

V I R G I N I A:

BOOK 587 PAGE 394

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: POCAHONTAS GAS PARTNERSHIP ) VIRGINIA GAS  
) AND OIL BOARD  
RELIEF SOUGHT: POOLING OF INTERESTS IN )  
DRILLING UNIT NO. AV-124 LOCATED ) DOCKET NO.  
IN THE MIDDLE RIDGE I COALBED ) 02-0820-1050  
METHANE GAS FIELD PURSUANT TO VA. )  
CODE §§ 45.1-361.21 AND 45.1-361.22, )  
FOR THE PRODUCTION OF OCCLUDED )  
NATURAL GAS PRODUCED FROM COALBEDS )  
AND ROCK STRATA ASSOCIATED THEREWITH )  
(herein collectively referred to as )  
"Coalbed Methane Gas" or "Gas" )  
) )  
LEGAL DESCRIPTION: )  
) )  
DRILLING UNIT NUMBER AV-124 )  
(herein "Subject Drilling Unit") IN THE )  
MIDDLE RIDGE I COALBED METHANE GAS FIELD )  
NEW GARDEN MAGISTERIAL DISTRICT )  
HONAKER QUADRANGLE )  
RUSSELL COUNTY, VIRGINIA )  
(the "Subject Lands" are more )  
particularly described on Exhibit )  
"A", attached hereto and made a )  
part hereof) )

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for final hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on October 15, 2002 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, Virginia.
2. Appearances: Mark Swartz, Esquire, of the firm Swartz & Stump, L.C., appeared for the Applicant; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board. Respondent Paul Richardson also appeared and testified.
3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a search of the reasonably available sources to determine the identity and whereabouts of gas and oil owners, coal owners, mineral owners and/or potential owners, i.e., persons identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all coal seams below the Jawbone 1 Seam, including the Tiller Seam, Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas No. 9, Pocahontas No. 8, Pocahontas No. 7, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 2 and various unnamed coal seams, coalbeds and rock strata associated therewith down to the red and green shales (hereafter "Subject Formation") in Subject Drilling Unit underlying and comprised of Subject Lands; (2) represented it has given notice to those parties (hereafter sometimes "person(s)" whether

referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code §§ 45.1-361.19 and 45.1-361.22, to notice of the Application filed herein; and (3) that the persons set forth in Exhibit B-3 hereto are persons identified by Applicant through its due diligence who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation, in Subject Drilling Unit underlying and comprised of Subject Lands, who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Drilling Unit are listed on Exhibit E. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Amendments: Ex. B-2; Ex. B-3; Ex. E

5. Dismissals: See Exhibit B-2

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

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

<u>Subject Formation</u>	<u>Unit Size</u>	<u>Permitted Well Location(s)</u>	<u>Field and Well Classification</u>	<u>Order Number</u>
All below drainage coalbeds and coal seams and associated rock strata which may include but are not limited to the Jawbone I seam down to the red and green shales	Approximately 49.05 acre square drilling unit	Well CBM-PGP-AV-124 is to be located in Subject Drilling Unit at the location depicted on the Plat attached hereto as Exhibit A.	Middle Ridge I Coalbed Gas Field for Coalbed Methane Gas Produced in advance of mining including Gas from any Additional Well Authorized Pursuant to Va. Code § 45.1-361.20	VGOB 00-1017-0835 (herein "Middle Ridge I Field Rules")

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

Unit Number AV-124  
Russell County, Virginia

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

For Frac Well Gas. - Gas shall be produced from and allocated to only the 49.05-acre drilling unit in which the well(s) is located according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Drilling Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire 49.05-acre drilling unit in the manner set forth in the Middle Ridge I Field Rules.

8. Election and Election Period: In the event any Owner or Claimant named in Exhibit B-3 hereto does not reach a voluntary agreement to share in the operation of the well located in the Subject Drilling Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address shown below within thirty (30) days from the date this Order is recorded in the county above named. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

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

Completed-for-Production Cost:     \$228,589.30

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

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of \$1.00 per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Coalbed Methane Gas produced from any Well Development and Operation covered by this Order multiplied by that person's Interest in Unit or proportional share of said production [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said

anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, subject to a final legal determination of ownership, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

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

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

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the rights, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to have and hereby does assign its rights, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to

the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

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

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

12. Assignment of Interest: In the event a person named in Exhibit B-3 is unable to reach a voluntary agreement to share in the Well Development and Operation contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Unit Operator, and such person elects or fails to elect to do other than participate under Paragraph 9.1 above in the Well Development and Operation in Subject Formations in Subject Drilling Unit, then subject to a final legal determination of ownership, such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well, and other share in production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said election.

13. Unit Operator (or Operator): Pocahontas Gas Partnership be and hereby is designated as Unit Operator authorized to drill and operate the Coalbed Methane Well in Subject Formation in Subject Drilling Unit, all

subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; the Middle Ridge I Coalbed Gas Field Order VGOB 00-1017-0835, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

Pocahontas Gas Partnership  
 P. O. Box 947  
 Bluefield, VA 24605  
 Phone: (276) 988-1016  
 Fax: (276) 988-1055  
 Attn: Leslie K. Arrington

14. Commencement of Operations: Unit Operator shall commence or cause to commence operations for the drilling of the well(s) within the Subject Drilling Unit and/or the well(s) outside the Subject Drilling Unit but from which production is allocated to the Subject Drilling Unit within Seven Hundred and Thirty (730) days from the date of the Order and shall prosecute same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums then payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which all wells covered by the Order and/or all wells from which production is allocated to the Subject Drilling Unit are permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the petition for appeal and the final Order of the Circuit Court shall be excluded in calculating the two-year period referred to herein.

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

16. Escrow Provisions:

The Unit Operator represented to the Board that there are unknown or unlocatable Claimants in Tract 1A of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.1, and that there are conflicting Claimants in Tracts 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1I, 1J, 2A, 2B and 2C of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Therefore, by this Order, the Board instructs the Escrow Agent named herein or any successor named by the Board to establish an interest-bearing escrow account for Subject Drilling Unit with subaccounts for Tracts 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1I, 1J, 2A, 2B and 2C (herein "Escrow Account") and to receive and account to the Board pursuant to its agreement for funds hereafter described in Paragraphs 16.1 and 16.2.

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

- 16.1. Escrow Provisions For Unknown or Unlocatable Persons: If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.
- 16.2. Escrow Provisions For Conflicting Claimants: If any payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board.
17. Special Findings: The Board specifically and specially finds:
- 17.1. Pocahontas Gas Partnership is a Virginia general partnership composed of Consolidation Coal Company and CONSOL Energy, Inc. Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;
- 17.2. Pocahontas Gas Partnership is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;
- 17.3. Pocahontas Gas Partnership, claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing 52.3339 percent of the oil and gas interests/claims to Coalbed Methane Gas and 100.00 percent of the coal interests/claims to Coalbed Methane Gas in Subject Drilling Unit, and Pocahontas Gas Partnership claims

the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Middle Ridge I Unit Number AV-124 in Russell County, Virginia, which Subject Lands are more particularly described in Exhibit "A";

17.4. The estimated total production from Subject Drilling Unit is 125 to 550 MMCF. The estimated amount of reserves from the Subject Drilling Unit is 125 to 550 MMCF;

17.5. The testimony presented by the Applicant at the hearing, and in the Application filed herein, and the testimony of Paul Richardson at the hearing are in conflict. The Board is without jurisdiction to resolve such title/ownership issues. Therefore, without ruling on Mr. Richardson's objections, the Board notes them for the record and orders that the Unit Operator escrow payments attributable to Tract 1A pending resolution of the disputed ownership interests within said tract.

