

839

INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 03-1021-1201

ELECTIONS: UNIT BC-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 in the captioned matter on December 15, 2003 which was recorded at Deed Book 583, Page 440 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on December 22, 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 BC-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 8<sup>th</sup> day of October, 2004, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

STATE OF VIRGINIA  
COUNTY OF WISE

Acknowledged on this 8<sup>th</sup> day of October, 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 13<sup>th</sup> day of October, 2004, by Order of the Board.

  
B. R. Wilson,  
Principal Executive to the Board

STATE OF VIRGINIA  
COUNTY OF WASHINGTON

Acknowledged on this 13<sup>th</sup> day of October, 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 46.1-361.26

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 BC-102  
VGOB 03-1021-1201 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 December 15, 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 December 22, 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 December 15, 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:

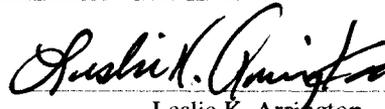
None

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.

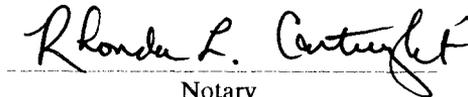
See attached Exhibit EE

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 29<sup>th</sup> day of SEPTEMBER, 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 29<sup>th</sup> day of September, 2004.

  
Notary

My commission expires: 10/31/05

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

BOOK 604 PAGE 0711  
BOOK 0583 PAGE 0451

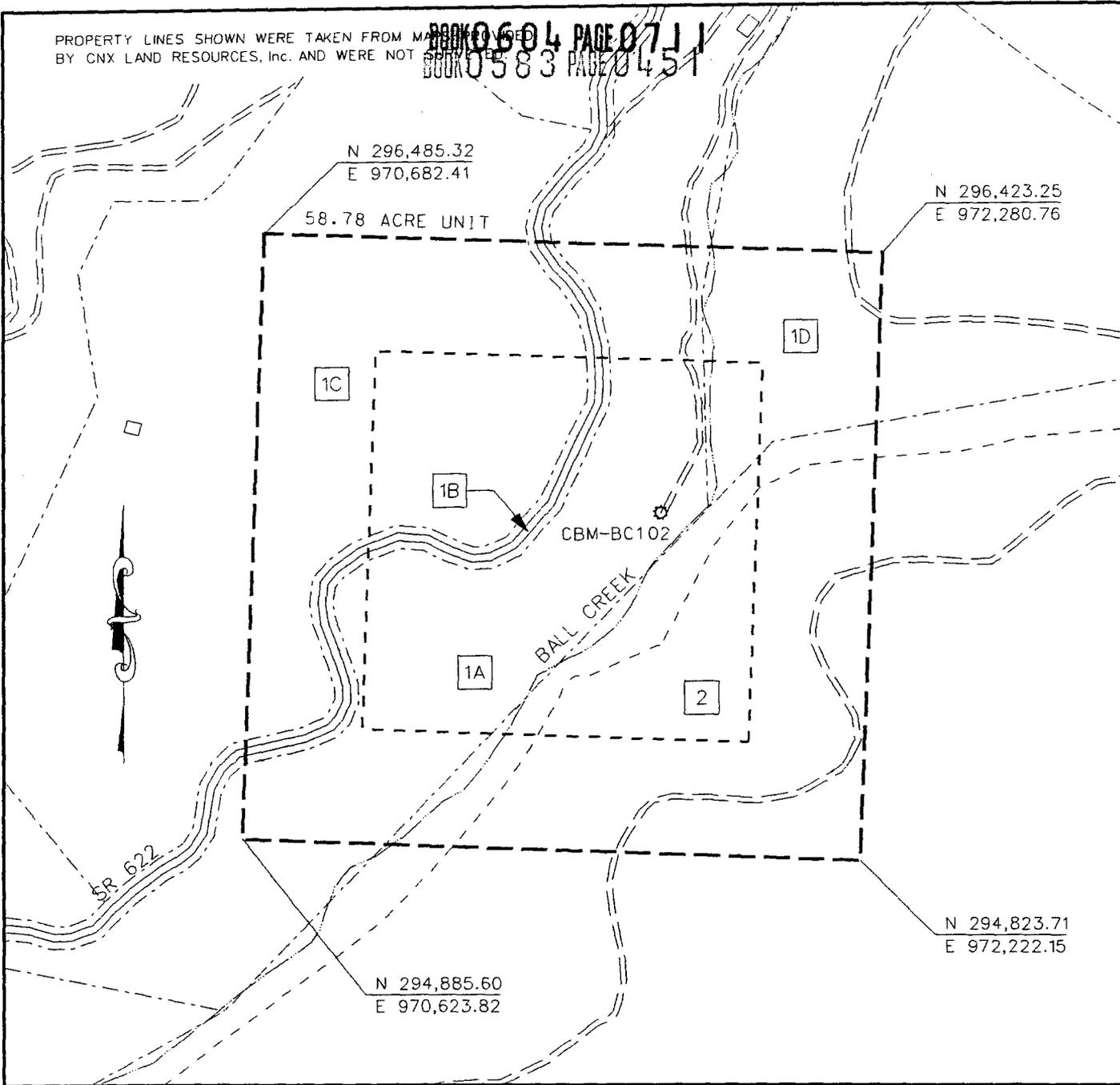


EXHIBIT A  
 NORA FIELD UNIT BC-102  
 FORCE POOLING  
 VGOB-03-1021-1201

Company CNX Gas Company LLC Well Name and Number UNIT BC102  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Big A Mountain  
 County Buchanan District Hurricane Scale: 1" = 400' Date 9/16/03  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7 \_\_\_\_\_ (Affix Seal)  
 Rev. 9/91 Charles D. Mays  
 Licensed Professional Engineer or Licensed Land Surveyor

