

791

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER VGOB 01-0821-0915

ELECTIONS: UNIT AY-113 (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 544, Page 475 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 CNX GAS COMPANY LLC (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 AY-113;

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, Wachovia Bank, Corporate Trust PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Attn: Rachel Rafferty 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.

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 4th day of February, 2004, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF ~~WISE~~ Washington

Acknowledged on this 4th day of February, 2004, 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 9th day of February, 2004, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 9th day of February, 2004, 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 CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit AY-113
VGOB 01-0821-0915 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (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 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 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 county identified above; that said Order was recorded on January 10, 2002;

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

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of 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:

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 added and/or dismissed as respondents; the Operator requests that the following persons be added and/or dismissed as Respondents:

Arch Holland Dye Heirs, Devises, Successors or Assigns; Barbara Foote, Elaine Thompson, Dr. L.M. Harrison Heirs, Devises, Successors or Assigns; Ellen Brown Heirs, Devises, Successors or Assigns including Raymond Abshire, Helen Parr, Daniel Abshire, Fred K. Abshire, Tolvy "Tracy" Perkins, Mitzi Helbert, Michael Whitt, Judy Farmer, Pauline Presley, Clarence Whited, Delma Coleman, Helen Patterson, Fayne Whited, Carolyn Whited, Elmer Brown, Garland Brown, Pauline Brown, Earl Brown, Richard Brown, Virgil K. Street, Kimberly Lynn Street, Lennie Perkins, Ellen Hutchinson, Chester C. Smith, Audry Blankenship, Wayne E. Smith, Jesse Street, Elster Hurley and Frankie Ratliff; Troy Hale Heirs, et al. c/o Odesta Realty Company, Inc.

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Tazewell, Virginia, this 30th day of JANUARY, 2004.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager - Environmental / Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 30th day of January, 2004.


