

189

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 02-0416-1024

ELECTIONS: UNIT BA-111
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on July 8, 2002 which was recorded at Deed Book 558, Page 766 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on July 15, 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 BA111;

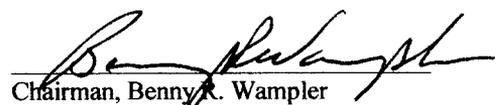
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Union National 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.

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.

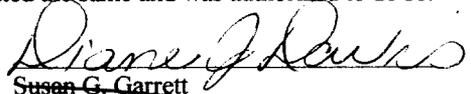
Effective Date: This Order shall be effective on the date of its execution.

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

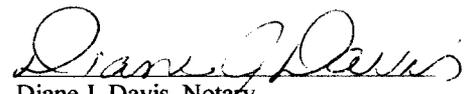
My commission expires: 9/30/05.

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 48.1-681.2

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 BA-111
VGOB 02-0416-1024 in 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 July 8, 2002, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on July 15, 2002;

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 July 8, 2002;

See attached Exhibit B-3

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

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.:

David & Debra Taylor, Nelson Compton, Fred Richardson, Roger Richardson, Earl Whited, Lydia Hess, Goldie Hess, Corine Perkins, Arlene Compton, Leona Shope, Goldine Lilly, Hassel Raymond Abshire, Daniel Abshire, Tolvy "Tracy" Perkins, Carolyn Whited, Kimberly Lynn Street and Lennie E. Perkins

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:

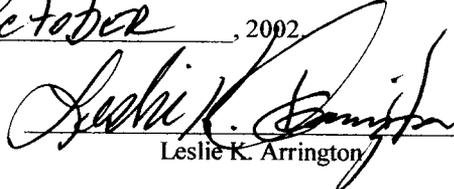
See attached Exhibit B-2

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.

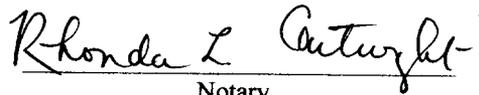
See attached Exhibit EE

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 3rd day of October, 2002.


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 3rd day of October, 2002.


Notary

My commission expires: 10/31/05.