17.6. Set forth in Exhibit B-3 is the name and last known address of each Owner or Claimant identified by the Unit Operator as having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Drilling Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests/claims in Subject Drilling Unit for its development. The interests/claims of the Respondents listed in Exhibit B-3 comprise 47.6661 percent of the oil and gas interests/claims to Coalbed Methane Gas and 0.00 percent of the coal interests/claims to Coalbed Methane Gas in Subject Drilling Unit;

17.7. Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in any well covered hereby are those options provided in Paragraph 9 above;

17.8. The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in Exhibit B-3 hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of coalbed methane gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt to each known and locatable Respondent, if any, named in Exhibit B-3 pooled by this Order and to each Respondent named in Exhibit E whose claims are subject to the escrow requirements of this Order.

19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said

Director and/or his Inspector(s).

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

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

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

DONE AND EXECUTED this 11<sup>th</sup> day of July, 2003, by a majority of the Virginia Gas and Oil Board.

Benny R. Wampler  
Chairman, Benny R. Wampler

DONE AND PERFORMED this 11<sup>th</sup> day of July, 2003, by Order of this Board.

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

STATE OF VIRGINIA )  
COUNTY OF WISE )

Acknowledged on this 11<sup>th</sup> day of July, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

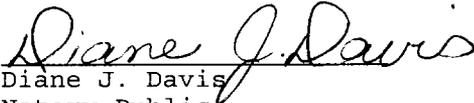
Susan G. Garrett  
~~Susan G. Garrett~~  
Notary Public

My commission expires ~~July 31, 2006~~ 9/30/05

STATE OF VIRGINIA )  
COUNTY OF WASHINGTON )

Acknowledged on this 11<sup>th</sup> day of July, 2003, personally before

me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public

My commission expires September 30, 2005

Order Recorded Under Code of  
Virginia Section 46.1-361.23

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

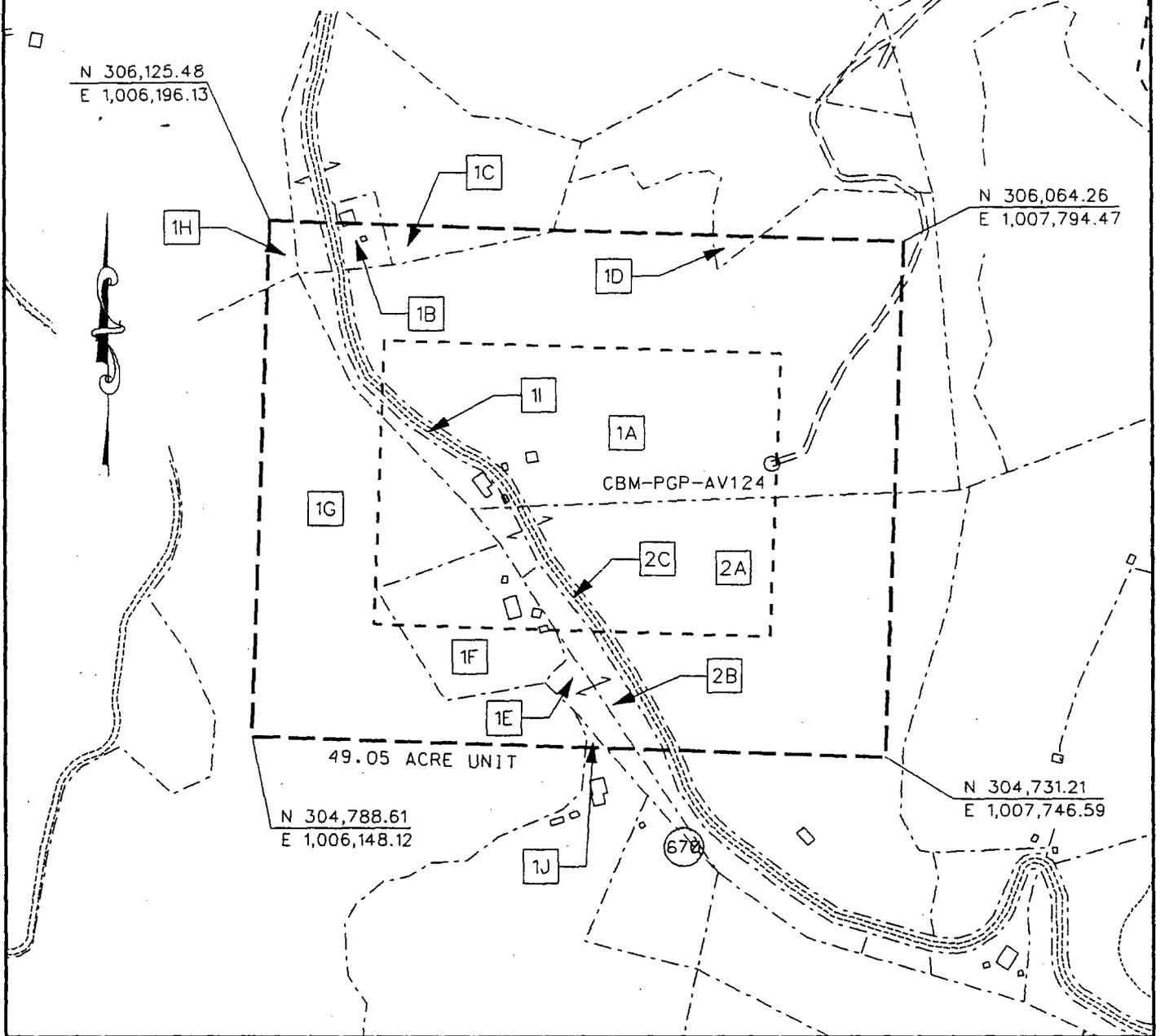


EXHIBIT A  
 MIDDLE RIDGE 1 FIELD  
 UNIT AV-124  
 FORCE POOLING  
 VGOB-02-0820-1050

Company Pocahontas Gas Partnership Well Name and Number UNIT AV124  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle 4104  
 County Russell District New Garden Scale: 1" = 400' Date 7/17/02  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat No. \_\_\_\_\_

Form DGO-GO-7  
 Rev. 9/91

*Charles D. Morgan*  
 Licensed Professional Engineer or Licensed Land Surveyor

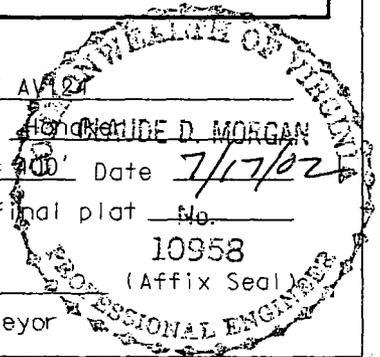


Exhibit B-2  
 CBM-PGP-AV124  
 Docket #VGOB 02-0820-1050  
 List of Respondents to be Dismissed  
 (49.05 Acre Unit)

BOOK 587 PAGE 406

	Acres in Unit	Interest in Unit	Reason for Dismissal
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>			
<b><u>Tract #1E, 0.47 acres</u></b>			
(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.47 acres	0.9582%	
(5) Beve Keen Heirs, Devisees, Successors or Assigns			
(c) Dell Proffitt Heirs, Devisees, Successors or Assigns			
(c.3) Troy Leen Proffitt P.O. Box 407 Auxier, KY 41602	0.0045 acres 1/105 of 0.47 acres	0.0091%	Leased
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns			
(e.1) Martha Sneed Rt.1 Box 24 Pounding Mill, VA 24637	0.0067 acres 1/70 of 0.47 acres	0.0137%	Leased
(6) Frank Keen Heirs, Devisees, Successors or Assigns			
(a) Hershel Keen P.O. Box 26 Shorts Gap, VA 24647	0.0336 acres 1/14 of 0.47 acres	0.0684%	Leased
(7) Chloe Horn Heirs, Devisees, Successors or Assigns			
(b) Lovis Reedy Horn Short Heirs, Devisees, Successors or Assigns			
(b.6) Johnny Short P.O. Box 963 Cedar Bluff, VA 24601	0.0025 acres 1/189 of 0.47 acres	0.0051%	Leased
<b><u>Tract #2A, 11.16 acres</u></b>			
(1) Noah Newberry Heirs, Devisees, Successors or Assigns	11.16 acres	22.7523%	
(a) Hazel Richardson Heirs, Devisees, Successors or Assigns			
(a.2) Laudy Richardson Heirs, Devisees, Successors or Assigns			
(a.2.2) Carol Sue Hale 117 Henderson Street Richlands, VA 24641	0.0590 acres 1/189 of 11.16 acres	0.1204%	Not an owner