**CNX GAS COMPANY LLC**

**Unit BC-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  
15.10 acres                      25.6890%
- 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  
Commonwealth of Virginia – Surface  
2.88 acres                        4.8996%
- 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  
16.43 acres                      27.9517%
- 1D. Harrison – Wyatt, LLC (Big Axe Tr. 4) - Coal  
CNX Gas Company LLC – CBM Leased  
Gent Enterprises and Heirs of Martha Ball – Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased (Gent Enterprises Interest)  
5.43 acres                        9.2378%
2. Emory & Henry College - Fee  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
18.94 acres                      32.2219%

Docket #VGOB 03-1021-1201  
List of Unleased Owners/Claimants  
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>		
<b><u>Tract #1D - 5.43 acres</u></b>		
Gent Enterprises, et al.	5.43 acres	9.2378%
(2) Martha Ball Heirs, Devisees, Successors or Assigns	0.6788 1/8 of 5.43 acres	1.1547%
(1) Catherine & Henry Baldwin Heirs, Devisees, Successors or Assigns		
(a) Hazel & Reason Musick Rt.1 Box 105 Lebanon, VA 24266	0.0126 1/54 of 5.43 acres	0.0214%
(d) Andrew Clarence Baldwin Heirs, Devisees, Successors or Assigns		
(d.1) Shirley & Ralph Chambers Rt.2 Box 124 Pounding Mill, VA 24637	0.0063 1/108 of 5.43 acres	0.0107%
(d.2) Roger Baldwin 103 Shannon Heights Richlands, VA 24641	0.0063 1/108 of 5.43 acres	0.0107%
(e) Balford Horn Rt.2 Box 317 Honaker, VA 24260	0.0126 1/54 of 5.43 acres	0.0214%
(f) Virgie Hubbard 2 Whirlaway Court Greenville, SC 29602	0.0126 1/54 of 5.43 acres	0.0214%
(g) Winfred Baldwin Heirs, Devisees, Successors or Assigns		
(g.1) Janet & Arthur King <i>Address Unknown</i>	0.0021 1/324 of 5.43 acres	0.0036%
(g.2) Nancy Baldwin <i>Address Unknown</i>	0.0021 1/324 of 5.43 acres	0.0036%
(g.3) Linda Johnson <i>Address Unknown</i>	0.0021 1/324 of 5.43 acres	0.0036%
(g.4) Kenneth Baldwin <i>Address Unknown</i>	0.0021 1/324 of 5.43 acres	0.0036%
(g.5) Tammy Osbourne <i>Address Unknown</i>	0.0021 1/324 of 5.43 acres	0.0036%
(g.6) Angela Baldwin <i>Address Unknown</i>	0.0021 1/324 of 5.43 acres	0.0036%
(2) James Harvey Ball Heirs, Devisees, Successors or Assigns		

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List of Unleased Owners/Claimants  
(58.78 Acre Unit)