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

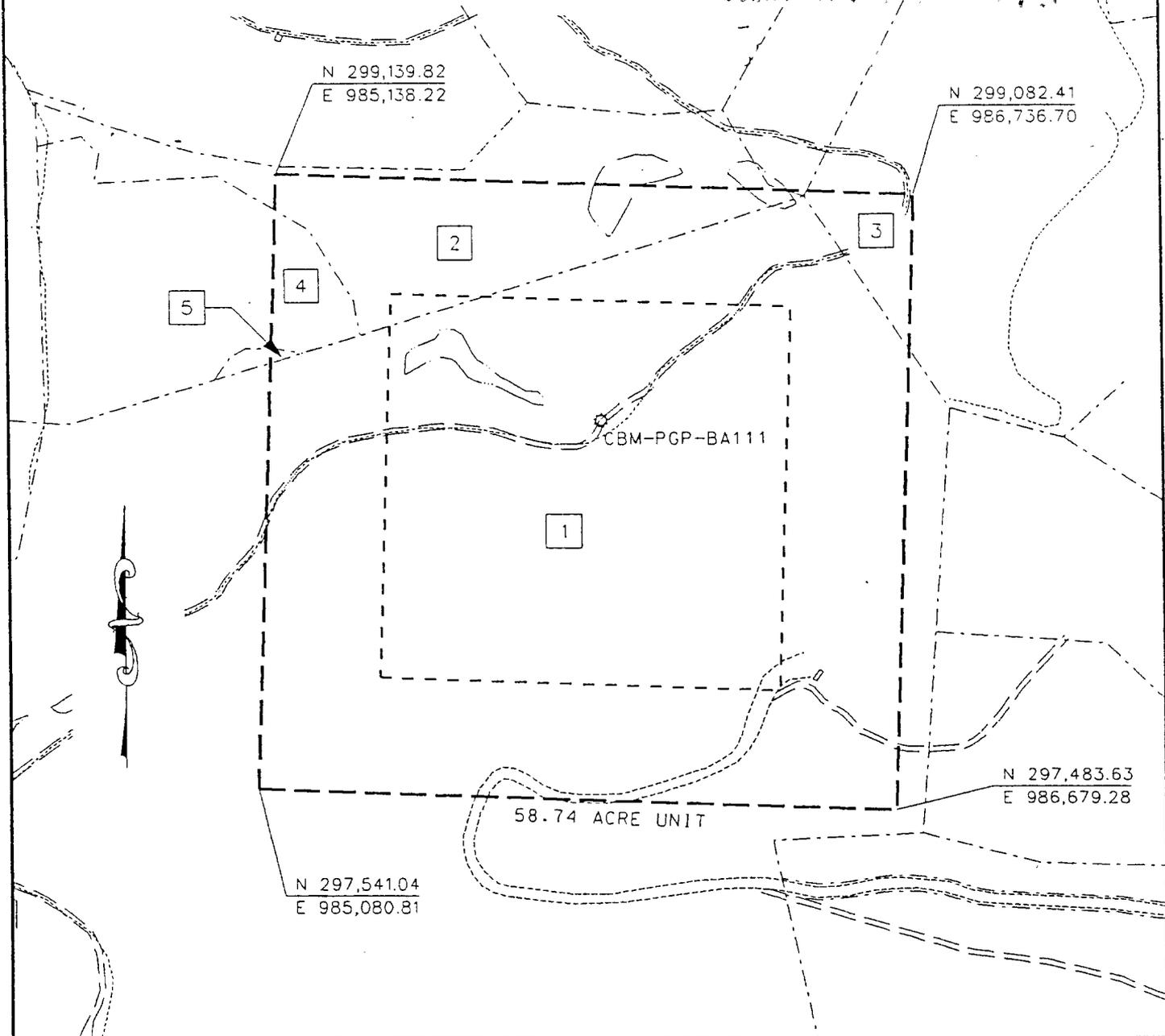


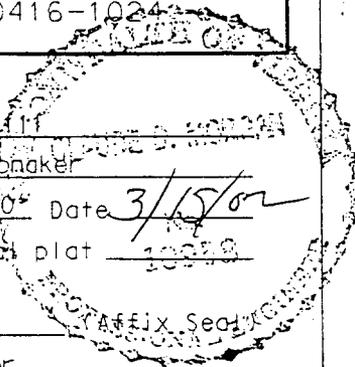
EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BA-111
FORCE POOLING
VGOB-02-0416-1024

Company Pocahontas Gas Partnership Well Name and Number UNIT BA111
Tract No. _____ Elevation _____ Quadrangle Hobacker
County Russell District New Garden Scale: 1" = 400' Date 3/15/02
This plot is a new plot X ; an updated plot _____ ; or a final plot 100%

Form D60-60-7
Rev. 9/91

Charles D. May

Licensed Professional Engineer or Licensed Land Surveyor



March 13, 2002

POCAHONTAS GAS PARTNERSHIP
CBM-PGP-BA-111
Tract Identifications
(58.74 Acre Unit)

1. Buckhorn Coal Company Tr. 10 (J. T. Stinson 170 Acre Tract) - Fee
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
49.74 acres 84.6782 %
2. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Lowie Perkins, et al. - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
6.38 acres 10.8614 %
3. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Jacob Fuller Heirs, Successors or Assigns - Oil & Gas
Wanda L. Ray, et al. - Surface
1.31 acres 2.2302 %
4. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Mary Dye - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
1.27 acres 2.1621 %
5. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Donald Whited, et ux. - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
0.04 acres 0.0681 %