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	Acres in Unit	Interest in Unit	Reason for Dismissal
(a.2.3) Lonnie Richardson 6169 Turner Drive Clayton, IN 46118	0.0590 acres 1/189 of 11.16 acres	0.1204%	Not an owner
(a.2.4) Barbara Huesman 111 Woodlawn Avenue Aurora, IN 47001	0.0590 acres 1/189 of 11.16 acres	0.1204%	Not an owner
(a.3) Evangeline Blake 1212 Mary Ellen Avenue Chesapeake, VA 23324	0.1771 acres 1/63 of 11.16 acres	0.3611%	Leased
(c) Madeline Vance Heirs, Devisees, Successors or Assigns			
(c.1) Carlos Vance P.O. Box 25 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%	Leased
(c.3) Mary Sparks P.O. Box 31 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%	Leased
(c.4) Carrie Dell Boyd RR1 Box 387 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%	Leased
(d) Sylvia Short Heirs, Devisees, Successors or Assigns			
(d.3) Carrie (Miller) Mullins P.O. Box 360 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%	Leased
(e) Pauline Muse 999 Westover Drive High Point, NC 27265	1.2400 acres 1/9 of 11.16 acres	2.5280%	Leased
(f) Junior Newberry P.O. Box 988 Raven, VA 24639	1.2400 acres 1/9 of 11.16 acres	2.5280%	Leased
(g) Juanita Byrd Heirs, Devisees, Successors or Assigns			
(g.2) Tammy Hardman 526 Dogwood Court High Point, NC 27260	0.4133 acres 1/27 of 11.16 acres	0.8427%	Leased
(g.3) Debbie Ann Martin Heirs, Devisees, Successors or Assigns			
(g.3.1) Chad Martin 146 Lee Avenue Ashland, OH 44805	0.4133 acres 1/27 of 11.16 acres	0.8427%	Leased

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	Acres in Unit	Interest in Unit	Reason for Dismissal
<b><u>Tract #2B, 0.85 acres</u></b>			
(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.85 acres	1.7329%	
(5) Beve Keen Heirs, Devisees, Successors or Assigns			
(c) Dell Proffit Heirs, Devisees, Successors or Assigns			
(c.3) Troy Leen Proffit P.O. Box 407 Auxier, KY 41602	0.0081 acres 1/105 of 0.85 acres	0.0165%	Leased
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns			
(e.1) Martha Sneed Rt.1 Box 24 Pounding Mill, VA 24637	0.0121 acres 1/70 of 0.85 acres	0.0248%	Leased
(6) Frank Keen Heirs, Devisees, Successors or Assigns			
(a) Hershel Keen P.O. Box 26 Shorts Gap, VA 24647	0.0607 acres 1/14 of 0.85 acres	0.1238%	Leased
(7) Chloe Horn Heirs, Devisees, Successors or Assigns			
(b) Lovis Reedy Horn Short Heirs, Devisees, Successors or Assigns			
(b.6) Johnny Short P.O. Box 963 Cedar Bluff, VA 24601	0.0045 acres 1/189 of 0.85 acres	0.0092%	Leased

Exhibit B-3  
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	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>		
<b><u>Tract #1A, 19.88 acres</u></b>		
(1) Mary Richardson, et al.	19.88 acres	40.5301%
(b) Jamie Richardson Address Unknown	6.627 acres 1/3 of 19.88 acres	13.5100%
(c) Jeannie Richardson Address Unknown	6.627 acres 1/3 of 19.88 acres	13.5100%
<b><u>Tract #1E, 0.47 acres</u></b>		
(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.47 acres	0.9582%
(1) Bertie Horn Heirs, Devisees, Successors or Assigns		
(a) Thelma Keen Heirs, Devisees, Successors or Assigns		
(a.1) Arnold Keen, widower P.O. Box 58 Oakwood, VA 24631	0.0336 acres 1/14 of 0.47 acres	0.0684%
(2) Ernest Keen Heirs, Devisees, Successors or Assigns		
(a) Ralph Keen 22890 Summit Drive Lebanon, VA 24266	0.0112 acres 1/42 of 0.47 acres	0.0228%
(b) Arnold Keen 962 Ascue Road Cedar Bluff, VA 24609	0.0112 acres 1/42 of 0.47 acres	0.0228%
(c) Paul Keen Rt.4 Box 597 North Tazewell, VA 24630	0.0112 acres 1/42 of 0.47 acres	0.0228%
(d) Ann McCowan P.O. Box 677 Rosedale, VA 24280	0.0112 acres 1/42 of 0.47 acres	0.0228%
(e) Ruby Lee Hale P.O. Box 585 Pounding Mill, VA 24637	0.0112 acres 1/42 of 0.47 acres	0.0228%
(f) Anna Lambert Rt.4 Box 597 North Tazewell, VA 24630	0.0112 acres 1/42 of 0.47 acres	0.0228%
(3) Mollie Horn (Miles) Heirs, Devisees, Successors or Assigns		

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	Acres in Unit	Interest in Unit
(a) Gladys Miller P.O. Box 194 Lucas, OH 44843	0.0224 acres 1/21 of 0.47 acres	0.0456%
(b) Harold Horn Heirs, Devisees, Successors or Assigns		
(b.1) Mollie Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.2) Edith Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.3) Roy Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.4) Harold David Horn 138 Chesshire Street Delaware, OH 43015	0.0056 acres 1/84 of 0.47 acres	0.0114%
(c) Willard Horn Heirs, Devisees, Successors or Assigns		
(c.1) Juanita Horn, widow P.O. Box 1858 Honaker, VA 24260	0.0224 acres 1/21 of 0.47 acres	0.0456%
(4) Major Wallace Keen Heirs, Devisees, Successors or Assigns		
(b) Garcie Keen Heirs, Devisees, Successors or Assigns		
(b.1) Werley Keen P.O. Box 1311 Mt. Vernon, OH 43050	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.2) McArthur Keen 840 Cedar Avenue, Apt. 21 Long Beach, CA 90813	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.3) Garnie Cordill 110 Douglas Street Mt. Gilead, OH 43338-1206	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.4) Sylvia Meadows 5945 St. Rt. 314 Fredericktown, OH 43019	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.6) Robert Keen Heirs, Devisees, Successors or Assigns		

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	Acres in Unit	Interest in Unit
(b.6.2) Carol Bailey 239 1/2 East Church Street Marion, OH 43302	0.0014 acres 1/336 of 0.47 acres	0.0029%
(b.6.3) Glen Keen 1912 West Willow Avenue Long Beach, CA 90800	0.0014 acres 1/336 of 0.47 acres	0.0029%
(b.6.4) Wanda Wyss 1750 South Avenue Marion, OH 43302	0.0014 acres 1/336 of 0.47 acres	0.0029%
(b.6.5) Sonia Hoffer 6415 County Road 93 Mt. Gilead, OH 43338	0.0014 acres 1/336 of 0.47 acres	0.0029%
(5) Beve Keen Heirs, Devisees, Successors or Assigns		
(a) Dolphis McKinley Keen Oppossum Run Road Mansfield, OH 44903	0.0134 acres 1/35 of 0.47 acres	0.0274%
(c) Dell Proffit Heirs, Devisees, Successors or Assigns		
(c.1) Gladesie Whiled P.O. Box 773 Raven, VA 24639	0.0045 acres 1/105 of 0.47 acres	0.0091%
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns		
(e.2) David Shortt Rt.1 Box 24 Pounding Mill, VA 24637	0.0067 acres 1/70 of 0.47 acres	0.0137%
(e.3) Noah Short Rt.1 Box 24 Pounding Mill, VA 24637	<i>Life Estate</i>	
(6) Frank Keen Heirs, Devisees, Successors or Assigns		
(a.1) Rondal W. Keen 32949 Fields Road Richwood, OH 43344	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.4) Lloyd Monroe Keen 7269 County Road 89 Mt. Gilead, OH 43338	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.5) Lena Irene Nichols 203 Orchard Drive Kearneysville, WV 25430	0.0031 acres 1/154 of 0.47 acres	0.0062%