	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	0.0071 1/96 of 5.43 acres	0.0120%
(b) Nola Mae & Jim Comer Heirs, Devisees, Successors or Assigns		
(b.1) Jerrold & Louise Dowell 3601 Level Village Road Havre De Grace, MD 21078	0.0057 1/120 of 5.43 acres	0.0096%
(b.4) Stella & Robert Miller 1616 Pode Road Darlington, MD 21034	0.0057 1/120 of 5.43 acres	0.0096%
(b.5) Arbutus & William Helton 5808 Hanna Road Eldersburg, MD 21784	0.0057 1/120 of 5.43 acres	0.0096%
(3) Virgie & Richard Rasnake Heirs, Devisees, Successors or Assigns		
(d) Edna & Monroe Barton Address Unknown	0.0226 1/30 of 5.43 acres	0.0385%
(5) Elbert & Rosa Ball Heirs, Devisees, Successors or Assigns		
(a) Arnold Ball Address Unknown	0.0377 1/18 of 5.43 acres	0.0642%
(c) Lula Ball Harris Heirs, Devisees, Successors or Assigns		
(c.4) Molly Harris c/o Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0047 1/144 of 5.43 acres	0.0080%
(c.5) Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0047 1/144 of 5.43 acres	0.0080%
(c.6) Pleasant Harris P.O. Box 1328 Hillsville, VA 24343	0.0047 1/144 of 5.43 acres	0.0080%
(c.7) Helen Harris P.O. Box 1472 Honaker, VA 24260	0.0047 1/144 of 5.43 acres	0.0080%
(c.8) Tracie (Patricia) Hess 4010 McIntosh Street Greensboro, NC 27407	0.0047 1/144 of 5.43 acres	0.0080%

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List of Unleased Owners/Claimants  
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
(f) Gracie & Hulett Johnson Heirs, Devisees Successors or Assigns		
(f.1) Harman Johnson <i>Address Unknown</i>	0.0054 1/126 of 5.72 acres	0.0092%
(f.2) Larry Johnson <i>Address Unknown</i>	0.0054 1/126 of 5.72 acres	0.0092%
(f.3) Sue Johnson <i>Address Unknown</i>	0.0054 1/126 of 5.72 acres	0.0092%
(f.4) Brenda Johnson <i>Address Unknown</i>	0.0054 1/126 of 5.72 acres	0.0092%
(f.5) Dena Johnson <i>Address Unknown</i>	0.0054 1/126 of 5.72 acres	0.0092%
(f.6) Dwayne Johnson <i>Address Unknown</i>	0.0054 1/126 of 5.72 acres	0.0092%
(f.7) Carl Johnson <i>Address Unknown</i>	0.0054 1/126 of 5.72 acres	0.0092%

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

	Acres in Unit	Percent of Unit
<u>Tract #1D - 5.43 acres</u>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	5.43 acres	9.2378%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
Gent Enterprises, et al.	5.43 acres	9.2378%
(2) Martha Ball Heirs, Devisees, Successors or Assigns	0.6788 1/8 of 5.43 acres	1.1547%
(1) Catherine & Henry Baldwin Heirs, Devisees, Successors or Assigns		
(a) Hazel & Reason Musick Rt.1 Box 105 Lebanon, VA 24266	0.0126 1/54 of 5.43 acres	0.0214%
(b) Bertie Lester Rt.2 Box 482 Honaker, VA 24260	0.0126 1/54 of 5.43 acres	0.0214%
(c) Ruby & Thomas Mitchell Rt.2 Box 450 Honaker, VA 24260	0.0126 1/54 of 5.43 acres	0.0214%
(d) Andrew Clarence Baldwin Heirs, Devisees, Successors or Assigns		
(d.1) Shirley & Ralph Chambers Rt.2 Box 124 Pounding Mill, VA 24637	0.0063 1/108 of 5.43 acres	0.0107%
(d.2) Roger Baldwin 103 Shannon Heights Richlands, VA 24641	0.0063 1/108 of 5.43 acres	0.0107%
(e) Balford Horn Rt.2 Box 317 Honaker, VA 24260	0.0126 1/54 of 5.43 acres	0.0214%
(f) Virgie Hubbard 2 Whirlaway Court Greenville, SC 29602	0.0126 1/54 of 5.43 acres	0.0214%
(g) Winfred Baldwin Heirs, Devisees, Successors or Assigns		
(g.1) Janet & Arthur King Address Unknown	0.0021 1/324 of 5.43 acres	0.0036%
(g.2) Nancy Baldwin Address Unknown	0.0021 1/324 of 5.43 acres	0.0036%

