

795

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 02-0820-1050

ELECTIONS: UNIT AV-124
(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 executed in the captioned matter on July 11, 2003 which was recorded at Deed Book 587, Page 394 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on July 14, 2003, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

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

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

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

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

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AV-124;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Attn: Rachel Rafferty or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

ENTERED

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven seven (7) days from the date of receipt of this Order.

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

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

DONE AND EXECUTED this 6th day of March, 2004, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF WISE

Acknowledged on this 6th day of March, 2004, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary

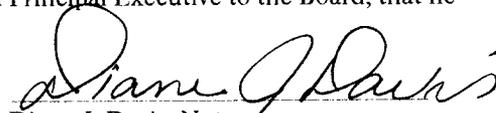
My commission expires: 7-31-06

DONE AND PERFORMED THIS 22nd day of March, 2004, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 22nd day of March, 2004, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9/30/05

Order Recorded Under Code of
Virginia Section 45.1-361.26

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit AV-124
VGOB 02-0820-1050 in the New Garden District of Russell County, Virginia

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

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

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

That the Order entered on July 11, 2003, 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 14, 2003;

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

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of July 11, 2003;

See attached Exhibit B-3

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

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

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

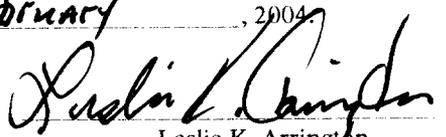
Jammie E. Lester (prev. listed as Jamie Richardson), Jeannie L. Sparks (prev. listed as Jeannie Richardson), Edgar S. Wilson, Harold Wilson, et ux., Gladys Miller, Juanita Horn, Werley Keen, McArthur Keen, Noah Short, Omni Ruth Keen, Billy Propst, Wanda Salyers and Jimmy Newberry

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. At the time the previous order was filed, there were no existing royalty split agreements. In the interim, the conflicting parties in Tracts 1A, 1B, 1C, 1F, 1G, 1H and 1J have entered into an agreement and escrowing is not required.

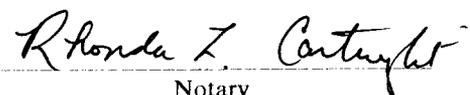
See attached Exhibit EE

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 25th day of February, 2004.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager - Environmental / Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 25th day of February, 2004.


Notary

My commission expires: 10/31/05

Exhibit B-2 (Revision #2)
Unit AV-124
Docket #VGOB 02-0820-1050
List of Respondent to be Added and/or Dismissed
(49.05 Acre Unit)

	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
II. OIL & GAS FEE OWNERSHIP				
<u>Tract #1A, 19.88 acres</u>				
(1) Mary Richardson, et al.	19.88 acres	40.5301%		
(b) Jammie E. Lester Rt.2 Box 7925 Cedar Bluff, VA 24609 (prev. listed as Jamie Richardson)	6.627 acres 1/3 of 19.88 acres	13.5100%	Not an owner	
(c) Jeannie L. Sparks P.O. Box 212 Cedar Bluff, VA 24609 (prev. listed as Jeannie Richardson)	6.627 acres 1/3 of 19.88 acres	13.5100%	Not an owner	
<u>Tract #1B, 0.31 acres</u>				
(1) Edgar S. Wilson Rt.1 Box 325 Raven, VA 24639	0.31 acres	0.6320%	Not an owner	
<u>Tract #1C, 0.77 acres</u>				
(1) Harold Wilson, et ux. RR1 Box 369B Cedar Bluff, VA 24609	0.77 acres	1.5698%	Not an owner	
<u>Tract #1E, 0.47 acres</u>				
(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.47 acres	0.9582%		
(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%	Leased	
(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%	Leased	
(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%	Leased	