Notary

My commission expires: 10/31/05

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

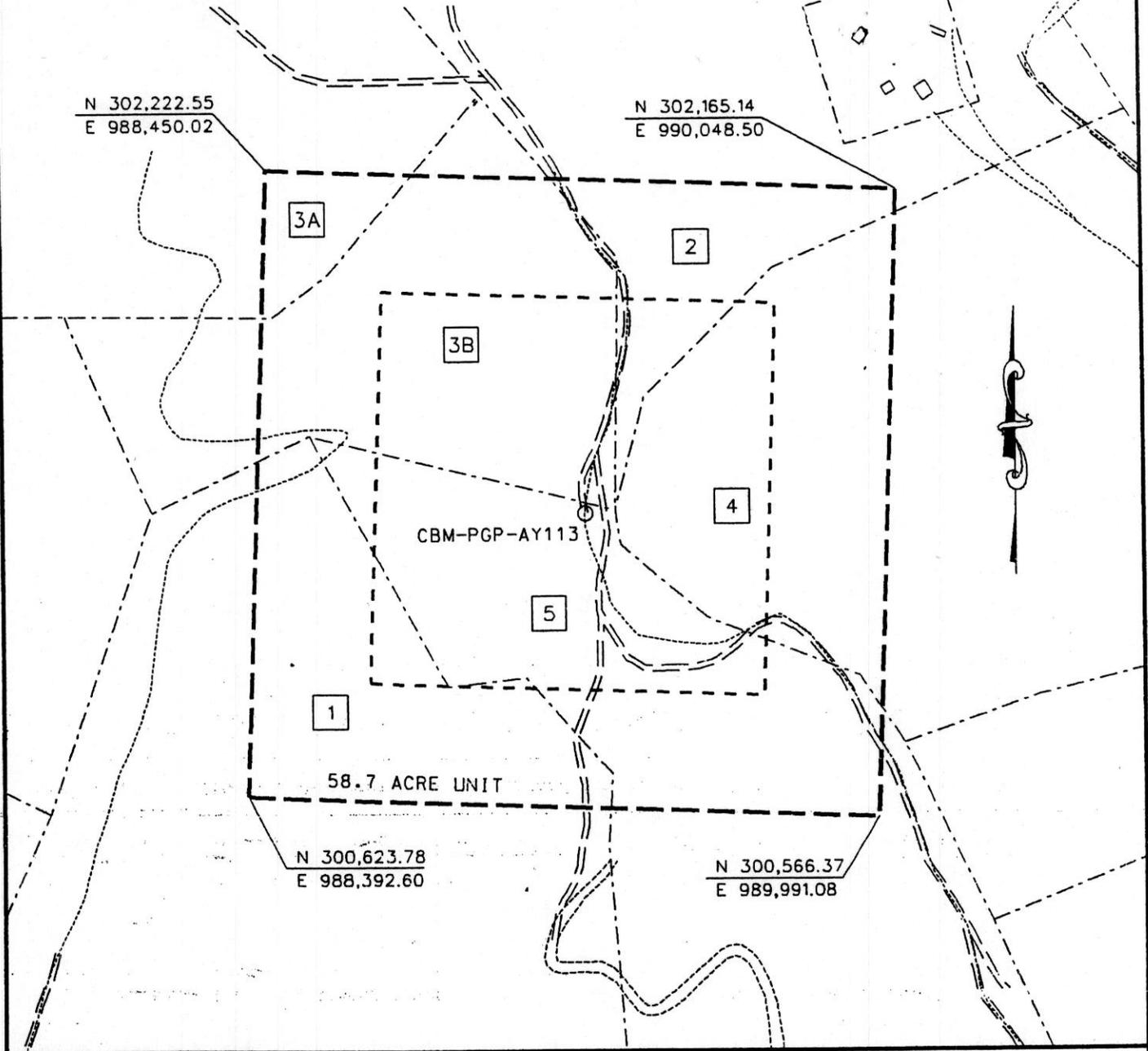


EXHIBIT A
 MIDDLE RIDGE 1 FIELD
 UNIT AY-113
 FORCE POOLING
 VGOB-01-0821-0915

Company Pocahontas Gas Partnership Well Name and Number UNIT AY113
 Tract No. _____ Elevation _____ Quadrangle Homaker
 County Russell District New Garden Scale: 1" = 400' Date 7/16/01
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GD-7 _____ (Affix Seal)
 Rev. 9/91 Claude O. May Licensed Professional Engineer or Licensed Land Surveyor

CNX GAS COMPANY LLC**Unit AY-113****Tract Identifications****(58.7 Acre Unit)**

1. **Buckhorn Coal Company Tr. 8 (Warder # 10 Tract) - Fee
Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
10.30 acres 17.5468 %**

2. **Buckhorn Coal Company (Corns & Fletcher Tract) - Coal
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Heirs, Devisees, Successors or Assigns of B. W. Stras, et al. OR Heirs, Devisees,
Successors or Assigns of S. J. Corn and Susan E. Corn OR Heirs, Devisees,
Successors or Assigns of David Keene OR CNX Gas Company LLC,
Swain & Renia Perkins OR CNX Gas Company LLC and Dorothy Perkins – All
Minerals except Coal
Dottie Gay Robinette Miller - Surface
5.28 acres 8.9949 %**

- 3A. **Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC - All Minerals except Coal
Consolidation Coal Company - Surface
1.83 acres 3.1175 %**

- 3B. **Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal
Knox Creek Coal Corporation- Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
H. C. Bostic Coal Company, Inc. – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM
13.27 acres 22.6065 %**

4. **John H. Dye Heirs, et al. - Fee
Knox Creek Coal Corporation. – Coal In Tiller and Above Coal Seams Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased (40%)
13.04 acres 22.2147 %**

5. **J. T. Helton Successors, et al. - Coal (Except for Pocahontas Coal)
J. T. Helton Successors, et al. - Pocahontas Coal
Arch Holland Dye or Successors, et al. – All Minerals except Coal
Margaret Lucille McGlothlin, et al. - Surface
14.98 acres 25.5196 %**

