

908

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 03-0715-1162

ELECTIONS: UNIT BB-102
(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 31, 2003 which was recorded at Deed Book 575, Page 497 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on August 15, 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 BB-102;

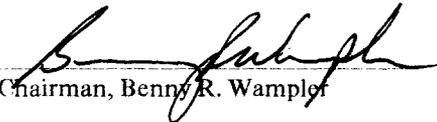
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate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

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

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

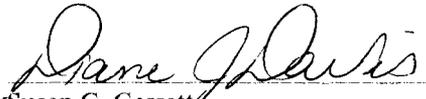
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 15th day of April, 2005, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF ~~WISE~~ Washington

Acknowledged on this 15th day of April, 2005, 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. Garretty~~
Notary

My commission expires: 9/30/05.

DONE AND PERFORMED THIS 18th day of April, 2005, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 18th day of April, 2005, 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 BB-102
VGOB 03-0715-1162 in the Hurricane District of Buchanan 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 31, 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 August 15, 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 31, 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:

None

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

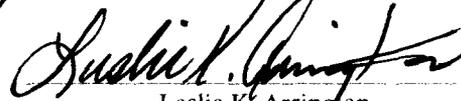
None

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

See attached Exhibit EE

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

Dated at Tazewell, Virginia, this 6th day of April, 2005.


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 6th day of April, 2005.


Notary

My commission expires: 10/31/05.