Exhibit B-2 (Revision #2)
Unit AV-124
Docket #VGOB 02-0820-1050
List of Respondent to be Added and/or Dismissed
(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
(b.2) McArthur Keen 840 Cedar Avenue, Apt. 21 Long Beach, CA 90813	0.0056 acres 1/84 of 0.47 acres	0.0114%	Leased	
(5) Beve Keen Heirs, Devisees, Successors or Assigns				
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns				
(e.3) Noah Short Rt.1 Box 24 Pounding Mill, VA 24637	<i>Life Estate</i>		Leased	
(6) Frank Keen Heirs, Devisees, Successors or Assigns				
(a.2) Omni Ruth Keen 16380 Murray Road Mt. Vernon, OH 43050	0.0031 acres 1/154 of 0.47 acres	0.0062%		Due Diligence
<u>Tract #1J, 0.04 acres</u>				
(1) Billy Propst RR1 Box 317 Raven, VA 24639	0.04 acres	0.0815%	Leased	
<u>Tract #2A, 11.16 acres</u>				
(1) Noah Newberry Heirs, Devisees, Successors or Assigns	11.16 acres	22.7523%		
(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%	Leased	
(i) Jimmy Newberry P.O. Box 361 Doran, VA 24612	1.2400 acres 1/9 of 11.16 acres	2.5280%	Leased	
<u>Tract #2B, 0.85 acres</u>				
(1) Salina Keen Heirs, Devisees, Successors or Assigns	0.85 acres	1.7329%		
(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%	Leased	
(c) Willard Horn Heirs, Devisees, Successors or Assigns				

Exhibit B-2 (Revision #2)
 Unit AV-124
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 List of Respondent to be Added and/or Dismissed
 (49.05 Acre Unit)

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	Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
(c.1) Juanita Horn, widow P.O. Box 1858 Honaker, VA 24260	0.0405 acres 1/21 of 0.85 acres	0.0825%	Leased	
(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%	Leased	
(b.2) McArthur Keen 840 Cedar Avenue, Apt. 21 Long Beach, CA 90813	0.0101 acres 1/84 of 0.85 acres	0.0206%	Leased	
(5) Beve Keen Heirs, Devisees, Successors or Assigns				
(e) Hattie Irene Shortt Heirs, Devisees, Successors or Assigns				
(e.3) Noah Short Rt.1 Box 24 Pounding Mill, VA 24637	<i>Life Estate</i>		Leased	
(6) Frank Keen Heirs, Devisees, Successors or Assigns				
(a.2) Omni Ruth Keen 16380 Murray Road Mt. Vernon, OH 43050	0.0055 acres 1/154 of 0.85 acres	0.0113%		Due Diligence

Exhibit B-3
Unit AV-124
Docket #VGOB 02-0820-1050
List of Unleased Owners/Claimants
(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #1E, 0.47 acres</u>		
(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		
(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%

Exhibit B-3
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(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(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%
(4) Major Wallice Keen Heirs, Devisees, Successors or Assigns		
(b) Garcie Keen Heirs, Devisees, Successors or Assigns		
(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		
(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 Opposum Run Road Mansfield, OH 44903	0.0134 acres 1/35 of 0.47 acres	0.0274%
(c) Dell Proffit Heirs, Devisees, Successors or Assigns		

Exhibit B-3
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(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(c.1) Gladesie Whited 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%
(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.2) Omni Ruth 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 6662 State Rt. 314 Bellville, OH 44813	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 7026 Township Road Mt. Gilead, OH 43338-9423	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		

Exhibit B-3
Unit AV-124
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List of Unleased Owners/Claimants
(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(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		
(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%

Exhibit B-3
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(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(c.7) Joseph Paul Horn HC66 Box 323 Jewell Ridge, VA 24622	0.0032 acres 1/147 of 0.47 acres	0.0065%
<u>Tract #1F, 2.72 acres</u>		
(1) William N. Wilson, et ux. Rt.1 Box 411G Lebanon, VA 24266	2.72 acres	5.5454%
<u>Tract #1I, 0.85 acres</u>		
(1) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.85 acres	1.7329%
<u>Tract #2A, 11.16 acres</u>		
(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.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		

Exhibit B-3
Unit AV-124
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List of Unleased Owners/Claimants
(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(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%
(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%
<u>Tract #2B, 0.85 acres</u>		
(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%

Exhibit B-3
Unit AV-124
Docket #VGOB 02-0820-1050
List of Unleased Owners/Claimants
(49.05 Acre Unit)

	Acres in Unit	Interest in Unit
(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%
(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		
(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%
(4) Major Wallace Keen Heirs, Devisees, Successors or Assigns		
(b) Garcie Keen Heirs, Devisees, Successors or Assigns		

