Acres in Unit	Interest in Unit	Election
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns			
(b.1) Patty Chambers Rt. 1 Box 82 Raven, VA 24639	0.54711 acres 0.044444 of 12.31 acres	0.9320%	Deemed Leased

Exhibit B-3
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Unleased Owners/Claimants

BOOK 563 PAGE 86

BOOK 570 PAGE 133

	Acres in Unit	Interest in Unit	Election
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns			
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.54711 acres 0.044444 of 12.31 acres	0.9320%	Deemed Leased
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns			
(c.1) Mellie Coleman Address Unknown	0.13679 acres 0.011112 of 12.31 acres	0.2330%	Deemed Leased
(c.2) Michael Coleman Address Unknown	0.13679 acres 0.011112 of 12.31 acres	0.2330%	Deemed Leased
(d) Irene Minnix Heirs, Devisees, Successors or Assigns			
(d.1) Debbie Penaly Address Unknown	0.27355 acres 0.022222 of 12.31 acres	0.4660%	Deemed Leased
(7) Emily Keen Heirs, Devisees, Successors or Assigns			
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.17097 acres 0.013889 of 12.31 acres	0.2913%	Deemed Leased
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.17097 acres 0.013889 of 12.31 acres	0.2913%	Deemed Leased
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns			
(a) Arnold Fuller Address Unknown	0.34195 acres 0.027778 of 12.31 acres	0.5825%	Deemed Leased
(b) Ollie Wilson Address Unknown	0.34195 acres 0.027778 of 12.31 acres	0.5825%	Deemed Leased
(c) Dora Webb Address Unknown	0.34195 acres 0.027778 of 12.31 acres	0.5825%	Deemed Leased
(d) Leona Beavers Address Unknown	0.34195 acres 0.027778 of 12.31 acres	0.5825%	Deemed Leased
(9) Ellen Brown Heirs, Devisees, Successors or Assigns			
(d) Luther Abshire, Jr. Heirs, Devisees, Successors or Assigns			
(d.1) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.00410 acres 0.000333 of 12.31 acres	0.0070%	Deemed Leased

Exhibit B-3
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Unleased Owners/Claimants

BOOK 576 PAGE 6131

BOOK 563 PAGE 87

	Acres in Unit	Interest in Unit	Election
(d.2) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.00410 acres 0.000333 of 12.31 acres	0.0070%	Deemed Leased
(f) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.00821 acres 0.000667 of 12.31 acres	0.0140%	Deemed Leased
(h) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.00821 acres 0.000667 of 12.31 acres	0.0140%	Deemed Leased
(k) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.06566 acres 0.005334 of 12.31 acres	0.1119%	Deemed Leased
(l) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns			
(l.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.04855 acres 0.003944 of 12.31 acres	0.0827%	Deemed Leased
(l.2) Michael Whitt <i>Address Unknown</i>	0.04855 acres 0.003944 of 12.31 acres	0.0827%	Deemed Leased
(m) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.09711 acres 0.007889 of 12.31 acres	0.1654%	Deemed Leased
(n) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.09711 acres 0.007889 of 12.31 acres	0.1654%	Deemed Leased
(o) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.09711 acres 0.007889 of 12.31 acres	0.1654%	Deemed Leased
(p) Judy Farmer HC65 Box 45 Vasant, VA 24656	0.02462 acres 0.002000 of 12.31 acres	0.0419%	Deemed Leased
(q) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.02462 acres 0.002000 of 12.31 acres	0.0419%	Deemed Leased
(r) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.02462 acres 0.002000 of 12.31 acres	0.0419%	Deemed Leased
(s) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.02462 acres 0.002000 of 12.31 acres	0.0419%	Deemed Leased
(t) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.02462 acres 0.002000 of 12.31 acres	0.0419%	Deemed Leased