Exhibit B-2
 CBM-PGP-BA111
 Docket No. VGOB 02-0416-1024
 List of Respondents to be Dismissed
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Reason for Dismissal
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #3, 1.31 acres</u>			
Jacob Fuller Heirs, Devisees, Successors or Assigns (51 acre tract)	1.31 acres	2.2302%	
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns			
(c) Brady Massie Heirs, Devisees, Successors or Assigns			
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.0049 acres 0.003704 of 1.31 acres	0.0083%	Leased
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.0243 acres 0.018519 of 1.31 acres	0.0413%	Leased
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns			
(f.3) Fred Richardson 9019 Broken Arrow Road Indianapolis, IN 46234	0.0030 acres 0.002315 of 1.31 acres	0.0052%	Leased
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.0030 acres 0.002315 of 1.31 acres	0.0052%	Leased
(7) Emily Keen Heirs, Devisees, Successors or Assigns			
(a) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Leased
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Leased
(c) Goldie Hess Star Route Box 118 Rowe, VA 24646	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Leased
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Leased
(g) Arlene Compton Rt.2 Box 190 Honaker, VA 24260	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Leased

Exhibit B-2
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Respondents to be Dismissed
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Reason for Dismissal
(h) Leona Shope P.O. Box 272 Rosedale, VA 24280	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Leased
(9) Ellen Brown Heirs, Devisees, Successors or Assigns			
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.0052 acres 0.004 of 1.31 acres	0.0089%	Leased
(e) Hassel Raymond Abshire 1074 Beckley Road Camp Creek, VA 25820	0.0009 acres 0.000667 of 1.31 acres	0.0015%	Leased
(g) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0009 acres 0.000667 of 1.31 acres	0.0015%	Leased
(i) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.0070 acres 0.005334 of 1.31 acres	0.0119%	Leased
(w) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.0026 acres 0.002 of 1.31 acres	0.0045%	Leased
(ah) Kimberly Lynn Street P.O. Box 999 Honaker, VA 24260	0.0012 acres 0.000889 of 1.31 acres	0.0020%	Not an owner
(ag) Dexter Perkins Heirs, Devisees, Successors or Assigns			
(ag.1) Lennie E. Perkins, widow 3814 Ludgate Drive Chesapeake, VA 23321	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Leased

Exhibit B-3
 CBM-PGP-BA111
 Docket No. VGOB 02-0416-1024
 List of Unleased Owners/Claimants
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Election
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #3, 1.31 acres</u>			
Jacob Fuller Heirs, Devisees, Successors or Assigns (51 acre tract)	1.31 acres	2.2302%	
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns			
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.0243 acres 0.018519 of 1.31 acres	0.0413%	Deemed Leased
(c) Brady Massie Heirs, Devisees, Successors or Assigns			
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.0049 acres 0.003704 of 1.31 acres	0.0083%	Deemed Leased
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns			
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.0030 acres 0.002315 of 1.31 acres	0.0052%	Deemed Leased
(2) Alta Cordell Heirs, Devisees, Successors or Assigns			
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns			
(a.1) Virgie Correll <i>Address Unknown</i>	0.1456 acres 0.11111 of 1.31 acres	0.2478%	Deemed Leased
(4) William T. Fuller Heirs, Devisees Successors or Assigns			
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643	0.1456 acres 0.11111 of 1.31 acres	0.2478%	Deemed Leased
(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	0.0243 acres 0.018519 of 1.31 acres	0.0413%	Deemed Leased
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns			