List of Respondents to be Added and/or Dismissed

	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
I. COAL FEE OWNERSHIP				
<u>Tract #5, 14.98 acres</u>				
(1) J.T. Helton Heirs, Devisees, Successors or Assigns, et al. (70 Acre Tract)	14.98 acres	25.5196%		
(a) Arch Holland Dye Heirs, Devisees, Successors or Assigns Address Unknown	1.66 acres 11.11% of 14.98 acres	2.8352%		Due Diligence
(c) Barbara Foote 6701 Chimney Top Dr. South Mobile, AL 36695	5.84 acres 39.01% of 14.98 acres	9.9552%	Leased	Due Diligence
(d) Elaine Thompson 1606 Winding Ridge Trail Knoxville, TN 37922	5.84 acres 39.01% of 14.98 acres	9.9552%	Leased	Due Diligence
(e) Troy Hale Heirs, et al. c/o Odesta Realty Company, Inc. Attn: Dolly Ferrell P.O. Box 435 Richlands, VA 24641	0.80 acres 5.31% of 14.98 acres	1.3551%	Purchased by CNX	Due Diligence
II. OIL & GAS FEE OWNERSHIP				
<u>Tract #3A, 1.83 acres</u>				
Earl Whited et al.	1.83 acres	3.1175%		
(1) Dr. L.M. Harrison, Heirs, Devisees, Successors or Assigns Address Unknown	0.23 acres 1/8 of 1.83 acres	0.3897%	Purchased (Partition suit)	
(2) Ellen Brown Heirs, Devisees, Successors or Assigns	1.60 acres 7/8 of 1.83 acres	2.728%	Purchased (Partition suit)	
(f) Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.010 acres 3/500 of 1.60 acres	0.016%	Purchased (Partition suit)	
(g) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.010 acres 3/500 of 1.60 acres	0.016%	Purchased (Partition suit)	
(h) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.010 acres 3/500 of 1.60 acres	0.016%	Purchased (Partition suit)	
(i) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.010 acres 3/500 of 1.60 acres	0.016%	Purchased (Partition suit)	
(k) Tolv "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.077 acres 6/125 of 1.60 acres	0.131%	Purchased (Partition suit)	

Exhibit E
Unit AY-113
Docket No. VGOB-01-0821-0915
List of Conflicting Owners/Claimants that require escrow

BOOK 602 PAGE 031

	Acres in Unit	Interest in Unit
<u>Tract #2, 5.28 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	5.28 acres	8.9949%
<u>OIL & GAS FEE OWNERSHIP</u>		
* <i>Owner of gas interest is undetermined. Possible owners are listed below:</i>	5.28 acres	8.9949%
(1) B.W. Stras, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(2) S. J. and Susan E. Corn, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(3) David Keene, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(4) CNX Gas Company LLC, et al.		
(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	4.75 acres 9/10 of 5.28 acres	8.0954%
(2) Alta Perkins Heirs, Devisees, Successors or Assigns		
(a) Swain & Renia Perkins Rt.1 Box 136E Swords Creek, VA 24649	#REF! acres 1/10 of 5.28 acres	#REF!
(OR)		
(5) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	5.28 acres	8.9949%
Dorothy Perkins 1595 Drybread Road Salyersville, KY 41465	5.28 acres	8.9949%

Exhibit E
Unit AY-113
Docket No. VGOB-01-0821-0915
List of Conflicting Owners/Claimants that require escrow

BOOK 602 PAGE 032

	Acres in Unit	Interest in Unit
<u>Tract #3A, 1.83 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	1.83 acres	3.1175%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) CNX Gas Company LLC P. O. Box 947 Bluefield, VA 24605	1.83 acres	3.1175%
<u>Tract #3B, 13.27 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	13.27 acres	22.6065%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) H.C. Bostic Coal Company P.O. Box 220 Swords Creek, VA 24649	13.27 acres	22.6065%
<u>Tract #4, 13.04 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
John H. Dye Heirs, Devisees, Successors or Assigns et al.	13.04 acres	22.2147%
<u>(Coal above the P9 seam)</u>		
(2) H.C. Bostic Coal Company (Above P9) P.O. Box 220 Swords Creek, VA 24649	7.824 3/5 of 13.04 acres	13.3288%
<u>(P9 seam & below)</u>		
(2) Bernie Darin Dye Address Unknown	2.608 1/5 of 13.04 acres	4.4429%
(3) Sam R. Dye, et al.	5.216 2/5 of 13.04 acres	8.8859%
(a) Sam R. Dye Address Unknown		
(b) Larry Compton 5770 1st Road Bremen, IN 46506		

**Exhibit E
Unit AY-113
Docket No. VGOB-01-0821-0915
List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Arch Holland Dye Heirs, Devisees, Successors or Assigns, et al. <i>(70 Acre Tract)</i>	14.98 acres	25.5196%
(a) Arch Holland Dye Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	1.66 acres 11.11% of 14.98 acres	2.8352%
(b) J.T. Helton Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.83 acres 5.56% of 14.98 acres	1.4189%

0400555

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 2-10, 2004. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:23 o'clock AM, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Dept. of Mines