**Exhibit B-3
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Unleased Owners/Claimants**

BOOK 563 PAGE 88

BOOK 570 PAGE 9135

	Acres in Unit	Interest in Unit	Election
(u) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.02850 acres 0.002315 of 12.31 acres	0.0485%	Deemed Leased
(v) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.02462 acres 0.002000 of 12.31 acres	0.0419%	Deemed Leased
(x) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(y) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(z) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(aa) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(ab) Carl Brown 12077 Salem Church Road King George, VA 22485	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(ac) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(ad) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(ae) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(af) Virgil K. Street Box 999 Honaker, VA 24260	0.02189 acres 0.001778 of 12.31 acres	0.0373%	Deemed Leased
(ag) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00275 acres 0.000223 of 12.31 acres	0.0047%	Deemed Leased
(ai) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.00275 acres 0.000223 of 12.31 acres	0.0047%	Deemed Leased
(aj) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.00275 acres 0.000223 of 12.31 acres	0.0047%	Deemed Leased

Exhibit B-3
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Unleased Owners/Claimants

	Acres in Unit	Interest in Unit	Election
(ak) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.00275 acres 0.000223 of 12.31 acres	0.0047%	Deemed Leased
(al) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.00275 acres 0.000223 of 12.31 acres	0.0047%	Deemed Leased
(am) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.00275 acres 0.000223 of 12.31 acres	0.0047%	Deemed Leased
(an) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00275 acres 0.000223 of 12.31 acres	0.0047%	Deemed Leased
(ao) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns Address Unknown	0.17097 acres 0.013889 of 12.31 acres	0.2913%	Deemed Leased

Exhibit E
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Conflicting Owners/Claimants that require escrow

BOOK 570 PAGE 137

BOOK 563 PAGE 90

	Acres in Unit	Interest in Unit
<u>Tract #1B, 12.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	12.31 acres	20.971%
<u>OIL & GAS FEE OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns (68 Acre Tract)	12.31 acres	20.9710%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(a) Claude and Luran Compton Heirs		
(a.1) Genevia Cotsmire 215 Kanawha Avenue Dunbar, WV 25064	0.05700 acres 0.004630 of 12.31 acres	0.0971%
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.05700 acres 0.004630 of 12.31 acres	0.0971%
(a.3) Margaret Kleffman 5112 Kingsport Highway Gray, TN 37615	0.05700 acres 0.004630 of 12.31 acres	0.0971%
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.05700 acres 0.004630 of 12.31 acres	0.0971%
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.22797 acres 0.018519 of 12.31 acres	0.3884%
(c) Brady Massie Heirs, Devisees, Successors or Assigns		
(c.1) James Massie P.O. Box 682 Honaker, VA 24260	0.04560 acres 0.003704 of 12.31 acres	0.0777%
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.04560 acres 0.003704 of 12.31 acres	0.0777%
(c.3) Ruby & Leroy Lester 627 Twin Oak Circle Lebanon, VA 24266	0.04560 acres 0.003704 of 12.31 acres	0.0777%
(c.4) Gladys Puckett P.O. Box 153 Easley, SC 29641	0.04560 acres 0.003704 of 12.31 acres	0.0777%

Exhibit E
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Conflicting Owners/Claimants that require escrow

BOOK 576 PAGE 138

BOOK 563 PAGE 91

	Acres in Unit	Interest in Unit
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.04560 acres 0.003704 of 12.31 acres	0.0777%
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.22797 acres 0.018519 of 12.31 acres	0.3884%
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.22797 acres 0.018519 of 12.31 acres	0.3884%
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns		
(f.1) William Earl Richardson 1140 Texarkana Drive Indianapolis, IN 46231	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(f.2) Nelson Richardson 1124 Texarkana Drive Indianapolis, IN 46231	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(f.3) Fred Richardson 9019 Broken Arrow Road Indianapolis, IN 46234	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(f.5) Alice Marie Musick 7981 N. 875 W Indianapolis, IN 46259	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(f.6) Betty Doty 875 W. 6779 Lambert Street Indianapolis, IN 46241	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(f.8) Violet Dunn 8607 Mosey Manor Indianapolis, IN 46231	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		
(a.1) Virgie Correll Address Unknown	1.36778 acres 0.111111 of 12.31 acres	2.3301%