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

BOOK 36 PAGE 0773

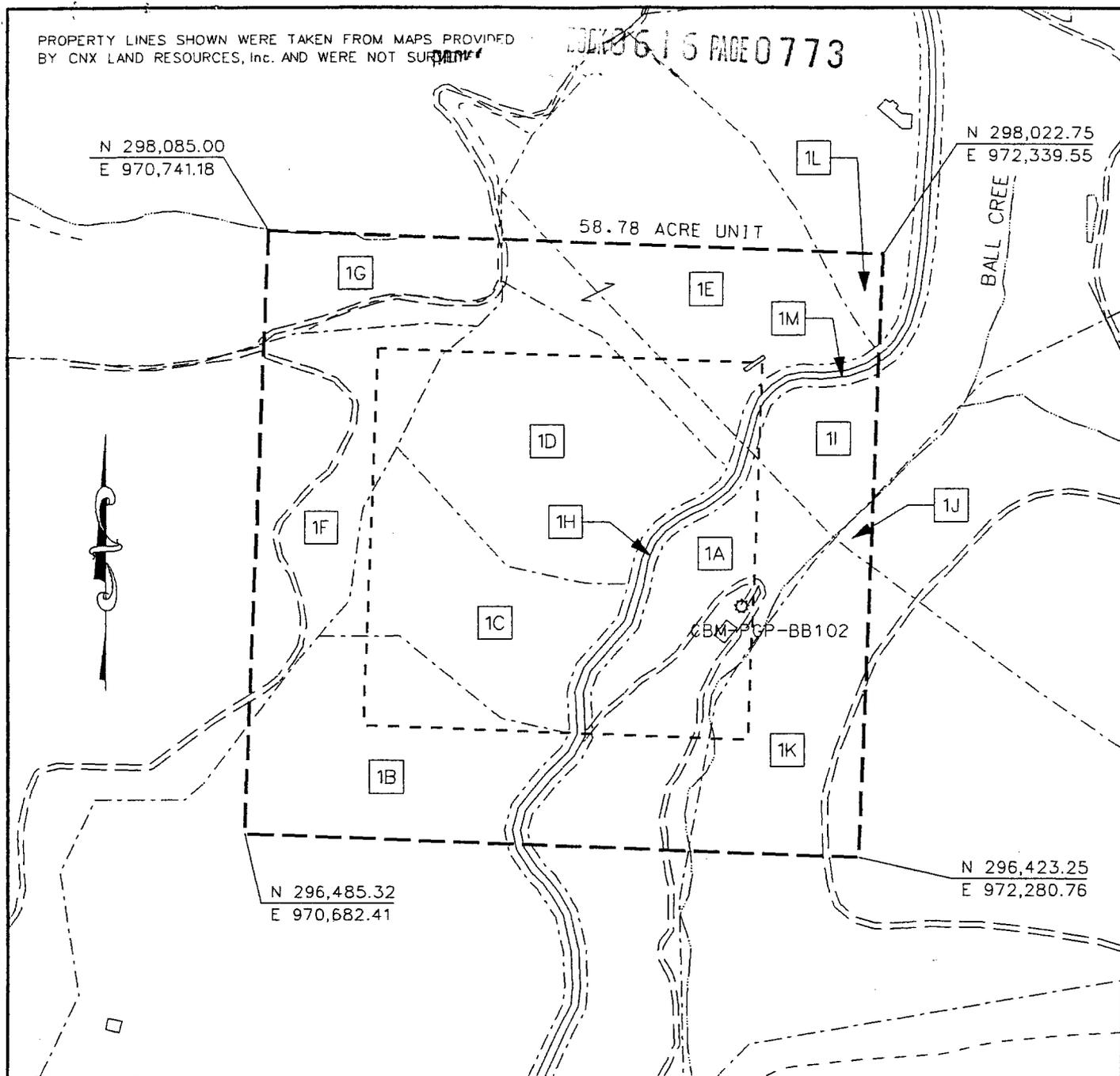


EXHIBIT A
 NORA FIELD UNIT BB-102
 FORCE POOLING
 VGOB-03-0715-1162

Company CNX Gas Company LLC Well Name and Number UNIT BB102

Tract No. _____ Elevation _____ Quadrangle Big A Mountain

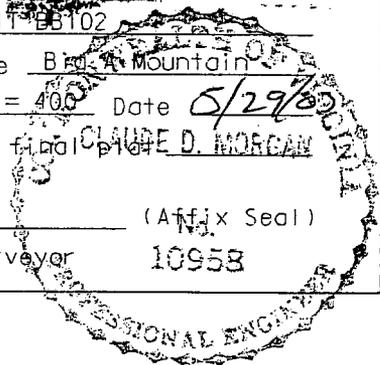
County Buchanan District Hurricane Scale: 1" = 400' Date 5/29/03

This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GO-7
 Rev. 9/91

Claude D. Morgan
 Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)
 10958



CNX GAS COMPANY LLC

Unit BB-102

Tract Identifications

(58.78 Acre Unit)

- 1A. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
CNX Gas Company LLC – CBM Leased
Garden Realty Corporation – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Gelaine Meade– Surface
7.73 acres 13.1507%
- 1B. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
CNX Gas Company LLC – CBM Leased
Garden Realty Corporation – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Unknown Surface Owner
7.57 acres 12.8785%
- 1C. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
CNX Gas Company LLC – CBM Leased
Garden Realty Corporation – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Unknown Surface Owner
6.15 acres 10.4627%
- 1D. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
CNX Gas Company LLC – CBM Leased
Garden Realty Corporation – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Bertie Lester - Surface
9.04 acres 15.3794%
- 1E. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
CNX Gas Company LLC – CBM Leased
Douglas Shepard, et al – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
6.65 acres 11.3134%
- 1F. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
CNX Gas Company LLC – CBM Leased
Phyllis Lambert – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
6.68 acres 11.3644%

CNX GAS COMPANY LLC**Unit BB-102****Tract Identifications****(58.78 Acre Unit)**

- 1G. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC – CBM Leased
 Ruth Harris – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 3.44 acres 5.8523%
- 1H. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC – CBM Leased
 Garden Realty Corporation – All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Commonwealth of Virginia – Surface
 1.73 acres 2.9432%
- 1I. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC – CBM Leased
 Gent Enterprises – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 2.13 acres 3.6237%
- 1J. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC – CBM Leased
 Gent Enterprises – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.20 acres 0.3403%
- 1K. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC – CBM Leased
 Gent Enterprises (7/8) and Heirs of Martha Ball (1/8) – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased (7/8)
 6.28 acres 10.6839%
- 1L. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC – CBM Leased
 Johnny L. Martin, et ux – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.54 acres 0.9187%
- 1M. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal
 CNX Gas Company LLC – CBM Leased
 Commonwealth of Virginia and/or W.H. Crocket Heirs, Successors or Assigns and/or
 Gent Enterprises – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased (If owned by Gent Enterprises)
 0.64 acres 1.0888%

Exhibit B-3
Unit BB-102
VGOB 03-0715-1162
List of Unleased Owners/Claimants
(58.78 Acre Unit)