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 59, PAGE 1024

	Acres in Unit	Interest in Unit	Election
(c.2) Michael Coleman <i>Address Unknown</i>	0.0146 acres 0.011112 of 1.31 acres	0.0248%	Deemed Leased
(d) Irene Minnix Heirs, Devisees, Successors or Assigns			
(d.1) Debbie Penaly <i>Address Unknown</i>	0.0291 acres 0.022222 of 1.31 acres	0.0496%	Deemed Leased
(7) Emily Keen Heirs, Devisees, Successors or Assigns			
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Deemed Leased
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Deemed Leased
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns			
(a) Arnold Fuller <i>Address Unknown</i>	0.0364 acres 0.027778 of 1.31 acres	0.0619%	Deemed Leased
(b) Ollie Wilson <i>Address Unknown</i>	0.0364 acres 0.027778 of 1.31 acres	0.0619%	Deemed Leased
(c) Dora Webb <i>Address Unknown</i>	0.0364 acres 0.027778 of 1.31 acres	0.0619%	Deemed Leased
(d) Leona Beavers <i>Address Unknown</i>	0.0364 acres 0.027778 of 1.31 acres	0.0619%	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	0.0004 acres 0.000333 of 1.31 acres	0.0007%	Deemed Leased
(d.2) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.0004 acres 0.000333 of 1.31 acres	0.0007%	Deemed Leased
(f) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.0009 acres 0.000667 of 1.31 acres	0.0015%	Deemed Leased
(h) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.0009 acres 0.000667 of 1.31 acres	0.0015%	Deemed Leased

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Election
(k) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.0070 acres 0.005334 of 1.31 acres	0.0119%	Deemed Leased
(l) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns			
(l.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.0052 acres 0.003944 of 1.31 acres	0.0088%	Deemed Leased
(l.2) Michael Whitt <i>Address Unknown</i>	0.0052 acres 0.003944 of 1.31 acres	0.0088%	Deemed Leased
(m) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.0103 acres 0.007889 of 1.31 acres	0.0176%	Deemed Leased
(n) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.0103 acres 0.007889 of 1.31 acres	0.0176%	Deemed Leased
(o) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.0103 acres 0.007889 of 1.31 acres	0.0176%	Deemed Leased
(p) Judy Farmer HC65 Box 45 Vasant, VA 24656	0.0026 acres 0.002 of 1.31 acres	0.0045%	Deemed Leased
(q) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.0026 acres 0.002 of 1.31 acres	0.0045%	Deemed Leased
(r) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.0026 acres 0.002 of 1.31 acres	0.0045%	Deemed Leased
(s) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.0026 acres 0.002 of 1.31 acres	0.0045%	Deemed Leased
(t) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.0026 acres 0.002 of 1.31 acres	0.0045%	Deemed Leased
(u) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.0030 acres 0.002315 of 1.31 acres	0.0052%	Deemed Leased
(v) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.0026 acres 0.002 of 1.31 acres	0.0045%	Deemed Leased

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Election
(x) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(y) Elmer Brown Rt. 1 Box 476 Vansant, VA 24565	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(z) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(aa) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.00232918 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(ab) Carl Brown 12077 Salem Church Road King George, VA 22485	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(ac) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(ad) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(ae) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(af) Virgil K. Street Box 999 Honaker, VA 24260	0.0023 acres 0.001778 of 1.31 acres	0.0040%	Deemed Leased
(ag) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Deemed Leased
(ai) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Deemed Leased
(aj) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Deemed Leased
(ak) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Deemed Leased
(al) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Deemed Leased

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Election
(am) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Deemed Leased
(an) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.000223 of 1.31 acres	0.0005%	Deemed Leased
(ao) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.0182 acres 0.013889 of 1.31 acres	0.0310%	Deemed Leased
<u>Tract #4, 1.27 acres</u>			
(1) Mary Dye, et al.	1.27 acres	2.1621%	
(b) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.141 acres 1/9 of 1.27 acres	0.2402%	Deemed Leased