Exhibit E
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Conflicting Owners/Claimants that require escrow

BOOK 573 PAGE 9139

BOOK 563 PAGE 92

	Acres in Unit	Interest in Unit
(3) Myrtle Rowe Heirs, Devisees Successors or Assigns		
(a) Ellen Fletcher HC65 Box 27A Rowe, VA 24649	1.36778 acres 0.111111 of 12.31 acres	2.3301%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.11398 acres 0.009259 of 12.31 acres	0.1942%
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	1.31081 acres 0.106483 of 12.31 acres	2.2331%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns		
(a.1) Betty Nuckles, Widow 275 Beverly Drive Abingdon, VA 24210	<i>Life Estate</i>	
(a.2) Carolyn Carty 1614 River Creek Drive Suffork, VA 23434	0.13678 acres 0.011111 of 12.31 acres	0.2330%
(a.3) Beverly Nuckles 106 Little Pond Court Suffork, VA 23434	0.13678 acres 0.011111 of 12.31 acres	0.2330%
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns		
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.54711 acres 0.044444 of 12.31 acres	0.9320%
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Mellie Coleman Address Unknown	0.13679 acres 0.011112 of 12.31 acres	0.2330%
(c.2) Michael Coleman Address Unknown	0.13679 acres 0.011112 of 12.31 acres	0.2330%
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		

Exhibit E
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(d.1) Debbie Penaly <i>Address Unknown</i>	0.27355 acres 0.022222 of 12.31 acres	0.4660%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(a) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(c) Goldie Hess Star Route Box 118 Rowe, VA 24646	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(g) Arlene Compton Rt.2 Box 190 Honaker, VA 24260	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(h) Leona Shope P.O. Box 272 Rosedale, VA 24280	0.17097 acres 0.013889 of 12.31 acres	0.2913%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller <i>Address Unknown</i>	0.34195 acres 0.027778 of 12.31 acres	0.5825%
(b) Ollie Wilson <i>Address Unknown</i>	0.34195 acres 0.027778 of 12.31 acres	0.5825%
(c) Dora Webb <i>Address Unknown</i>	0.34195 acres 0.027778 of 12.31 acres	0.5825%
(d) Leona Beavers <i>Address Unknown</i>	0.34195 acres 0.027778 of 12.31 acres	0.5825%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		

Exhibit E
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Conflicting Owners/Claimants that require escrow

BOOK **563** PAGE **94**

	Acres in Unit	Interest in Unit
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.04924 acres 0.004000 of 12.31 acres	0.0839%
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.04924 acres 0.004000 of 12.31 acres	0.0839%
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.04924 acres 0.004000 of 12.31 acres	0.0839%
(d) Luther Abshire, Jr. Heirs, Devisees, Successors or Assigns		
(d.1) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.00410 acres 0.000333 of 12.31 acres	0.0070%
(d.2) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.00410 acres 0.000333 of 12.31 acres	0.0070%
(e) Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.00821 acres 0.000667 of 12.31 acres	0.0140%
(f) Hassel Ray Abshire 37 Crimora Mine Road Crimora, VA 24431	0.00821 acres 0.000667 of 12.31 acres	0.0140%
(g) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.00821 acres 0.000667 of 12.31 acres	0.0140%
(h) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.00821 acres 0.000667 of 12.31 acres	0.0140%
(j) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.06566 acres 0.005334 of 12.31 acres	0.1119%
(k) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.06566 acres 0.005334 of 12.31 acres	0.1119%
(l) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(l.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.04855 acres 0.003944 of 12.31 acres	0.0827%
(l.2) Michael Whitt Address Unknown	0.04855 acres 0.003944 of 12.31 acres	0.0827%