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	Acres in Unit	Interest in Unit
(a.6) Bessie Lulabell Hammond 7117 County Road 59 Mansfield, OH 44909	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.7) Pansey Ilene Yoder Rt.3 Box 6882 County Road 22 Fredericktown, OH 43019	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.8) Ronald Gillespie, widower 6394 County Road 20 Mt. Gilead, OH 43338	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.10) Kenneth Keen 5990 County Road 50 Mt. Gilead, OH 43338	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.11) Ronald Keith Keen 705 East Chestnut Street Mt. Vernon, OH 43050	0.0031 acres 1/154 of 0.47 acres	0.0062%
(b) Thelma Keen 5990 County Road 50 Mt. Gilead, OH 43338	<i>Life Estate</i>	
(7) Chloe Horn Heirs, Devisees, Successors or Assigns		
(a) Roy Joe Horn P.O. Box 591 Raven, VA 24639	0.0224 acres 1/21 of 0.47 acres	0.0456%
(b) Lovis Reedy Horn Short Heirs, Devisees, Successors or Assigns		
(b.2) Ellen Horn P.O. Box 782 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.3) Pearl Osborne Rt.1 Box 141 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.4) Louis Short P.O. Box 1004 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.7) Roger Short P.O. Box 782 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.8) Ruby Osborne P.O. Box 216 Oakwood, VA 24631	0.0025 acres 1/189 of 0.47 acres	0.0051%
(c) Edna Bell Horn Heirs, Devisees, Successors or Assigns		

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	Acres in Unit	Interest in Unit
(c.1) Lilly Bell Elswick Rt.1 Box 331 Tazewell, VA 24651	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.2) Roy Rogers Horn 542 River Oaks Drive Danville, VA 24540	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.3) Shelby Jean Reynolds 136 Longacre Lane Princeton, WV 24740	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.4) Willie May Mutter 7683 Lee Highway Rural Retreat, VA 24368	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.5) William Ray Horn HC65 Box 25 Oakwood, VA 24631	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.6) Thelma Marie Underwood HC66 Box 62A Whitewood, VA 24657	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.7) Joseph Paul Horn HC66 Box 323 Jewell Ridge, VA 24622	0.0032 acres 1/147 of 0.47 acres	0.0065%
<b><u>Tract #1F, 2.72 acres</u></b>		
(1) William N. Wilson, et ux. Rt.1 Box 411G Lebanon, VA 24266	2.72 acres	5.5454%
<b><u>Tract #1I, 0.85 acres</u></b>		
(1) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.85 acres	1.7329%
<b><u>Tract #1J, 0.04 acres</u></b>		
(1) Billy Propst RR1 Box 317 Raven, VA 24639	0.04 acres	0.0815%
<b><u>Tract #2A, 11.16 acres</u></b>		
(1) Noah Newberry Heirs, Devisees, Successors or Assigns	11.16 acres	22.7523%
(a) Hazel Richardson Heirs, Devisees, Successors or Assigns		

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	Acres in Unit	Interest in Unit
(a.1) Paul E. Richardson 8444 S. County Rd. 350W Stilesville, IN 46180-9728	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.2) Laudy Richardson Heirs, Devisees, Successors or Assigns		
(a.2.1) Shelby Ruth Richardson, Widow 6169 Turner Drive Clayton, IN 46118	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.5) Leonard Richardson 502 S. Holt Road Indiapolis, IN 46241	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.6) Bobby Richardson 2255 Road Ridge Turnpike Raven, VA 24639	0.1771 acres 1/63 of 11.16 acres	0.3611%
(b) Frazier Newberry Heirs, Devisees, Successors or Assigns		
(b.1) Steve Allen Short P.O. Box 63 Doran, VA 24612	1.2400 acres 1/9 of 11.16 acres	2.5280%
(c) Madeline Vance Heirs, Devisees, Successors or Assigns		
(c.2) Leda Jo Lester P.O. Box 400 Doran, VA 24612	0.2067 acres 1/54 of 11.16 acres	0.4213%
(c.5) Judy Vance P.O. Box 131 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(c.6) Cathy Vance P.O. Box 131 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d) Sylvia Short Heirs, Devisees, Successors or Assigns		
(d.1) Roger Short P.O. Box 44 Doran, VA 24612	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d.2) Linda Sue Berry 623 Crestwood Drive Richlands, VA 24641	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d.4) Connie McFarland P.O. Box 516 Richlands, VA 24641	0.2067 acres 1/54 of 11.16 acres	0.4213%

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	Acres in Unit	Interest in Unit
(d.5) Steve Allen Short P.O. Box 63 Doran, VA 24612	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d.6) Marvin Short Rt.1 Box 647A Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(g) Juanita Byrd Heirs, Devisees, Successors or Assigns		
(g.1) Patricia Vanover P.O. Box 671 Doran, VA 24612	0.4133 acres 1/27 of 11.16 acres	0.8427%
(h) Elbert Newberry Heirs, Devisees, Successors or Assigns		
(h.3) Wanda Salyers 19198 Jonesboro Road Abingdon, VA 24211	0.4133 acres 1/27 of 11.16 acres	0.8427%
(i) Jimmy Newberry P.O. Box 361 Doran, VA 24612	1.2400 acres 1/9 of 11.16 acres	2.5280%
<b><u>Tract #2B, 0.85 acres</u></b>		
(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.85 acres	1.7329%
(1) Bertie Horn Heirs, Devisees, Successors or Assigns		
(a) Thelma Keen Heirs, Devisees, Successors or Assigns		
(a.1) Arnold Keen, widower P.O. Box 58 Oakwood, VA 24631	0.0607 acres 1/14 of 0.85 acres	0.1238%
(2) Ernest Keen Heirs, Devisees, Successors or Assigns		
(a) Ralph Keen 22890 Summit Drive Lebanon, VA 24266	0.0202 acres 1/42 of 0.85 acres	0.0413%
(b) Arnold Keen 962 Ascue Road Cedar Bluff, VA 24609	0.0202 acres 1/42 of 0.85 acres	0.0413%
(c) Paul Keen Rt.4 Box 597 North Tazewell, VA 24630	0.0202 acres 1/42 of 0.85 acres	0.0413%

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	Acres in Unit	Interest in Unit
(d) Ann McCowan P.O. Box 677 Rosedale, VA 24280	0.0202 acres 1/42 of 0.85 acres	0.0413%
(e) Ruby Lee Hale P.O. Box 585 Pounding Mill, VA 24637	0.0202 acres 1/42 of 0.85 acres	0.0413%
(f) Anna Lambert Rt.4 Box 597 North Tazewell, VA 24630	0.0202 acres 1/42 of 0.85 acres	0.0413%
(3) Mollie Horn (Miles) Heirs, Devisees, Successors or Assigns		
(a) Gladys Miller P.O. Box 194 Lucas, OH 44843	0.0405 acres 1/21 of 0.85 acres	0.0825%
(b) Harold Horn Heirs, Devisees, Successors or Assigns		
(b.1) Mollie Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.2) Edith Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.3) Roy Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.4) Harold David Horn 138 Chesshire Street Delaware, OH 43015	0.0101 acres 1/84 of 0.85 acres	0.0206%
(c) Willard Horn Heirs, Devisees, Successors or Assigns		
(c.1) Juanita Horn, widow P.O. Box 1858 Honaker, VA 24260	0.0405 acres 1/21 of 0.85 acres	0.0825%
(4) Major Wallace Keen Heirs, Devisees, Successors or Assigns		
(b) Garcie Keen Heirs, Devisees, Successors or Assigns		
(b.1) Werley Keen P.O. Box 1311 Mt. Vernon, OH 43050	0.0101 acres 1/84 of 0.85 acres	0.0206%