BY: Dickie Colley D. CLERK
TESTES DOLLIE M. COMPTON, CLERK

Exhibit B-2
Unit AY-113
Docket #VGOB-01-0821-0915
List of Respondents to be Added and/or Dismissed

BOOK 602 PAGE 024

	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
(m) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns				
(m.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.057 acres 71/2000 of 1.60 acres	0.097%	Purchased (Partition suit)	
(m.2) Michael Whitt 35 Pace Drive Bristol, VA 24201	0.057 acres 71/2000 of 1.60 acres	0.097%	Purchased (Partition suit)	
(q) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.029 acres 9/500 of 1.60 acres	0.049%	Purchased (Partition suit)	
(r) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.029 acres 9/500 of 1.60 acres	0.049%	Purchased (Partition suit)	
(s) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.029 acres 9/500 of 1.60 acres	0.049%	Purchased (Partition suit)	
(u) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.029 acres 9/500 of 1.60 acres	0.049%	Purchased (Partition suit)	
(v) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.029 acres 9/500 of 1.60 acres	0.049%	Purchased (Partition suit)	
(w) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.029 acres 9/500 of 1.60 acres	0.049%	Purchased (Partition suit)	
(x) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.029 acres 9/500 of 1.60 acres	0.049%	Purchased (Partition suit)	
(z) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.026 acres 2/125 of 1.60 acres	0.044%	Purchased (Partition suit)	
(aa) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.026 acres 2/125 of 1.60 acres	0.044%	Purchased (Partition suit)	
(ab) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.026 acres 2/125 of 1.60 acres	0.044%	Purchased (Partition suit)	
(ae) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.026 acres 2/125 of 1.60 acres	0.044%	Purchased (Partition suit)	
(af) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.026 acres 2/125 of 1.60 acres	0.044%	Purchased (Partition suit)	

List of Respondents to be Added and/or Dismissed

	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
(ag) Virgil K. Street Box 999 Honaker, VA 24260	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(ah) Kimberly Lynn Street Box 999 Honaker, VA 24260			Not an owner	
(ai) Dexter Perkins Heirs, Devisees, Successors or Assigns				
(ai.1) Lennie Perkins 3814 Ludgate Drive Chesapeake, VA 23321	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(ak) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(al) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(am) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(an) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(ao) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(ap) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(aq) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.003 acres 1/500 of 1.60 acres	0.005%	Purchased (Partition suit)	
(ar) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.200 acres 1/8 of 1.60 acres	0.341%	Purchased (Partition suit)	
<u>Tract #5, 14.98 acres</u>				
(1) Arch Holland Dye Heirs, Devisees, Successors or Assigns, et al. <i>(70 Acre Tract)</i>	14.98 acres	25.5196%		
(b) J.T. Helton Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.83 acres 5.56% of 14.98 acres	1.4189%		Due Diligence

List of Respondents to be Added and/or Dismissed

	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
(c) Barbara Foote 6701 Chimney Top Dr. South Mobile, AL 36695	5.84 acres 39.01% of 14.98 acres	9.9552%	Leased	Due Diligence
(d) Elaine Thompson 1606 Winding Ridge Trail Knoxville, TN 37922	5.84 acres 39.01% of 14.98 acres	9.9552%	Leased	Due Diligence
(e) Troy Hale Heirs, et al. c/o Odesta Realty Company, Inc. Attn: Dolly Ferrell P.O. Box 435 Richlands, VA 24641	0.80 acres 5.31% of 14.98 acres	1.3551%	Purchased by CNX	Due Diligence

Exhibit B-3
 Unit AY-113
 Docket #VGOB 01-0821-0915
 List of Unleased Owners/Claimants