Exhibit B-3
 Unit AV-124
 Docket #VGOB 02-0820-1050
 List of Unleased Owners/Claimants
 (49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(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 Whited 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%
(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%

Exhibit B-3
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 List of Unleased Owners/Claimants
 (49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(a.2) Omni Ruth 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 6662 State Rt. 314 Bellville, OH 44813	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 7026 Township Road Mt. Gilead, OH 43338-9423	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%
(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%

Exhibit B-3
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(49.05 Acre Unit)

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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
Unit AV-124
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List of Conflicting Owners/Claimants that require escrow
(49.05 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1D, 0.12 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.12 acres	0.2446%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Albert Richardson, et ux. 416 Mill Creek Road Raven, VA 24639	0.12 acres	0.2446%
<u>Tract #1E, 0.47 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.47 acres	0.9582%
<u>OIL & GAS FEE OWNERSHIP</u>		
(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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(49.05 Acre Unit)

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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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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	0.0056 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 6523 St. Route 314 Belville, OH 44813	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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(49.05 Acre Unit)

	Acres in Unit	Interest in Unit
(c) Dell Proffit Heirs, Devisees, Successors or Assigns		
(c.1) Gladesie Whited 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 6662 State Rt. 314 Bellville, OH 44813	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 7026 Township Road Mt. Gilead, OH 43338-9423	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 #11, 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) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.85 acres	1.7329%
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Tract #2A, 11.16 acres

COAL FEE OWNERSHIP

(1) Stuart Land & Cattle Co. of Virginia Box 147 Rosedale, VA 24280	11.16 acres	22.7523%
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OIL & GAS FEE OWNERSHIP

(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		

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

	Acres in Unit	Interest in Unit
(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%
(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%

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	Acres in Unit	Interest in Unit
(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.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%

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(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(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%
(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) Stuart Land & Cattle Co. of Virginia Box 147 Rosedale, VA 24280	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%

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(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
(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%
(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 Cheshire 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		

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	Acres in Unit	Interest in Unit
(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		
(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 6523 St. Route 314 Bellville, OH 44813	0.0025 acres 1/336 of 0.85 acres	0.0052%
(5) Beve Keen Heirs, Devisees, Successors or Assigns		

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List of Conflicting Owners/Claimants that require escrow

(49.05 Acre Unit)

	Acres in Unit	Interest in Unit
(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%
(c) Dell Proffit Heirs, Devisees, Successors or Assigns		
(c.1) Gladesie Whited 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>	

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	Acres in Unit	Interest in Unit
(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%
(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 6662 State Rt. 314 Bellville, OH 44813	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 7026 Township Road Mt. Gilead, OH 43338-9423	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>	

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(49.05 Acre Unit)

	Acres in Unit	Interest in Unit
(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.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%

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(49.05 Acre Unit)

	Acres in Unit	Interest in Unit
(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%

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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Exhibit EE
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List of Conflicting Owners/Claimants with Royalty Split Agreements
(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1A, 19.88 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	19.88 acres	40.5301%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Mary Richardson Rt.1 Box 320 Raven, VA 24639	19.88 acres	40.5301%
<u>Tract #1B, 0.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.31 acres	0.6320%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Barrie R. Hess RR1 Box 58 Swords Creek, VA 24649	0.31 acres	0.6320%
<u>Tract #1C, 0.77 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.77 acres	1.5698%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	0.77 acres	1.5698%
<u>Tract #1F, 2.72 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	2.72 acres	5.5454%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) William N. Wilson, et ux. Rt.1 Box 411G Lebanon, VA 24266	2.72 acres	5.5454%

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(49.05 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1G, 10.95 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	10.95 acres	22.3242%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Joann Richardson 2461 Fourth And Quarter Rd. No. 431 Grand Junction, CO 81505	10.95 acres	22.3242%
<u>Tract #1H, 0.25 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.25 acres	0.5097%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24605	0.25 acres	0.5097%
<u>Tract #1J, 0.04 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 187 Tazewell, VA 24651	0.04 acres	0.0815%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Billy Propst RR1 Box 317 Raven, VA 24639	0.04 acres	0.0815%

0401071

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 3-22, 2004. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:24 o'clock PM, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: DOLLIE M. COMPTON, CLERK
BY: Jennifer Kendrick D. CLERK