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	Acres in Unit	Interest in Unit
(b.2) McArthur Keen 840 Cedar Avenue, Apt. 21 Long Beach, CA 90813	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.3) Garnie Cordill 110 Douglas Street Mt. Gilead, OH 43338-1206	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.4) Sylvia Meadows 5945 St. Rt. 314 Fredericktown, OH 43019	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.6) Robert Keen Heirs, Devisees, Successors or Assigns		
(b.6.2) Carol Bailey 239 1/2 East Church Street Marion, OH 43302	0.0025 acres 1/336 of 0.85 acres	0.0052%
(b.6.3) Glen Keen 1912 West Willow Avenue Long Beach, CA 90800	0.0025 acres 1/336 of 0.85 acres	0.0052%
(b.6.4) Wanda Wyss 1750 South Avenue Marion, OH 43302	0.0025 acres 1/336 of 0.85 acres	0.0052%
(b.6.5) Sonia Hoffer 6415 County Road 93 Mt. Gilead, OH 43338	0.0025 acres 1/336 of 0.85 acres	0.0052%
(5) Beve Keen Heirs, Devisees, Successors or Assigns		
(a) Dolphis McKinley Keen Opposum Run Road Mansfield, OH 44903	0.0243 acres 1/35 of 0.85 acres	0.0495%
(c) Dell Proffit Heirs, Devisees, Successors or Assigns		
(c.1) Gladesie Whiled P.O. Box 773 Raven, VA 24639	0.0081 acres 1/105 of 0.85 acres	0.0165%
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns		
(e.2) David Shortt Rt. 1 Box 24 Pounding Mill, VA 24637	0.0121 acres 1/70 of 0.85 acres	0.0248%
(e.3) Noah Short Rt. 1 Box 24 Pounding Mill, VA 24637	<i>Life Estate</i>	

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	Acres in Unit	Interest in Unit
(6) Frank Keen Heirs, Devisees, Successors or Assigns		
(a.1) Rondal W. Keen 32949 Fields Road Richwood, OH 43344	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.4) Lloyd Monroe Keen 7269 County Road 89 Mt. Gilead, OH 43338	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.5) Lena Irene Nichols 203 Orchard Drive Kearneysville, WV 25430	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.6) Bessie Lulabell Hammond 7117 County Road 59 Mansfield, OH 44909	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.7) Pansey Ilene Yoder Rt.3 Box 6882 County Road 22 Fredericktown, OH 43019	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.8) Ronald Gillespie, widower 6394 County Road 20 Mt. Gilead, OH 43338	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.10) Kenneth Keen 5990 County Road 50 Mt. Gilead, OH 43338	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.11) Ronald Keith Keen 705 East Chestnut Street Mt. Vernon, OH 43050	0.0055 acres 1/154 of 0.85 acres	0.0113%
(b) Thelma Keen	<i>Life Estate</i>	
5990 County Road 50 Mt. Gilead, OH 43338		
(7) Chloe Horn Heirs, Devisees, Successors or Assigns		
(a) Roy Joe Horn P.O. Box 591 Raven, VA 24639	0.0405 acres 1/21 of 0.85 acres	0.0825%
(b) Lovis Reedy Horn Short Heirs, Devisees, Successors or Assigns		
(b.2) Ellen Horn P.O. Box 782 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.3) Pearl Osborne Rt.1 Box 141 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%

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	Acres in Unit	Interest in Unit
(b.4) Louis Short P.O. Box 1004 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.7) Roger Short P.O. Box 782 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.8) Ruby Osborne P.O. Box 216 Oakwood, VA 24631	0.0045 acres 1/189 of 0.85 acres	0.0092%
(c) Edna Bell Horn Heirs, Devisees, Successors or Assigns		
(c.1) Lilly Bell Elswick Rt.1 Box 331 Tazewell, VA 24651	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.2) Roy Rogers Horn 542 River Oaks Drive Danville, VA 24540	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.3) Shelby Jean Reynolds 136 Longacre Lane Princeton, WV 24740	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.4) Willie May Mutter 7683 Lee Highway Rural Retreat, VA 24368	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.5) William Ray Horn HC65 Box 25 Oakwood, VA 24631	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.6) Thelma Marie Underwood HC66 Box 62A Whitewood, VA 24657	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.7) Joseph Paul Horn HC66 Box 323 Jewell Ridge, VA 24622	0.0058 acres 1/147 of 0.85 acres	0.0118%

Exhibit E  
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	Acres in Unit	Interest in Unit
<b><u>Tract #1A, 19.88 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	19.88 acres	40.5301%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Mary Richardson, et al.	19.88 acres	40.5301%
(a) Mary Richardson Rt.1 Box 320 Raven, VA 24639	6.627 acres 1/3 of 19.88 acres	13.5100%
(b) Jamie Richardson Address Unknown	6.627 acres 1/3 of 19.88 acres	13.5100%
(c) Jeannie Richardson Address Unknown	6.627 acres 1/3 of 19.88 acres	13.5100%
<b><u>Tract #1B, 0.31 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.31 acres	0.6320%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Edgar S. Wilson Rt.1 Box 325 Raven, VA 24639	0.31 acres	0.6320%
<b><u>Tract #1C, 0.77 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.77 acres	1.5698%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Harold Wilson, et ux. RR1 Box 369B Cedar Bluff, VA 24609	0.77 acres	1.5698%

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	Acres in Unit	Interest in Unit
<b><u>Tract #1D, 0.12 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.12 acres	0.2446%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Albert Richardson, et ux. 416 Mill Creek Road Raven, VA 24639	0.12 acres	0.2446%
<b><u>Tract #1E, 0.47 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.47 acres	0.9582%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.47 acres	0.9582%
(1) Bertie Horn Heirs, Devisees, Successors or Assigns		
(a) Thelma Keen Heirs, Devisees, Successors or Assigns		
(a.1) Arnold Keen, widower P.O. Box 58 Oakwood, VA 24631	0.0336 acres 1/14 of 0.47 acres	0.0684%
(b) Viola Meadows HC65 Box 171 Rowe, VA 24646	0.0336 acres 1/14 of 0.47 acres	0.0684%
(2) Ernest Keen Heirs, Devisees, Successors or Assigns		
(a) Ralph Keen 22890 Summit Drive Lebanon, VA 24266	0.0112 acres 1/42 of 0.47 acres	0.0228%
(b) Arnold Keen 962 Ascue Road Cedar Bluff, VA 24609	0.0112 acres 1/42 of 0.47 acres	0.0228%
(c) Paul Keen Rt.4 Box 597 North Tazewell, VA 24630	0.0112 acres 1/42 of 0.47 acres	0.0228%

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	Acres in Unit	Interest in Unit
(d) Ann McCowan P.O. Box 677 Rosedale, VA 24280	0.0112 acres 1/42 of 0.47 acres	0.0228%
(e) Ruby Lee Hale P.O. Box 585 Pounding Mill, VA 24637	0.0112 acres 1/42 of 0.47 acres	0.0228%
(f) Anna Lambert Rt.4 Box 597 North Tazewell, VA 24630	0.0112 acres 1/42 of 0.47 acres	0.0228%
(3) Mollie Horn (Miles) Heirs, Devisees, Successors or Assigns		
(a) Gladys Miller P.O. Box 194 Lucas, OH 44843	0.0224 acres 1/21 of 0.47 acres	0.0456%
(b) Harold Horn Heirs, Devisees, Successors or Assigns		
(b.1) Mollie Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.2) Edith Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.3) Roy Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.4) Harold David Horn 138 Chesshire Street Delaware, OH 43015	0.0056 acres 1/84 of 0.47 acres	0.0114%
(c) Willard Horn Heirs, Devisees, Successors or Assigns		
(c.1) Juanita Horn, widow P.O. Box 1858 Honaker, VA 24260	0.0224 acres 1/21 of 0.47 acres	0.0456%
(4) Major Wallace Keen Heirs, Devisees, Successors or Assigns		
(a) Virgie Harman P.O. Box 1870 Richlands, VA 24641	0.0336 acres 1/14 of 0.47 acres	0.0684%
(b) Garcie Keen Heirs, Devisees, Successors or Assigns		