BOOK 0616 PAGE 0776

	Acres in Unit	Percent of Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #1K - 6.28 acres</u>		
Gent Enterprises, et al.	6.28 acres	10.6839%
(2) Martha Ball Heirs, Devisees, Successors or Assigns	0.7850 1/8 of 6.28 acres	1.3355%
(1) Catherine & Henry Baldwin Heirs, Devisees, Successors or Assigns		
(a) Hazel & Reason Musick Rt.4 Box 191 Lebanon, VA 24266	0.0145 1/54 of 6.28 acres	0.0247%
(d) Andrew Clarence Baldwin Heirs, Devisees, Successors or Assigns		
(d.1) Shirley & Ralph Chambers Rt.2 Box 124 Pounding Mill, VA 24637	0.0073 1/108 of 6.28 acres	0.0124%
(d.2) Roger Baldwin 103 Shannon Heights Richlands, VA 24641	0.0073 1/108 of 6.28 acres	0.0124%
(e) Balford Horn Rt.2 Box 317 Honaker, VA 24260	0.0145 1/54 of 6.28 acres	0.0247%
(f) Virgie Hubbard 2 Whirlaway Court Greenville, SC 29602	0.0145 1/54 of 6.28 acres	0.0247%
(g) Winfred Baldwin Heirs, Devisees, Successors or Assigns		
(g.1) Janet & Arthur King <i>Address Unknown</i>	0.0024 1/324 of 6.28 acres	0.0041%
(g.2) Nancy Baldwin <i>Address Unknown</i>	0.0024 1/324 of 6.28 acres	0.0041%
(g.3) Linda Johnson <i>Address Unknown</i>	0.0024 1/324 of 6.28 acres	0.0041%
(g.4) Kenneth Baldwin <i>Address Unknown</i>	0.0024 1/324 of 6.28 acres	0.0041%
(g.5) Tammy Osbourne <i>Address Unknown</i>	0.0024 1/324 of 6.28 acres	0.0041%
(g.6) Angela Baldwin <i>Address Unknown</i>	0.0024 1/324 of 6.28 acres	0.0041%
(2) James Harvey Ball Heirs, Devisees, Successors or Assigns		

Exhibit B-3
Unit BB-102
VGOB 03-0715-1162
List of Unleased Owners/Claimants
(58.78 Acre Unit)

BOOK 0616 PAGE 0777

	Acres in Unit	Percent of Unit
(a) Cleveland Ball Heirs, Devisees, Successors or Assigns		
(a.3) Clyde Ball 312 Holmes Street Frankford, KY 40601-2131	0.0082 1/96 of 6.28 acres	0.0139%
(b) Nola Mae & Jim Comer Heirs, Devisees, Successors or Assigns		
(b.1) Jerrold & Louise Dowell 3601 Level Village Road Havre De Grace, MD 21078	0.0065 1/120 of 6.28 acres	0.0111%
(b.4) Stella & Robert Miller 1616 Pode Road Darlington, MD 21034	0.0065 1/120 of 6.28 acres	0.0111%
(b.5) Arbutus & William Helton 5808 Hanna Road Eldersburg, MD 21784	0.0065 1/120 of 6.28 acres	0.0111%
(3) Virgie & Richard Rasnake Heirs, Devisees, Successors or Assigns		
(d) Edna & Monroe Barton Address Unknown	0.0262 1/30 of 6.28 acres	0.0445%
(5) Elbert & Rosa Ball Heirs, Devisees, Successors or Assigns		
(a) Arnold Ball Address Unknown	0.0436 1/18 of 6.28 acres	0.0742%
(c) Lula Ball Harris Heirs, Devisees, Successors or Assigns		
(c.4) Molly Harris c/o Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0055 1/144 of 6.28 acres	0.0093%
(c.5) Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0055 1/144 of 6.28 acres	0.0093%
(c.6) Pleasant Harris Address Unknown	0.0055 1/144 of 6.28 acres	0.0093%
(c.7) Helen Harris P.O. Box 1472 Honaker, VA 24260	0.0055 1/144 of 6.28 acres	0.0093%
(c.8) Tracie (Patricia) Hess 4010 McIntosh Street Greensboro, NC 27407	0.0055 1/144 of 6.28 acres	0.0093%

Exhibit B-3
Unit BB-102
VGOB 03-0715-1162
List of Unleased Owners/Claimants
(58.78 Acre Unit)

BOOK 0616 PAGE 0778

	Acres in Unit	Percent of Unit
(f) Gracie & Hulett Johnson <i>Address Unknown</i>	0.0436 1/18 of 6.28 acres	0.0742%
<u>Tract #1M - 0.64 acres</u>		
(1) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.64 acres	1.0888%
- AND / OR -		
(1) W.H. Crockett Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.64 acres	1.0888%