BOOK 602 PAGE 027

	Acres in Unit	Interest in Unit
I. COAL FEE OWNERSHIP		
<u>Tract #4, 13.04 acres</u>		
John H. Dye Heirs, Devisees, Successors or Assigns et al.	13.04 acres	22.2147%
<u>(Coal above the P9 seam)</u>		
(1) Branson Whited, Jr. et al.	5.216 2/5 of 13.04 acres	8.8859%
(f) Louella Perkins 112 McClain Street North Augusta, SC 29841		
(g) Patty C. Perkins 112 McClain Street North Augusta, SC 29841		
(j) Narcie Dye Noel Rt.2 Box 83 Honaker, VA 24260		
(l) Roberta Fields P.O. Box 698 Honaker, VA 24260		
(p) Vernie B. Keen 14500 Houston Lane Spotsylvania, VA 22553		
<u>(P9 seam & below)</u>		
(1) Branson Whited, Jr. et al.	5.216 2/5 of 13.04 acres	8.8859%
(f) Louella Perkins 112 McClain Street North Augusta, SC 29841		
(g) Patty C. Perkins 112 McClain Street North Augusta, SC 29841		
(j) Narcie Dye Noel Rt.2 Box 83 Honaker, VA 24260		
(l) Roberta Fields P.O. Box 698 Honaker, VA 24260		
(p) Vernie Keen 14500 Houston Lane Spotsylvania, VA 22553		

Exhibit B-3
 Unit AY-113
 Docket #VGOB 01-0821-0915
 List of Unleased Owners/Claimants

BOOK 602 PAGE 028

	Acres in Unit	Interest in Unit
(2) Bernie Darin Dye <i>Address Unknown</i>	2.608 1/5 of 1.52 acres	4.4429%
(3) Sam R. Dye, et al.	5.216 2/5 of 1.52 acres	8.8859%
(a) Sam R. Dye <i>Address Unknown</i>		
(b) Larry Compton 5770 1st Road Breman, IN 46506		
(c) Betty Snead Rt.3 Box 54 Lebanon, VA 24266		
(d) Robert Compton 4478 Island Road Bristol, TN 37620		
(e) Edna Peck <i>Address Unknown</i>		
(f) Ted Wilson <i>Address Unknown</i>		
(g) O'Dell Wilson <i>Address Unknown</i>		
(h) Narcie Dye Noel Rt.2 Box 83 Honaker, VA 24260		
(i) Bernie Darin Dye <i>Address Unknown</i>		
<u>Tract #5, 14.98 acres</u>		
(1) J.T. Helton Heirs, Devisees, Successors or Assigns, et al. (70 Acre Tract)	14.98 acres	25.5196%
(a) Arch Holland Dye Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	1.66 acres 11.11% of 14.98 acres	2.8352%
(b) J.T. Helton Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.83 acres 5.56% of 14.98 acres	1.4189%

II. OIL & GAS FEE OWNERSHIP

Tract #2, 5.28 acres

* **Owner of gas interest is undetermined due to title conflict.** 5.28 acres 8.9949%
Possible owners are listed below:

Exhibit B-3
Unit AY-113
Docket #VGOB 01-0821-0915
List of Unleased Owners/Claimants

BOOK 602 PAGE 029

	Acres in Unit	Interest in Unit
(1) B.W. Stras, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(2) S. J. and Susan E. Corn, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(3) David Keene, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
<u>Tract #4, 13.04 acres</u>		
John H. Dye Heirs, Devisees, Successors or Assigns et al.	13.04 acres	22.2147%
(1) Branson Whited, Jr. et al.	5.216 2/5 of 13.04 acres	8.8859%
(f) Louella Perkins 112 McClain Street North Augusta, SC 29841		
(g) Patty C. Perkins 112 McClain Street North Augusta, SC 29841		
(j) Narcie Dye Noel Rt.2 Box 83 Honaker, VA 24260		
(l) Roberta Fields P.O. Box 698 Honaker, VA 24260		
(p) Vernie B. Keen 14500 Houston Lane Spotsylvania, VA 22553		
(2) Bernie Darin Dye <i>Address Unknown</i>	2.608 1/5 of 1.52 acres	4.4429%
<u>Tract #5, 14.98 acres</u>		
(1) Arch Holland Dye Heirs, Devisees, Successors or Assigns, et al. (70 Acre Tract)	14.98 acres	25.5196%
(a) Arch Holland Dye Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	1.66 acres 11.11% of 14.98 acres	2.8352%

Exhibit B-3
Unit AY-113
Docket #VGOB 01-0821-0915
List of Unleased Owners/Claimants

BOOK 602 PAGE 030

	Acres in Unit	Interest in Unit
(b) J.T. Helton Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.83 acres 5.56% of 14.98 acres	1.4189%

Exhibit E
Unit AY-113
Docket No. VGOB-01-0821-0915
List of Conflicting Owners/Claimants that require escrow