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	Acres in Unit	Interest in Unit
(b.1) Werley Keen P.O. Box 1311 Mt. Vernon, OH 43050	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.2) McArthur Keen 840 Cedar Avenue, Apt. 21 Long Beach, CA 90813	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.3) Garnie Cordill 110 Douglas Street Mt. Gilead, OH 43338-1206	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.4) Sylvia Meadows 5945 St. Rt. 314 Fredericktown, OH 43019	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.5) Hershel Keen Heirs, Devisees, Successors or Assigns		
(b.5.1) Eunice Keen, widow 110 Douglas Street Mt. Gilead, OH 43338-1206	0.0056 acres 1/84 of 0.47 acres	0.0114%
(b.6) Robert Keen Heirs, Devisees, Successors or Assigns		
(b.6.1) Edith Keen Meadows, widow RR3, 7272 Perry Township, Rd.95 Fredericktown, OH 43019	<i>Life Estate</i>	
(b.6.2) Carol Bailey 239 1/2 East Church Street Marion, OH 43302	0.0014 acres 1/336 of 0.47 acres	0.0029%
(b.6.3) Glen Keen 1912 West Willow Avenue Long Beach, CA 90800	0.0014 acres 1/336 of 0.47 acres	0.0029%
(b.6.4) Wanda Wyss 1750 South Avenue Marion, OH 43302	0.0014 acres 1/336 of 0.47 acres	0.0029%
(b.6.5) Sonia Hoffer 6415 County Road 93 Mt. Gilead, OH 43338	0.0014 acres 1/336 of 0.47 acres	0.0029%
(5) Beve Keen Heirs, Devisees, Successors or Assigns		
(a) Dolphis McKinley Keen Oppossum Run Road Mansfield, OH 44903	0.0134 acres 1/35 of 0.47 acres	0.0274%
(b) Estel Keen P.O. Box 266 Raven, VA 24639	0.0134 acres 1/35 of 0.47 acres	0.0274%

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	Acres in Unit	Interest in Unit
(c) Dell Proffit Heirs, Devisees, Successors or Assigns		
(c.1) Gladesie Whiled P.O. Box 773 Raven, VA 24639	0.0045 acres 1/105 of 0.47 acres	0.0091%
(c.2) Roy Lee Proffit P.O. Box 434 Oakwood, VA 24631	0.0045 acres 1/105 of 0.47 acres	0.0091%
(c.3) Troy Leen Proffit P.O. Box 407 Auxier, KY 41602	0.0045 acres 1/105 of 0.47 acres	0.0091%
(d) Venia Stillwell Heirs, Devisees, Successors or Assigns		
(d.1) Carlos Stillwell Box 589 Oakwood, VA 24631	0.0034 acres 1/140 of 0.47 acres	0.0068%
(d.2) Jerry Lee Stillwell 307 Fairfax Avenue Richlands, VA 24641	0.0034 acres 1/140 of 0.47 acres	0.0068%
(d.3) Gearlene Jefferies 2778 County Road 1075 Perrysville, OH 44864	0.0034 acres 1/140 of 0.47 acres	0.0068%
(d.4) Betty Jean Short Trevion Rt.2 Box 20523 Waterford Rd. Fredericktown, OH 43019	0.0034 acres 1/140 of 0.47 acres	0.0068%
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns		
(e.1) Martha Sneed Rt.1 Box 24 Pounding Mill, VA 24637	0.0067 acres 1/70 of 0.47 acres	0.0137%
(e.2) David Shortt Rt.1 Box 24 Pounding Mill, VA 24637	0.0067 acres 1/70 of 0.47 acres	0.0137%
(e.3) Noah Short Rt.1 Box 24 Pounding Mill, VA 24637	<i>Life Estate</i>	
(6) Frank Keen Heirs, Devisees, Successors or Assigns		
(a) Hershel Keen P.O. Box 26 Shorts Gap, VA 24647	0.0336 acres 1/14 of 0.47 acres	0.0684%

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	Acres in Unit	Interest in Unit
(a.1) Rondal W. Keen 32949 Fields Road Richwood, OH 43344	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.2) Omni Ruth Keen 16380 Murray Road Mt. Vernon, OH 43050	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.3) Jessie Allen Keen 16380 Murray Road Mt. Vernon, OH 43050	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.4) Lloyd Monroe Keen 7269 County Road 89 Mt. Gilead, OH 43338	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.5) Lena Irene Nichols 203 Orchard Drive Kearneysville, WV 25430	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.6) Bessie Lulabell Hammond 7117 County Road 59 Mansfield, OH 44909	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.7) Pansey Ilene Yoder Rt.3 Box 6882 County Road 22 Fredericktown, OH 43019	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.8) Ronald Gillespie, widower 6394 County Road 20 Mt. Gilead, OH 43338	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.9) Jennifer Juanita Lewis 7322 State Rt. 314 Mt. Gilead, OH 43338	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.10) Kenneth Keen 5990 County Road 50 Mt. Gilead, OH 43338	0.0031 acres 1/154 of 0.47 acres	0.0062%
(a.11) Ronald Keith Keen 705 East Chestnut Street Mt. Vernon, OH 43050	0.0031 acres 1/154 of 0.47 acres	0.0062%
(b) Thelma Keen 5990 County Road 50 Mt. Gilead, OH 43338	<i>Life Estate</i>	
(7) Chloe Horn Heirs, Devisees, Successors or Assigns		
(a) Roy Joe Horn P.O. Box 591 Raven, VA 24639	0.0224 acres 1/21 of 0.47 acres	0.0456%

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	Acres in Unit	Interest in Unit
(b) Lovis Reedy Horn Short Heirs, Devisees, Successors or Assigns		
(b.1) Danny Short P.O. Box 438 Cedar Bluff, VA 24601	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.2) Ellen Horn P.O. Box 782 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.3) Pearl Osborne Rt.1 Box 141 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.4) Louis Short P.O. Box 1004 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.5) James Junior Short P.O. Box 894 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.6) Johnny Short P.O. Box 963 Cedar Bluff, VA 24601	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.7) Roger Short P.O. Box 782 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.8) Ruby Osborne P.O. Box 216 Oakwood, VA 24631	0.0025 acres 1/189 of 0.47 acres	0.0051%
(b.9) Marie Smith P.O. Box 789 Raven, VA 24639	0.0025 acres 1/189 of 0.47 acres	0.0051%
(c) Edna Bell Horn Heirs, Devisees, Successors or Assigns		
(c.1) Lilly Bell Elswick Rt.1 Box 331 Tazewell, VA 24651	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.2) Roy Rogers Horn 542 River Oaks Drive Danville, VA 24540	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.3) Shelby Jean Reynolds 136 Longacre Lane Princeton, WV 24740	0.0032 acres 1/147 of 0.47 acres	0.0065%

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	Acres in Unit	Interest in Unit
(c.4) Willie May Mutter 7683 Lee Highway Rural Retreat, VA 24368	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.5) William Ray Horn HC65 Box 25 Oakwood, VA 24631	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.6) Thelma Marie Underwood HC66 Box 62A Whitewood, VA 24657	0.0032 acres 1/147 of 0.47 acres	0.0065%
(c.7) Joseph Paul Horn HC66 Box 323 Jewell Ridge, VA 24622	0.0032 acres 1/147 of 0.47 acres	0.0065%

**Tract #1F, 2.72 acres**

**COAL FEE OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	2.72 acres	5.5454%
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**OIL & GAS FEE OWNERSHIP**

(1) William N. Wilson, et ux. Rt.1 Box 411G Lebanon, VA 24266	2.72 acres	5.5454%
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**Tract #1G, 10.95 acres**