Exhibit E
 CBM-PGP-BA111
 Docket No. VGOB 02-0416-1024
 List of Conflicting Owners/Claimants that require escrow
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #2, 6.38 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	6.38 acres	10.8614%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Lowie Perkins, et al.	6.38 acres	10.8614%
(a) Lowie Perkins Rt.2 Box 597 Honaker, VA 24260	3.190 acres 1/2 of 6.38 acres	5.4307%
(b) Wayne Perkins c/o Debbie Boyd 21431 Bonher Road Bristol, VA 24202	3.190 acres 1/2 of 6.38 acres	5.4307%
<u>Tract #3, 1.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.31 acres	2.2302%
<u>OIL & GAS FEE OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns (51 acre tract)	1.31 acres	2.2302%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(a) Claude and Lauran Compton Heirs		
(a.1) Geneva Cotsmire 215 Kanawha Avenue Dunbar, WV 25064	0.0061 acres 0.004630 of 1.31 acres	0.0103%
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.0061 acres 0.00463 of 1.31 acres	0.0103%
(a.3) Margaret Kleffman 5112 Kingsport Highway Gray, TN 37615	0.0061 acres 0.00463 of 1.31 acres	0.0103%
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.0061 acres 0.00463 of 1.31 acres	0.0103%

Exhibit E
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 13-12-13-17-11

	Acres in Unit	Interest in Unit
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(c) Brady Massie Heirs, Devisees, Successors or Assigns		
(c.1) James Massie P.O. Box 682 Honaker, VA 24260	0.0049 acres 0.003704 of 1.31 acres	0.0083%
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.0049 acres 0.003704 of 1.31 acres	0.0083%
(c.3) Ruby & Leroy Lester 627 Twin Oak Circle Lebanon, VA 24266	0.0049 acres 0.003704 of 1.31 acres	0.0083%
(c.4) Gladys Puckett P.O. Box 153 Easley, SC 29641	0.0049 acres 0.003704 of 1.31 acres	0.0083%
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.0049 acres 0.003704 of 1.31 acres	0.0083%
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns		
(f.1) William Earl Richardson 1140 Texarkana Drive Indianapolis, IN 46231	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(f.2) Nelson Richardson 1124 Texarkana Drive Indianapolis, IN 46231	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(f.3) Fred Richardson 9019 Broken Arrow Road Indianapolis, IN 46234	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.0030 acres 0.002315 of 1.31 acres	0.0052%

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(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(f.5) Alice Marie Musick 7981 N. 875 W Indianapolis, IN 46259	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(f.6) Betty Doty 875 W. 6779 Lambert Street Indianapolis, IN 46241	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(f.8) Violet Dunn 8607 Mosey Manor Indianapolis, IN 46231	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		
(a.1) Virgie Correll <i>Address Unknown</i>	0.1456 acres 0.11111 of 1.31 acres	0.2478%
(3) Myrtle Rowe Heirs, Devisees Successors or Assigns		
(a) Ellen Fletcher HC65 Box 27A Rowe, VA 24649	0.1456 acres 0.11111 of 1.31 acres	0.2478%
(4) William T. Fuller Heirs, Devisees Successors or Assigns		
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643	0.1456 acres 0.11111 of 1.31 acres	0.2478%
(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	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(b.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260	0.0121 acres 0.009259 of 1.31 acres	0.0206%

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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.0121 acres 0.009259 of 1.31 acres	0.0206%
(d) Ralph Rasnake Heirs, Devisees, Successors or Assigns		
(d.1) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(e) James Earl Rasnake Heirs, Devisees, Successors or Assigns		
(e.1) Louella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(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 Suffolk, VA 23434	0.0146 acres 0.011111 of 1.31 acres	0.0248%
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.0146 acres 0.011111 of 1.31 acres	0.0248%
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns		
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.0582 acres 0.044444 of 1.31 acres	0.0991%
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Mellie Coleman <i>Address Unknown</i>	0.0146 acres 0.011112 of 1.31 acres	0.0248%
(c.2) Michael Coleman <i>Address Unknown</i>	0.0146 acres 0.011112 of 1.31 acres	0.0248%