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

	Acres in Unit	Percent of Unit
<u>Tract #1K - 6.28 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	6.28 acres	10.6839%
<u>OIL & GAS FEE OWNERSHIP</u>		
Gent Enterprises, et al.	6.28 acres	10.6839%
(2) Martha Ball Heirs, Devisees, Successors or Assigns	0.7850 1/8 of 6.28 acres	1.3355%
(1) Catherine & Henry Baldwin Heirs, Devisees, Successors or Assigns		
(a) Hazel & Reason Musick Rt.4 Box 191 Lebanon, VA 24266	0.0145 1/54 of 6.28 acres	0.0247%
(b) Bertie Lester Rt.2 Box 482 Honaker, VA 24260	0.0145 1/54 of 6.28 acres	0.0247%
(c) Ruby & Thomas Mitchell Rt.2 Box 450 Honaker, VA 24260	0.0145 1/54 of 6.28 acres	0.0247%
(d) Andrew Clarence Baldwin Heirs, Devisees, Successors or Assigns		
(d.1) Shirley & Ralph Chambers Rt.2 Box 124 Pounding Mill, VA 24637	0.0073 1/108 of 6.28 acres	0.0124%
(d.2) Roger Baldwin 103 Shannon Heights Richlands, VA 24641	0.0073 1/108 of 6.28 acres	0.0124%
(e) Balford Horn Rt.2 Box 317 Honaker, VA 24260	0.0145 1/54 of 6.28 acres	0.0247%
(f) Virgie Hubbard 2 Whirlaway Court Greenville, SC 29602	0.0145 1/54 of 6.28 acres	0.0247%
(g) Winfred Baldwin Heirs, Devisees, Successors or Assigns		
(g.1) Janet & Arthur King Address Unknown	0.0024 1/324 of 6.28 acres	0.0041%
(g.2) Nancy Baldwin Address Unknown	0.0024 1/324 of 6.28 acres	0.0041%

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

	Acres in Unit	Percent of Unit
(g.3) Linda Johnson Address Unknown	0.0024 1/324 of 6.28 acres	0.0041%
(g.4) Kenneth Baldwin Address Unknown	0.0024 1/324 of 6.28 acres	0.0041%
(g.5) Tammy Osbourne Address Unknown	0.0024 1/324 of 6.28 acres	0.0041%
(g.6) Angela Baldwin Address Unknown	0.0024 1/324 of 6.28 acres	0.0041%
(g) Ezra Baldwin HC4 Box 202 Council, VA 24260	0.0145 1/54 of 6.28 acres	0.0247%
(h) Zethie Ethel Baldwin-Lee 1016 South Market Street Galion, OH 44833	0.0145 1/54 of 6.28 acres	0.0247%
(2) James Harvey Ball Heirs, Devisees, Successors or Assigns		
(a) Cleveland Ball Heirs, Devisees, Successors or Assigns		
(a.1) Judy Pelley 2315 Overland Avenue Sinking Springs, PA 19608	0.0082 1/96 of 6.28 acres	0.0139%
(a.2) Roger Ball 1776 Belvidere Road Port Deposit, MD 21904	0.0082 1/96 of 6.28 acres	0.0139%
(a.3) Clyde Ball 312 Holmes Street Frankford, KY 40601-2131	0.0082 1/96 of 6.28 acres	0.0139%
(a.4) Ernie Ball Foxwood Drive Hendersonville, NC 28739	0.0082 1/96 of 6.28 acres	0.0139%
(b) Nola Mae & Jim Comer Heirs, Devisees, Successors or Assigns		
(b.1) Jerrold & Louise Dowell 3601 Level Village Road Havre De Grace, MD 21078	0.0065 1/120 of 6.28 acres	0.0111%
(b.2) Harvey Comer 1559 Arena Road Darlington, MD 21034	0.0065 1/120 of 6.28 acres	0.0111%
(b.3) Marvin Comer 123 Montrose Avenue Essex, MD 21221	0.0065 1/120 of 6.28 acres	0.0111%