**COAL FEE OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	10.95 acres	22.3242%
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**OIL & GAS FEE OWNERSHIP**

(1) Dennis E. & Joann Richardson 2461 Fourth And Quarter Rd. No. 431 Grand Junction, CO 81505	10.95 acres	22.3242%
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**Tract #1I, 0.85 acres**

**COAL FEE OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.85 acres	1.7329%
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	Acres in Unit	Interest in Unit
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.85 acres	1.7329%
<b><u>Tract #1J, 0.04 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.04 acres	0.0815%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Billy Propst RR1 Box 317 Raven, VA 24639	0.04 acres	0.0815%
<b><u>Tract #2A, 11.16 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	11.16 acres	22.7523%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
<b><u>Tract #2A, 11.16 acres</u></b>		
(1) Noah Newberry Heirs, Devisees, Successors or Assigns	11.16 acres	22.7523%
(a) Hazel Richardson Heirs, Devisees, Successors or Assigns		
(a.1) Paul E. Richardson 8444 S. County Rd. 350W Stilesville, IN 46180-9728	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.2) Laudy Richardson Heirs, Devisees, Successors or Assigns		
(a.2.1) Shelby Ruth Richardson, Widow 6169 Turner Drive Clayton, IN 46118	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.3) Evangeline Blake 1212 Mary Ellen Avenue Chesapeake, VA 23324	0.1771 acres 1/63 of 11.16 acres	0.3611%

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	Acres in Unit	Interest in Unit
(a.4) Francis Dye 460 Middle Creek Road Cedar Bluff, VA 24609	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.5) Leonard Richardson 502 S. Holt Road Indiapolis, IN 46241	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.6) Bobby Richardson 2255 Road Ridge Turnpike Raven, VA 24639	0.1771 acres 1/63 of 11.16 acres	0.3611%
(a.7) Larry Richardson P.O. Box 328 North Tazewell, VA 24630	0.1771 acres 1/63 of 11.16 acres	0.3611%
(b) Frazier Newberry Heirs, Devisees, Successors or Assigns		
(b.1) Steve Allen Short P.O. Box 63 Doran, VA 24612	1.2400 acres 1/9 of 11.16 acres	2.5280%
(c) Madeline Vance Heirs, Devisees, Successors or Assigns		
(c.1) Carlos Vance P.O. Box 25 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(c.2) Leda Jo Lester P.O. Box 400 Doran, VA 24612	0.2067 acres 1/54 of 11.16 acres	0.4213%
(c.3) Mary Sparks P.O. Box 31 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(c.4) Carrie Dell Boyd RR1 Box 387 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(c.5) Judy Vance P.O. Box 131 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(c.6) Cathy Vance P.O. Box 131 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d) Sylvia Short Heirs, Devisees, Successors or Assigns		
(d.1) Roger Short P.O. Box 44 Doran, VA 24612	0.2067 acres 1/54 of 11.16 acres	0.4213%

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	Acres in Unit	Interest in Unit
(d.2) Linda Sue Berry 623 Crestwood Drive Richlands, VA 24641	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d.3) Carrie Miller P.O. Box 360 Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d.4) Connie McFarland P.O. Box 516 Richlands, VA 24641	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d.5) Steve Allen Short P.O. Box 63 Doran, VA 24612	0.2067 acres 1/54 of 11.16 acres	0.4213%
(d.6) Marvin Short Rt.1 Box 647A Swords Creek, VA 24649	0.2067 acres 1/54 of 11.16 acres	0.4213%
(e) Pauline Muse 999 Westover Drive High Point, NC 27265	1.2400 acres 1/9 of 11.16 acres	2.5280%
(f) Junior Newberry P.O. Box 988 Raven, VA 24639	1.2400 acres 1/9 of 11.16 acres	2.5280%
(g) Juanita Byrd Heirs, Devisees, Successors or Assigns		
(g.1) Patricia Vanover P.O. Box 671 Doran, VA 24612	0.4133 acres 1/27 of 11.16 acres	0.8427%
(g.2) Tammy Hardman 526 Dogwood Court High Point, NC 27260	0.4133 acres 1/27 of 11.16 acres	0.8427%
(g.3) Debbie Ann Martin Heirs, Devisees, Successors or Assigns		
(g.3.1) Chad Martin 146 Lee Avenue Ashland, OH 44805	0.4133 acres 1/27 of 11.16 acres	0.8427%
(h) Elbert Newberry Heirs, Devisees, Successors or Assigns		
(h.1) Arlen Newberry Heirs, Devisees, Successors or Assigns		
(h.1.1) Janice Newberry, widow 281 Mill Creek Road Raven, VA 24639	0.4133 acres 1/27 of 11.16 acres	0.8427%

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	Acres in Unit	Interest in Unit
(h.2) Doris Ann Newberry 615 Prater Drive Richlands, VA 24641	0.4133 acres 1/27 of 11.16 acres	0.8427%
(h.3) Wanda Salyers 19198 Jonesboro Road Abingdon, VA 24211	0.4133 acres 1/27 of 11.16 acres	0.8427%
(i) Jimmy Newberry P.O. Box 361 Doran, VA 24612	1.2400 acres 1/9 of 11.16 acres	2.5280%

**Tract #2B, 0.85 acres**

**COAL FEE OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.85 acres	1.7329%
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**OIL & GAS FEE OWNERSHIP**

(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.85 acres	1.7329%
(1) Bertie Horn Heirs, Devisees, Successors or Assigns		
(a) Thelma Keen Heirs, Devisees, Successors or Assigns		
(a.1) Arnold Keen, widower P.O. Box 58 Oakwood, VA 24631	0.0607 acres 1/14 of 0.85 acres	0.1238%
(b) Viola Meadows HC65 Box 171 Rowe, VA 24646	0.0607 acres 1/14 of 0.85 acres	0.1238%
(2) Ernest Keen Heirs, Devisees, Successors or Assigns		
(a) Ralph Keen 22890 Summit Drive Lebanon, VA 24266	0.0202 acres 1/42 of 0.85 acres	0.0413%
(b) Arnold Keen 962 Ascue Road Cedar Bluff, VA 24609	0.0202 acres 1/42 of 0.85 acres	0.0413%
(c) Paul Keen Rt.4 Box 597 North Tazewell, VA 24630	0.0202 acres 1/42 of 0.85 acres	0.0413%

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	Acres in Unit	Interest in Unit
(d) Ann McCowan P.O. Box 677 Rosedale, VA 24280	0.0202 acres 1/42 of 0.85 acres	0.0413%
(e) Ruby Lee Hale P.O. Box 585 Pounding Mill, VA 24637	0.0202 acres 1/42 of 0.85 acres	0.0413%
(f) Anna Lambert. Rt.4 Box 597 North Tazewell, VA 24630	0.0202 acres 1/42 of 0.85 acres	0.0413%
(3) Mollie Horn (Miles) Heirs, Devisees, Successors or Assigns		
(a) Gladys Miller P.O. Box 194 Lucas, OH 44843	0.0405 acres 1/21 of 0.85 acres	0.0825%
(b) Harold Horn Heirs, Devisees, Successors or Assigns		
(b.1) Mollie Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.2) Edith Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.3) Roy Horn 7194 South Bloomfield Township, Rd.15 Centerburg, OH 43011	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.4) Harold David Horn 138 Chesshire Street Delaware, OH 43015	0.0101 acres 1/84 of 0.85 acres	0.0206%
(c) Willard Horn Heirs, Devisees, Successors or Assigns		
(c.1) Juanita Horn, widow P.O. Box 1858 Honaker, VA 24260	0.0405 acres 1/21 of 0.85 acres	0.0825%
(4) Major Wallace Keen Heirs, Devisees, Successors or Assigns		
(a) Virgie Harman P.O. Box 1870 Richlands, VA 24641	0.0607 acres 1/14 of 0.85 acres	0.1238%
(b) Garcie Keen Heirs, Devisees, Successors or Assigns		