**Exhibit E
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Interest in Unit
(m) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.09711 acres 0.007889 of 12.31 acres	0.1654%
(n) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.09711 acres 0.007889 of 12.31 acres	0.1654%
(o) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.09711 acres 0.007889 of 12.31 acres	0.1654%
(p) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.02462 acres 0.002000 of 12.31 acres	0.0419%
(q) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.02462 acres 0.002000 of 12.31 acres	0.0419%
(r) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.02462 acres 0.002000 of 12.31 acres	0.0419%
(s) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.02462 acres 0.002000 of 12.31 acres	0.0419%
(t) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.02462 acres 0.002000 of 12.31 acres	0.0419%
(u) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.02850 acres 0.002315 of 12.31 acres	0.0485%
(v) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.02462 acres 0.002000 of 12.31 acres	0.0419%
(w) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.02462 acres 0.002000 of 12.31 acres	0.0419%
(x) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(y) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(z) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.02189 acres 0.001778 of 12.31 acres	0.0373%

Exhibit E
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Conflicting Owners/Claimants that require escrow

BOOK 576 PAGE 43

BOOK 563 PAGE 96

	Acres in Unit	Interest in Unit
(aa) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(ab) Carl Brown 12077 Salem Church Road King George, VA 22485	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(ac) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(ad) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(ae) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(af) Virgil K. Street Box 999 Honaker, VA 24260	0.02189 acres 0.001778 of 12.31 acres	0.0373%
(ag) Dexter Perkins Heirs, Devisees, Successors or Assigns		
(ag.1) Lennie E. Perkins 3814 Ludgate Drive Chesapeake, VA 23321	0.00275 acres 0.000223 of 12.31 acres	0.0047%
(ah) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00275 acres 0.000223 of 12.31 acres	0.0047%
(ai) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.00275 acres 0.000223 of 12.31 acres	0.0047%
(aj) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.00275 acres 0.000223 of 12.31 acres	0.0047%
(ak) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.00275 acres 0.000223 of 12.31 acres	0.0047%
(al) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.00275 acres 0.000223 of 12.31 acres	0.0047%
(am) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.00275 acres 0.000223 of 12.31 acres	0.0047%

Exhibit E
CBM-PGP-AW108
Docket No. VGOB-01-0821-0908
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(an) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.00275 acres 0.000223 of 12.31 acres	0.0047%
(ao) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.17097 acres 0.013889 of 12.31 acres	0.2913%

Exhibit EE
 CBM-PGP-AW108
 Docket No. VGOB-01-0821-0908
 List of Conflicting Owners/Claimants with Royalty Split Agreements

BOOK 570 PAGE 145

BOOK 563 PAGE 98

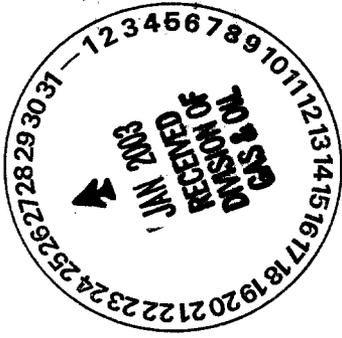
	Acres in Unit	Interest in Unit
<u>Tract #1B, 12.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	12.31 acres	20.971%
<u>OIL & GAS FEE OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns (68 Acre Tract)	12.31 acres	20.9710%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	1.3108 acres 0.106483 of 12.31 acres	2.2331%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(i) Anna Nuckles Rt.1 Box 156 Vansant, VA 24565	0.0657 acres 0.005334 of 12.31 acres	0.1119%

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 25 day of February, 2003 at 12:48 P.M.
 Deed Book No. 563 and Page No. 79.
 Returned to: Shane Davis. TESTE: Shelby S. Miller Deputy Clerk

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 2-25, 2003. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:30 o'clock P.M, after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: Shane Davis BY: Dollie M. Compton CLERK

3D
BD
2 PM



BY: _____

INSTRUMENT #0300006
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
FEBRUARY 21, 2003 AT 12:48PM
JAMES M. BEVINS JR., CLERK

[Handwritten signature]