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

	Acres in Unit	Percent of Unit
(g.3) Linda Johnson Address Unknown	0.0021 1/324 of 5.43 acres	0.0036%
(g.4) Kenneth Baldwin Address Unknown	0.0021 1/324 of 5.43 acres	0.0036%
(g.5) Tammy Osbourne Address Unknown	0.0021 1/324 of 5.43 acres	0.0036%
(g.6) Angela Baldwin Address Unknown	0.0021 1/324 of 5.43 acres	0.0036%
(g) Ezra Baldwin HC4 Box 202 Council, VA 24260	0.0126 1/54 of 5.43 acres	0.0214%
(h) Zethie Ethel Baldwin-Lee 1016 South Market Street Galion, OH 44833	0.0126 1/54 of 5.43 acres	0.0214%
(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	0.0071 1/96 of 5.43 acres	0.0120%
(a.2) Roger Ball 1776 Belvidere Road Port Deposit, MD 21904	0.0071 1/96 of 5.43 acres	0.0120%
(a.3) Clyde Ball 312 Holmes Street Frankford, KY 40601-2131	0.0071 1/96 of 5.43 acres	0.0120%
(a.4) Ernie Ball Foxwood Drive Hendersonville, NC 28739	0.0071 1/96 of 5.43 acres	0.0120%
(b) Nola Mae & Jim Comer Heirs, Devisees, Successors or Assigns		
(b.1) Jerrold & Louise Dowell 3601 Level Village Road Havre De Grace, MD 21078	0.0057 1/120 of 5.43 acres	0.0096%
(b.2) Harvey Comer 1559 Arena Road Darlington, MD 21034	0.0057 1/120 of 5.43 acres	0.0096%
(b.3) Marvin Comer 123 Montrose Avenue Essex, MD 21221	0.0057 1/120 of 5.43 acres	0.0096%

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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	0.0057 1/120 of 5.43 acres	0.0096%
(b.5) Arbutus & William Helton 5808 Hanna Road Eldersburg, MD 21784	0.0057 1/120 of 5.43 acres	0.0096%
(c) Roy Ball 624 Old Robinhood Road Aberdeen, MD 21001	0.0283 1/24 of 5.43 acres	0.0481%
(d) Myrtle Settle 172 Glendale Drive Elkin, NC 28621	0.0283 1/24 of 5.43 acres	0.0481%
(3) Virgie & Richard Rasnake Heirs, Devisees, Successors or Assigns		
(a) Dorothy Fay Long 2370 Happy Lane Jacksonville, FL 32218	0.0226 1/30 of 5.43 acres	0.0385%
(b) Ervin Finley Rasnake 2370 Happy Lane Jacksonville, FL 32218	0.0226 1/30 of 5.43 acres	0.0385%
(c) Clifford Rasnake 2370 Happy Lane Jacksonville, FL 32218	0.0226 1/30 of 5.43 acres	0.0385%
(d) Edna & Monroe Barton <i>Address Unknown</i>	0.0226 1/30 of 5.43 acres	0.0385%
(e) Sophia Ruth Stanley Heirs, Devisees, Successors or Assigns		
(e.1) Oakey Stanley Rt.1 Box 17D Bruceeton Mills, WV 26525	0.0028 1/240 of 5.43 acres	0.0048%
(e.2) Susie Ballard 10338 Sling Gap Road Bent Mountain, VA 24059	0.0028 1/240 of 5.43 acres	0.0048%
(e.3) Gladys Dampan 5004 South Woodlawn Chicago, IL 60615	0.0028 1/240 of 5.43 acres	0.0048%
(e.4) Virginia Hankins P.O. Box 445 Rupert, WV 25984	0.0028 1/240 of 5.43 acres	0.0048%
(e.5) Melvin Stanley P.O. Box 261 Rupert, WV 25984	0.0028 1/240 of 5.43 acres	0.0048%