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	Acres in Unit	Interest in Unit
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		
(d.1) Debbie Penaly Address Unknown	0.0291 acres 0.022222 of 1.31 acres	0.0496%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(a) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(c) Goldie Hess Star Route Box 118 Rowe, VA 24646	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(g) Arlene Compton Rt.2 Box 190 Honaker, VA 24260	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(h) Leona Shope P.O. Box 272 Rosedale, VA 24280	0.0182 acres 0.013889 of 1.31 acres	0.0310%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller Address Unknown	0.0364 acres 0.027778 of 1.31 acres	0.0619%
(b) Ollie Wilson Address Unknown	0.0364 acres 0.027778 of 1.31 acres	0.0619%
(c) Dora Webb Address Unknown	0.0364 acres 0.027778 of 1.31 acres	0.0619%
(d) Leona Beavers Address Unknown	0.0364 acres 0.027778 of 1.31 acres	0.0619%

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(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.0052 acres 0.004 of 1.31 acres	0.0089%
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.0052 acres 0.004 of 1.31 acres	0.0089%
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.0052 acres 0.004 of 1.31 acres	0.0089%
(d) Luther Abshire, Jr. Heirs, Devisees, Successors or Assigns		
(d.1) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.0004 acres 0.000333 of 1.31 acres	0.0007%
(d.2) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.0004 acres 0.000333 of 1.31 acres	0.0007%
(e) Hassel Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.0009 acres 0.000667 of 1.31 acres	0.0015%
(f) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.0009 acres 0.000667 of 1.31 acres	0.0015%
(g) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0009 acres 0.000667 of 1.31 acres	0.0015%
(h) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.0009 acres 0.000667 of 1.31 acres	0.0015%
(j) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.0070 acres 0.005334 of 1.31 acres	0.0119%
(k) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.0070 acres 0.005334 of 1.31 acres	0.0119%
(l) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(l.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.0052 acres 0.003944 of 1.31 acres	0.0088%

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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(l.2) Michael Whitt <i>Address Unknown</i>	0.0052 acres 0.003944 of 1.31 acres	0.0088%
(m) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.0103 acres 0.007889 of 1.31 acres	0.0176%
(n) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.0103 acres 0.007889 of 1.31 acres	0.0176%
(o) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.0103 acres 0.007889 of 1.31 acres	0.0176%
(p) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.0026 acres 0.002 of 1.31 acres	0.0045%
(q) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.0026 acres 0.002 of 1.31 acres	0.0045%
(r) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.0026 acres 0.002 of 1.31 acres	0.0045%
(s) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.0026 acres 0.002 of 1.31 acres	0.0045%
(t) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.0026 acres 0.002 of 1.31 acres	0.0045%
(u) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.0030 acres 0.002315 of 1.31 acres	0.0052%
(v) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.0026 acres 0.002 of 1.31 acres	0.0045%
(w) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.0026 acres 0.002 of 1.31 acres	0.0045%
(x) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.0023 acres 0.001778 of 1.31 acres	0.0040%
(y) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.0023 acres 0.001778 of 1.31 acres	0.0040%

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(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(z) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.0023 acres 0.001778 of 1.31 acres	0.0040%
(aa) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.00232918 acres 0.001778 of 1.31 acres	0.0040%
(ab) Carl Brown 12077 Salem Church Road King George, VA 22485	0.0023 acres 0.001778 of 1.31 acres	0.0040%
(ac) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.0023 acres 0.001778 of 1.31 acres	0.0040%
(ad) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.0023 acres 0.001778 of 1.31 acres	0.0040%
(ae) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.0023 acres 0.001778 of 1.31 acres	0.0040%
(af) Virgil K. Street Box 999 Honaker, VA 24260	0.0023 acres 0.001778 of 1.31 acres	0.0040%
(ag) Dexter Perkins Heirs, Devisees, Successors or Assigns		
(ag.1) Lennie E. Perkins, widow 3814 Ludgate Drive Chesapeake, VA 23321	0.0003 acres 0.000223 of 1.31 acres	0.0005%
(ah) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.000223 of 1.31 acres	0.0005%
(ai) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.0003 acres 0.000223 of 1.31 acres	0.0005%
(aj) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.0003 acres 0.000223 of 1.31 acres	0.0005%
(ak) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.0003 acres 0.000223 of 1.31 acres	0.0005%
(al) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.0003 acres 0.000223 of 1.31 acres	0.0005%