BOOK 602 PAGE 031

	Acres in Unit	Interest in Unit
<u>Tract #2, 5.28 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	5.28 acres	8.9949%
<u>OIL & GAS FEE OWNERSHIP</u>		
* <i>Owner of gas interest is undetermined. Possible owners are listed below:</i>	5.28 acres	8.9949%
(1) B.W. Stras, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(2) S. J. and Susan E. Corn, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(3) David Keene, Heirs, Devisees Successors or Assigns, et al. <i>Address Unknown</i>		
(OR)		
(4) CNX Gas Company LLC, et al.		
(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	4.75 acres 9/10 of 5.28 acres	8.0954%
(2) Alta Perkins Heirs, Devisees, Successors or Assigns		
(a) Swain & Renia Perkins Rt.1 Box 136E Swords Creek, VA 24649	#REF! acres 1/10 of 5.28 acres	#REF!
(OR)		
(5) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	5.28 acres	8.9949%
Dorothy Perkins 1595 Drybread Road Salyersville, KY 41465	5.28 acres	8.9949%

Exhibit E
Unit AY-113

BOOK 602 PAGE 032

Docket No. VGOB-01-0821-0915
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
<u>Tract #3A, 1.83 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	1.83 acres	3.1175%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) CNX Gas Company LLC P. O. Box 947 Bluefield, VA 24605	1.83 acres	3.1175%
<u>Tract #3B, 13.27 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	13.27 acres	22.6065%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) H.C. Bostic Coal Company P.O. Box 220 Swords Creek, VA 24649	13.27 acres	22.6065%
<u>Tract #4, 13.04 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
John H. Dye Heirs, Devisees, Successors or Assigns et al.	13.04 acres	22.2147%
<u>(Coal above the P9 seam)</u>		
(2) H.C. Bostic Coal Company (Above P9) P.O. Box 220 Swords Creek, VA 24649	7.824 3/5 of 13.04 acres	13.3288%
<u>(P9 seam & below)</u>		
(2) Bernie Darin Dye Address Unknown	2.608 1/5 of 13.04 acres	4.4429%
(3) Sam R. Dye, et al.	5.216 2/5 of 13.04 acres	8.8859%
(a) Sam R. Dye Address Unknown		
(b) Larry Compton 5770 1st Road Breman, IN 46506		

Exhibit E
Unit AY-113
Docket No. VGOB-01-0821-0915
List of Conflicting Owners/Claimants that require escrow

BOOK 602 PAGE 033

	Acres in Unit	Interest in Unit
(c) Betty Snead Rt.3 Box 54 Lebanon, VA 24266		
(d) Robert Compton 4478 Island Road Bristol, TN 37620		
(e) Edna Peck <i>Address Unknown</i>		
(f) Ted Wilson <i>Address Unknown</i>		
(g) O'Dell Wilson <i>Address Unknown</i>		
(h) Narcie Dye Noel Rt.2 Box 83 Honaker, VA 24260		
(i) Bernie Darin Dye <i>Address Unknown</i>		

OIL & GAS FEE OWNERSHIP

John H. Dye Heirs, Devisees, Successors or Assigns et al.	13.04 acres	22.2147%
(2) Bernie Darin Dye <i>Address Unknown</i>	2.608 1/5 of 13.04 acres	4.4429%
(3) H.C. Bostic Coal Company P.O. Box 220 Swords Creek, VA 24649	5.216 2/5 of 13.04 acres	8.8859%

Tract #5, 14.98 acres

Note: Escrow due to unknown or unlocatable

COAL FEE OWNERSHIP

(1) J.T. Helton Heirs, Devisees, Successors or Assigns, et al. (70 Acre Tract)	14.98 acres	25.5196%
(a) Arch Holland Dye Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	1.66 acres 11.11% of 14.98 acres	2.8352%
(b) J.T. Helton Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.83 acres 5.56% of 14.98 acres	1.4189%

Exhibit E
Unit AY-113
Docket No. VGOB-01-0821-0915
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Arch Holland Dye Heirs, Devisees, Successors or Assigns, et al. <i>(70 Acre Tract)</i>	14.98 acres	25.5196%
(a) Arch Holland Dye Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	1.66 acres 11.11% of 14.98 acres	2.8352%
(b) J.T. Helton Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.83 acres 5.56% of 14.98 acres	1.4189%

0400555

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 2-10, 2004. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:23 o'clock AM, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Dept. of Mines

BY: Dickie Colley D. CLERK
JESSE DOLLIG M. COMPTON, CLERK