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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	0.0028 1/240 of 5.43 acres	0.0048%
(e.7) Richard Stanley P.O. Box 261 Rupert, WV 25984	0.0028 1/240 of 5.43 acres	0.0048%
(e.8) Velma Demasi 539 Oxford Avenue Akron, OH 44310	0.0028 1/240 of 5.43 acres	0.0048%
(4) Synthia & Silas Broyles Heirs, Devisees, Successors or Assigns		
(a) Audrey Alene Broyles Wheat 4029 Gravey Hill Havre De Grace, MD 21078	0.1131 1/6 of 5.43 acres	0.1925%
(5) Elbert & Rosa Ball Heirs, Devisees, Successors or Assigns		
(a) Arnold Ball Address Unknown	0.0377 1/18 of 5.43 acres	0.0642%
(b) Viola Ball Guynn Box 264H Honaker, VA 24620	0.0377 1/18 of 5.43 acres	0.0642%
(c) Lula Ball Harris Heirs, Devisees, Successors or Assigns		
(c.1) Bonnie Austin HC65 Box 110 Rowe, VA 24646	0.0047 1/144 of 5.43 acres	0.0080%
(c.2) Maudie Harris P.O. Box 1003 Cedar Bluff, VA 24609	0.0047 1/144 of 5.43 acres	0.0080%
(c.3) Betty Johnson HI Box 14 Fox Meadows Lebanon, VA 24266	0.0047 1/144 of 5.43 acres	0.0080%
(c.4) Molly Harris c/o Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0047 1/144 of 5.43 acres	0.0080%
(c.5) Lonnie Harris RR4 Box 174A Lebanon, VA 24266	0.0047 1/144 of 5.43 acres	0.0080%
(c.6) Pleasant Harris P.O. Box 1328 Hillsville, VA 24343	0.0047 1/144 of 5.43 acres	0.0080%

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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	0.0047 1/144 of 5.43 acres	0.0080%
(c.8) Tracie (Patricia) Hess 4010 McIntosh Street Greensboro, NC 27407	0.0047 1/144 of 5.43 acres	0.0080%
(d) William F. & Beulah Ball 407 Carsons Run Road Aberdeen, MD 21001	0.0377 1/18 of 5.43 acres	0.0642%
(e) Paul & Mary Baldwin P.O. Box 3132 Lebanon, VA 24266	0.0377 1/18 of 5.43 acres	0.0642%
(f) Gracie & Hulett Johnson Heirs, Devisees Successors or Assigns		
(f.1) Harman Johnson Address Unknown	0.0054 1/126 of 10.19 acres	0.0092%
(f.2) Larry Johnson Address Unknown	0.0054 1/126 of 10.19 acres	0.0092%
(f.3) Sue Johnson Address Unknown	0.0054 1/126 of 10.19 acres	0.0092%
(f.4) Brenda Johnson Address Unknown	0.0054 1/126 of 10.19 acres	0.0092%
(f.5) Dena Johnson Address Unknown	0.0054 1/126 of 10.19 acres	0.0092%
(f.6) Dwayne Johnson Address Unknown	0.0054 1/126 of 10.19 acres	0.0092%
(f.7) Carl Johnson Address Unknown	0.0054 1/126 of 10.19 acres	0.0092%

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 it, together with the certificate of acknowledgment annexed, admitted to record on the 2nd day of December, 2003 at 10:30 A.M. Deed Book No. 583 and Page No. 440.  
 Returned to: Dime TESTE: Jewell S. Miller Deputy Clerk  
 James M. Bevins, Jr., Clerk

Exhibit EE  
Unit BC-102  
Docket #VGOB 03-1021-1201

BOOK 0604 PAGE 0721

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

	Acres in Unit	Percent of Unit
<b><u>Tract #1A - 15.10 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	15.10 acres	25.6890%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Garden Realty Corporation c/o Margaret Worley Burns, Treasurer 108 Bexley Road Mooresville, NC 28117	15.10 acres	25.6890%
<b><u>Tract #1B - 2.88 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	2.88 acres	4.8996%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Garden Realty Corporation c/o Margaret Worley Burns, Treasurer 108 Bexley Road Mooresville, NC 28117	2.88 acres	4.8996%
<b><u>Tract #1C - 16.43 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	16.43 acres	27.9517%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Garden Realty Corporation c/o Margaret Worley Burns, Treasurer 108 Bexley Road Mooresville, NC 28117	16.43 acres	27.9517%
<b><u>Tract #1D - 5.43 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	5.43 acres	9.2378%

Exhibit EE  
Unit BC-102

Docket #VGOB 03-1021-1201

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

	Acres in Unit	Percent of Unit
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
Gent Enterprises, et al.	5.43 acres	9.2378%
(1) Gent Enterprises P.O. Box 330 Honaker, VA 24260	4.7513 7/8 of 5.43 acres	8.0831%

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 19<sup>th</sup> day of October, 2004 12:03 P. M.  
 Deed Book No. 0604 and Page No. 707.  
 Returned to Alan Alan.  
 WITNESSES: James M. Bevins, Jr., Clerk  
 TESTE: Shirley S. Allen Deputy Clerk

BV  
#26

INSTRUMENT #040003464  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
OCTOBER 19, 2007 AT 12:00PM  
JAMES M. BEVINS, CLERK  
RECORDED BY: AKT