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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(am) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.0003 acres 0.000223 of 1.31 acres	0.0005%
(an) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.000223 of 1.31 acres	0.0005%
(ao) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.0182 acres 0.013889 of 1.31 acres	0.0310%

Tract #4, 1.27 acres

COAL FEE OWNERSHIP

(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.27 acres	2.1621%
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OIL & GAS FEE OWNERSHIP

(1) Mary Dye, et al.	1.27 acres	2.1621%
(b) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.141 acres 1/9 of 1.27 acres	0.2402%
(c) Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.141 acres 1/9 of 1.27 acres	0.2402%
(d) Allen Dye 19433 Avon-Belden Road Grafton, OH 44044	0.141 acres 1/9 of 1.27 acres	0.2402%
(e) Janice Workman 7762 State Road Parma, OH 44134	0.141 acres 1/9 of 1.27 acres	0.2402%
(f) Mack Dye c/o Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.141 acres 1/9 of 1.27 acres	0.2402%
(g) Russell H. Dye, Jr. 3562 Winchell Road Mantua, OH 44255	0.141 acres 1/9 of 1.27 acres	0.2402%

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	Acres in Unit	Interest in Unit
<u>Tract #5, 0.04 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	0.04 acres	0.0681%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Donald Whited, et ux. P.O. Box 417 Swords Creek, VA 24649	0.04 acres	0.0681%

Exhibit EE
 CBM-PGP-BA111
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 List of Conflicting Owners/Claimants with Royalty Split Agreements
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #3, 1.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.31 acres	2.2302%
<u>OIL & GAS FEE OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns (51 acre tract)	1.31 acres	2.2302%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.0243 acres 0.018519 of 1.31 acres	0.0413%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(i) Anna Nuckles Rt.1 Box 156 Vasant, VA 24565	0.0070 acres 0.005334 of 1.31 acres	0.0119%

Tract #4, 1.27 acres

COAL FEE OWNERSHIP

(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.27 acres	2.1621%
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OIL & GAS FEE OWNERSHIP

(1) Mary Dye, et al.	1.27 acres	2.1621%
(a) Mary Dye P.O. Box 391 Damascus, VA 24236	0.423 acres 1/3 of 1.27 acres	0.7207%

0000804

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 02-25, 2003. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:10 o'clock A.M., after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: DOLLIE M. COMPTON, CLERK
 BY: Amv. McReynolds D. CLERK

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
RUSSELL CIRCUIT COURT
DEED RECEIPT

DATE: 02/25/03 TIME: 10:10:43 ACCOUNT: 167CLR0300804 RECEIPT: 02000001487
CASHIER: CSS REG: 8006 TYPE: 000 PAYMENT: FULL PAYMENT
INSTRUMENT : 0200804 BOOK: 575 PAGE: 275 RECORDED: 02/25/03 AT 10:10
GRANTOR NAME : VIRGINIA GAS AND OIL BOARD EX: N LOCALITY: CO
GRANTEE NAME : POCAHONTAS GAS PARTNERSHIP EX: N PERCENT: 100%

AND ADDRESS :
RECEIVED OF : DEPT OF MME
CHECK : \$35.00

DESCRIPTION 1: REPORT OF BOARD FINDINGS AND ORDER PAGES: 25
2: NAMES: 0
CONSIDERATION: .00 ASSUME/VAL: .00 MAP:

CODE DESCRIPTION	PAID	CODE DESCRIPTION	PAID
301 DEEDS	35.00		
		TENDERED :	35.00
		AMOUNT PAID:	35.00
		CHANGE AMT :	.00

CLERK OF COURT: DOLLIE M. COMPTON