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

	Acres in Unit	Percent of Unit
(b.4) Stella & Robert Miller 1616 Pode Road Darlington, MD 21034	0.0065 1/120 of 6.28 acres	0.0111%
(b.5) Arbutus & William Helton 5808 Hanna Road Eldersburg, MD 21784	0.0065 1/120 of 6.28 acres	0.0111%
(c) Roy Ball 624 Old Robinhood Road Aberdeen, MD 21001	0.0327 1/24 of 6.28 acres	0.0556%
(d) Myrtle Settle 172 Glendale Drive Elkin, NC 28621	0.0327 1/24 of 6.28 acres	0.0556%
(3) Virgie & Richard Rasnake Heirs, Devisees, Successors or Assigns		
(a) Dorothy Fay Long 2370 Happy Lane Jacksonville, FL 32218	0.0262 1/30 of 6.28 acres	0.0445%
(b) Ervin Finley Rasnake 2370 Happy Lane Jacksonville, FL 32218	0.0262 1/30 of 6.28 acres	0.0445%
(c) Clifford Rasnake 2370 Happy Lane Jacksonville, FL 32218	0.0262 1/30 of 6.28 acres	0.0445%
(d) Edna & Monroe Barton <i>Address Unknown</i>	0.0262 1/30 of 6.28 acres	0.0445%
(e) Sophia Ruth Stanley Heirs, Devisees, Successors or Assigns		
(e.1) Oakey Stanley Rt.1 Box 17D Bruceeton Mills, WV 26525	0.0033 1/240 of 6.28 acres	0.0056%
(e.2) Susie Ballard 10338 Sling Gap Road Bent Mountain, VA 24059	0.0033 1/240 of 6.28 acres	0.0056%
(e.3) Gladys Dampan 5004 South Woodlawn Chicago, IL 60615	0.0033 1/240 of 6.28 acres	0.0056%
(e.4) Virginia Hankins P.O. Box 445 Rupert, WV 25984	0.0033 1/240 of 6.28 acres	0.0056%
(e.5) Melvin Stanley P.O. Box 261 Rupert, WV 25984	0.0033 1/240 of 6.28 acres	0.0056%

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

	Acres in Unit	Percent of Unit
(e.6) Shelia R. Lewis Box 165 Sifers Road Meadow Bridge, WV 25976	0.0033 1/240 of 6.28 acres	0.0056%
(e.7) Richard Stanley P.O. Box 261 Rupert, WV 25984	0.0033 1/240 of 6.28 acres	0.0056%
(e.8) Velma Demasi 539 Oxford Avenue Akron, OH 44310	0.0033 1/240 of 6.28 acres	0.0056%
(4) Synthia & Silas Broyles Heirs, Devisees, Successors or Assigns		
(a) Audrey Alene Broyles Wheat 4029 Gravey Hill Havre De Grace, MD 21078	0.1308 1/6 of 6.28 acres	0.2226%
(5) Elbert & Rosa Ball Heirs, Devisees, Successors or Assigns		
(a) Arnold Ball <i>Address Unknown</i>	0.0436 1/18 of 6.28 acres	0.0742%
(b) Viola Ball Guynn Box 264H Honaker, VA 24620	0.0436 1/18 of 6.28 acres	0.0742%
(c) Lula Ball Harris Heirs, Devisees, Successors or Assigns		
(c.1) Bonnie Austin HC65 Box 110 Rowe, VA 24646	0.0055 1/144 of 6.28 acres	0.0093%
(c.2) Maudie Harris P.O. Box 1003 Cedar Bluff, VA 24609	0.0055 1/144 of 6.28 acres	0.0093%
(c.3) Betty Johnson HI Box 14 Fox Meadows Lebanon, VA 24266	0.0055 1/144 of 6.28 acres	0.0093%
(c.4) Molly Harris c/o Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0055 1/144 of 6.28 acres	0.0093%
(c.5) Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0055 1/144 of 6.28 acres	0.0093%
(c.6) Pleasant Harris <i>Address Unknown</i>	0.0055 1/144 of 6.28 acres	0.0093%

Exhibit E
 Unit BB-102
 VGOB 03-0715-1162

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

	Acres in Unit	Percent of Unit
(c.7) Helen Harris P.O. Box 1472 Honaker, VA 24260	0.0055 1/144 of 6.28 acres	0.0093%
(c.8) Tracie (Patricia) Hess 4010 McIntosh Street Greensboro, NC 27407	0.0055 1/144 of 6.28 acres	0.0093%
(d) William F. & Beulah Ball 407 Carsons Run Road Aberdeen, MD 21001	0.0436 1/18 of 6.28 acres	0.0742%
(e) Paul & Mary Baldwin P.O. Box 3132 Lebanon, VA 24266	0.0436 1/18 of 6.28 acres	0.0742%
(f) Gracie & Hulett Johnson Address Unknown	0.0436 1/18 of 6.28 acres	0.0742%