**Exhibit E**  
**CBM-PGP-AV124**  
**Docket #VGOB 02-0820-1050**  
**List of Conflicting Owners/Claimants that require escrow**  
**(49.05 Acre Unit)**

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	Acres in Unit	Interest in Unit
(b.1) Werley Keen P.O. Box 1311 Mt. Vernon, OH 43050	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.2) McArthur Keen 840 Cedar Avenue, Apt. 21 Long Beach, CA 90813	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.3) Garnie Cordill 110 Douglas Street Mt. Gilead, OH 43338-1206	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.4) Sylvia Meadows 5945 St. Rt. 314 Fredericktown, OH 43019	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.5) Hershel Keen Heirs, Devisees, Successors or Assigns		
(b.5.1) Eunice Keen, widow 110 Douglas Street Mt. Gilead, OH 43338-1206	0.0101 acres 1/84 of 0.85 acres	0.0206%
(b.6) Robert Keen Heirs, Devisees, Successors or Assigns		
(b.6.1) Edith Keen Meadows, widow RR3, 7272 Perry Township, Rd.95 Fredericktown, OH 43019	<i>Life Estate</i>	
(b.6.2) Carol Bailey 239 1/2 East Church Street Marion, OH 43302	0.0025 acres 1/336 of 0.85 acres	0.0052%
(b.6.3) Glen Keen 1912 West Willow Avenue Long Beach, CA 90800	0.0025 acres 1/336 of 0.85 acres	0.0052%
(b.6.4) Wanda Wyss 1750 South Avenue Marion, OH 43302	0.0025 acres 1/336 of 0.85 acres	0.0052%
(b.6.5) Sonia Hoffer 6415 County Road 93 Mt. Gilead, OH 43338	0.0025 acres 1/336 of 0.85 acres	0.0052%
(5) Beve Keen Heirs, Devisees, Successors or Assigns		
(a) Dolphis McKinley Keen Oppossum Run Road Mansfield, OH 44903	0.0243 acres 1/35 of 0.85 acres	0.0495%
(b) Estel Keen P.O. Box 266 Raven, VA 24639	0.0243 acres 1/35 of 0.85 acres	0.0495%

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	Acres in Unit	Interest in Unit
(c) Dell Proffit Heirs, Devisees, Successors or Assigns		
(c.1) Gladesie Whiled P.O. Box 773 Raven, VA 24639	0.0081 acres 1/105 of 0.85 acres	0.0165%
(c.2) Roy Lee Proffit P.O. Box 434 Oakwood, VA 24631	0.0081 acres 1/105 of 0.85 acres	0.0165%
(c.3) Troy Leen Proffit P.O. Box 407 Auxier, KY 41602	0.0081 acres 1/105 of 0.85 acres	0.0165%
(d) Venia Stillwell Heirs, Devisees, Successors or Assigns		
(d.1) Carlos Stillwell Box 589 Oakwood, VA 24631	0.0061 acres 1/140 of 0.85 acres	0.0124%
(d.1) Jerry Lee Stillwell 307 Fairfax Avenue Richlands, VA 24641	0.0061 acres 1/140 of 0.85 acres	0.0124%
(d.3) Gearlene Jefferies 2778 County Road 1075 Perrysville, OH 44864	0.0061 acres 1/140 of 0.85 acres	0.0124%
(d.4) Betty Jean Short Trevion Rt.2 Box 20523 Waterford Rd. Fredericktown, OH 43019	0.0061 acres 1/140 of 0.85 acres	0.0124%
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns		
(e.1) Martha Sneed Rt.1 Box 24 Pounding Mill, VA 24637	0.0121 acres 1/70 of 0.85 acres	0.0248%
(e.2) David Shortt Rt.1 Box 24 Pounding Mill, VA 24637	0.0121 acres 1/70 of 0.85 acres	0.0248%
(e.3) Noah Short Rt.1 Box 24 Pounding Mill, VA 24637	<i>Life Estate</i>	
(6) Frank Keen Heirs, Devisees, Successors or Assigns		
(a) Hershel Keen P.O. Box 26 Shorts Gap, VA 24647	0.0607 acres 1/14 of 0.85 acres	0.1238%

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	Acres in Unit	Interest in Unit
(a.1) Rondal W. Keen 32949 Fields Road Richwood, OH 43344	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.2) Omni Ruth Keen 16380 Murray Road Mt. Vernon, OH 43050	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.3) Jessie Allen Keen 16380 Murray Road Mt. Vernon, OH 43050	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.4) Lloyd Monroe Keen 7269 County Road 89 Mt. Gilead, OH 43338	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.5) Lena Irene Nichols 203 Orchard Drive Kearneysville, WV 25430	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.6) Bessie Lulabell Hammond 7117 County Road 59 Mansfield, OH 44909	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.7) Pansey Ilene Yoder Rt.3 Box 6882 County Road 22 Fredericktown, OH 43019	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.8) Ronald Gillespie, widower 6394 County Road 20 Mt. Gilead, OH 43338	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.9) Jennifer Juanita Lewis 7322 State Rt. 314 Mt. Gilead, OH 43338	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.10) Kenneth Keen 5990 County Road 50 Mt. Gilead, OH 43338	0.0055 acres 1/154 of 0.85 acres	0.0113%
(a.11) Ronald Keith Keen 705 East Chestnut Street Mt. Vernon, OH 43050	0.0055 acres 1/154 of 0.85 acres	0.0113%
(b) Thelma Keen 5990 County Road 50 Mt. Gilead, OH 43338	<i>Life Estate</i>	
(7) Chloe Horn Heirs, Devisees, Successors or Assigns		
(a) Roy Joe Horn P.O. Box 591 Raven, VA 24639	0.0405 acres 1/21 of 0.85 acres	0.0825%

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	Acres in Unit	Interest in Unit
(b) Lovis Reedy Horn Short Heirs, Devisees, Successors or Assigns		
(b.1) Danny Short P.O. Box 438 Cedar Bluff, VA 24601	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.2) Ellen Horn P.O. Box 782 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.3) Pearl Osborne Rt.1 Box 141 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.4) Louis Short P.O. Box 1004 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.5) James Junior Short P.O. Box 894 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.6) Johnny Short P.O. Box 963 Cedar Bluff, VA 24601	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.7) Roger Short P.O. Box 782 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.8) Ruby Osborne P.O. Box 216 Oakwood, VA 24631	0.0045 acres 1/189 of 0.85 acres	0.0092%
(b.9) Marie Smith P.O. Box 789 Raven, VA 24639	0.0045 acres 1/189 of 0.85 acres	0.0092%
(c) Edna Bell Horn Heirs, Devisees, Successors or Assigns		
(c.1) Lilly Bell Elswick Rt.1 Box 331 Tazewell, VA 24651	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.2) Roy Rogers Horn 542 River Oaks Drive Danville, VA 24540	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.3) Shelby Jean Reynolds 136 Longacre Lane Princeton, WV 24740	0.0058 acres 1/147 of 0.85 acres	0.0118%

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	Acres in Unit	Interest in Unit
(c.4) Willie May Mutter 7683 Lee Highway Rural Retreat, VA 24368	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.5) William Ray Horn HC65 Box 25 Oakwood, VA 24631	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.6) Thelma Marie Underwood HC66 Box 62A Whitewood, VA 24657	0.0058 acres 1/147 of 0.85 acres	0.0118%
(c.7) Joseph Paul Horn HC66 Box 323 Jewell Ridge, VA 24622	0.0058 acres 1/147 of 0.85 acres	0.0118%

**Tract #2C, 0.68 acres**

**COAL FEE OWNERSHIP**

(1) Stuart Land & Cattle Co. of Virginia Box 147 Rosedale, VA 24280	0.68 acres	1.3863%
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**OIL & GAS FEE OWNERSHIP**

(1) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.68 acres	1.3863%
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VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 7-14, 2003. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:56 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: Ann M. Reynolds D. CLERK