Tract #1M - 0.64 acres

Escrow due to title conflict

COAL FEE OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.64 acres	1.0888%
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OIL & GAS FEE OWNERSHIP

(1) Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Bristol, VA 24203	0.64 acres	1.0888%
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- AND / OR -

(1) W.H. Crockett Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.64 acres	1.0888%
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- AND / OR -

(1) Gent Enterprises P.O. Box 330 Honaker, VA 24260	6.28 acres	10.6839%
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List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1A - 7.73 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	7.73 acres	13.1507%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Garden Realty Coal Corporation c/o Ann B. Worley 108 Bexley Road Mooreville, TN 28117	7.73 acres	13.1507%
<u>Tract #1B - 7.57 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	7.57 acres	12.8785%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Garden Realty Coal Corporation c/o Ann B. Worley 108 Bexley Road Mooreville, TN 28117	7.57 acres	12.8785%
<u>Tract #1C - 6.15 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	6.15 acres	10.4627%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Garden Realty Coal Corporation c/o Ann B. Worley 108 Bexley Road Mooreville, TN 28117	6.15 acres	10.4627%
<u>Tract #1D - 9.04 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	9.04 acres	15.3794%

Exhibit EE
Unit BB-102
VGOB 03-0715-1162

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List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Garden Realty Coal Corporation c/o Ann B. Worley 108 Bexley Road Mooreville, TN 28117	9.04 acres	15.3794%
<u>Tract #1E - 6.65 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	6.65 acres	11.3134%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Douglas Shepard, et al. c/o Douglas & Sandra Shepard Rt.2 Box 94 Honaker, VA 24260	6.65 acres	11.3134%
<u>Tract #1F - 6.68 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	6.68 acres	11.3644%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Phyllis Lambert 401 Tilley Drive Bristol, VA 24201	6.68 acres	11.3644%
<u>Tract #1G - 3.44 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	3.44 acres	5.8523%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Ruth Harris c/o Dallas McGlothlin Rt.2 Box 354 Honaker, VA 24260	3.44 acres	5.8523%

Exhibit EE
Unit BB-102
VGOB 03-0715-1182

List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1H - 1.73 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	1.73 acres	2.9432%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Garden Realty Coal Corporation c/o Ann B. Worley 108 Bexley Road Mooresville, TN 28117	1.73 acres	2.9432%
<u>Tract #1I - 2.13 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	2.13 acres	3.6237%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Gent Enterprises P.O. Box 330 Honaker, VA 24260	2.13 acres	3.6237%
<u>Tract #1J - 0.20 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.20 acres	0.3403%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Gent Enterprises P.O. Box 330 Honaker, VA 24260	0.20 acres	0.3403%
<u>Tract #1K - 6.28 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	6.28 acres	10.6839%

Exhibit EE
Unit BB-102
VGOB 03-0715-1162

List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
Gent Enterprises, et al.	6.28 acres	10.6839%
(1) Gent Enterprises P.O. Box 330 Honaker, VA 24260	5.4950 7/8 of 6.28 acres	9.3484%

Tract #1L - 0.54 acres

COAL FEE OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.54 acres	0.9187%
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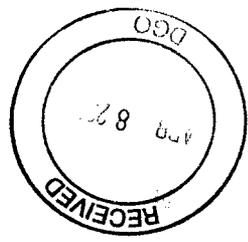
OIL & GAS FEE OWNERSHIP

(1) Johnny L. Martin, et ux. Rt.2 Box 482C Honaker, VA 24260	0.54 acres	0.9187%
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VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 27th day of April, 2005 2:03 P. M. The tax imposed by §587.1-802 of the Code has been paid in the amount of \$.
 Deed Book No. 616 and Page No. 769. TESTE: James M. Bevins, Jr., Clerk
 Returned to: D M M E TESTE: Jewell S. Miller Deputy Clerk

BU
#29

ENTERED



INSTRUMENT #050001238
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
APRIL 27, 2005 AT 02:03PM
JAMES M. BEVINS, CLERK

RECORDED BY: AKT

FOR DEPOSIT ONLY
BUCHANAN CIRCUIT COURT
RPT : 0500002066
CASE : 027CLRD050001238