

BK 0935PG0008

1119

579  
VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 03-1021-1207

ELECTIONS: UNIT FF-38  
(herein "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

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 898, Page 205 in the Office of the Clerk of the Circuit Court of Tazewell 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 FF-38;

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 March, 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 8<sup>th</sup> day of March, 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. Garrett~~  
Notary

My commission expires: 9/30/05.

DONE AND PERFORMED THIS 11<sup>th</sup> day of March, 2005, by Order of the Board.

  
B. R. Wilson,  
Director of the Division of Gas & Oil Board and  
Principal Executive to the Board

STATE OF VIRGINIA  
COUNTY OF WASHINGTON

Acknowledged on this 11<sup>th</sup> day of March, 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 FF-38  
VGOB 03-1021-1207 in the Maiden Springs District of Tazewell 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 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 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:

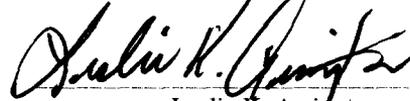
None

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 3<sup>rd</sup> day of March, 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 3<sup>rd</sup> day of March, 2005.

  
Notary

My commission expires: 10/31/05

BK093-160012  
EX0893080215

N 307,896.90  
E 1,014,439.88

89.37 ACRE UNIT

N 307,968.37  
E 1,012,574.52

CBM-FF38

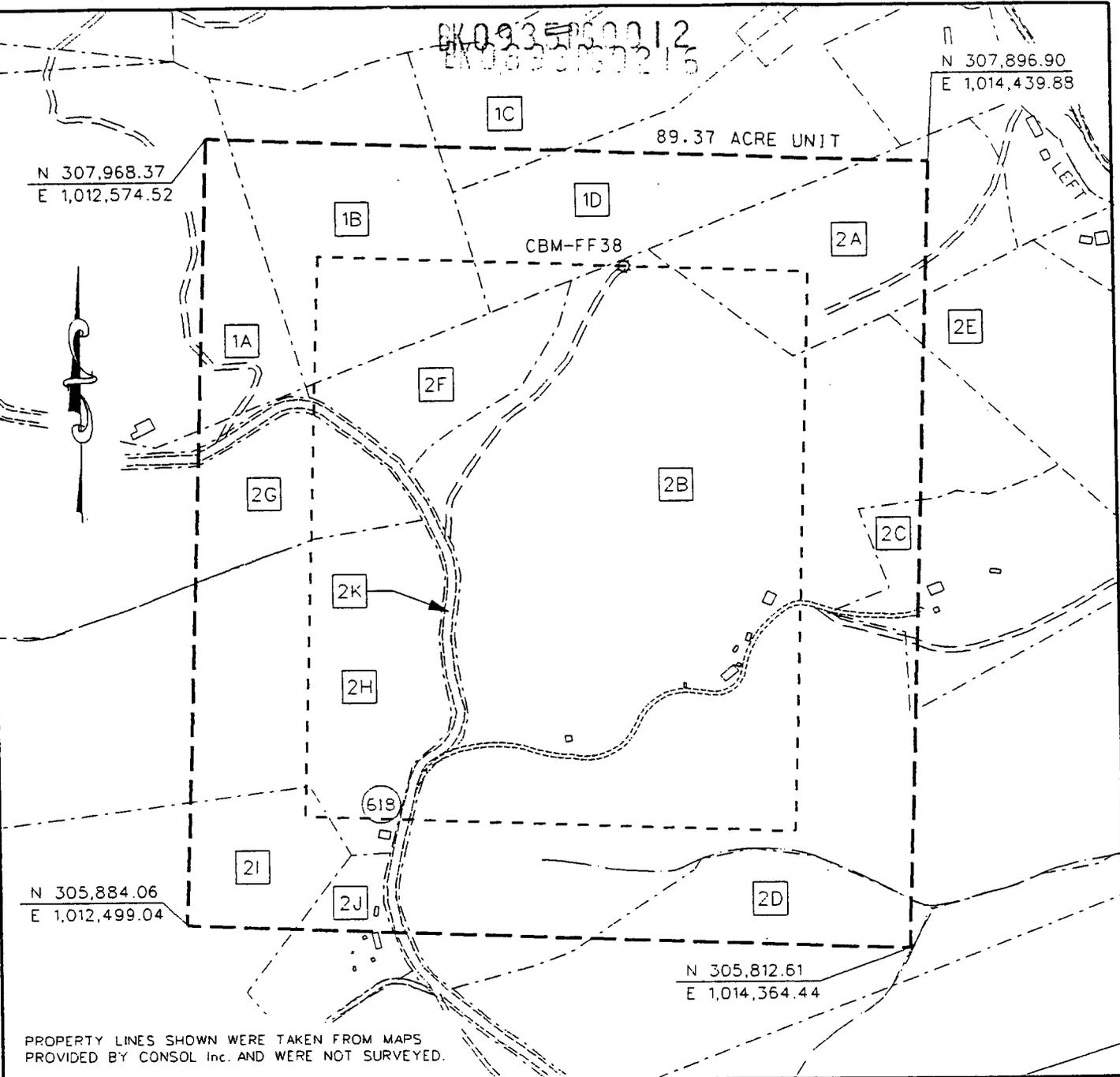


EXHIBIT A  
 OAKWOOD FIELD UNIT FF-38  
 FORCE POOLING  
 VGOB-03-1021-1207

Company CNX Gas Company LLC Well Name and Number UNIT FF38  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Keen Mountain  
 County Tazewell District Maiden Springs Scale: 1" = 400' Date 9/19/05  
 This plot is a new plot X ; an updated plot \_\_\_\_\_ ; or a final plot \_\_\_\_\_

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

OK0935PG0013

**CNX Gas Company LLC**

**UNIT FF-38**

**Tract Identifications**

- 1A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 18 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas, CBM Leased  
Jerry T. Absher, et ux - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 6)  
2.89 acres 3.2337%
- 1B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 18 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Sterling Ball, et al - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 3)  
6.75 acres 7.5529%
- 1C. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 18 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas, CBM Leased  
Robert E. Cordill, et al - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 2)  
0.44 acres 0.4923%
- 1D. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 18 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas, CBM Leased  
Earl J. Cordill, et ux - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 1)  
5.11 acres 5.7178%
- 2A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas, CBM Leased  
Betty J. Short, et al - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 92A)  
5.17 acres 5.7849%
- 2B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas, CBM Leased  
James M. Short, et al - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 92)  
41.85 acres 46.8278%

**CNX Gas Company LLC**  
**UNIT FF-38**  
**Tract Identifications**

- 2C. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas, CBM Leased  
Carl N. Ball, et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 93)  
1.10 acres 1.2308%
- 2D. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas, CBM Leased  
Carl N. Ball, et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 91)  
3.31 acres 3.7037%
- 2E. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Wanda Simmons, et al – All Minerals except Coal  
Knox Creek Carbon Co. – Surface  
(Tax Map 84 Parcel 93)  
0.14 acres 0.1567%
- 2F. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
David E. Short – Surface and All Minerals except Coal  
(Tax Map 84 Parcel 99)  
3.17 acres 3.5471%
- 2G. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Russell J. Short, et ux - Surface and All Minerals except Coal  
Tax Map 84 Parcel 7)  
3.76 acres 4.2072%

**CNX Gas Company LLC****UNIT FF-38****Tract Identifications**

- 2H. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased Knox Creek Coal Corporation – Above Drainage Coal Leased CNX Gas Company LLC - CBM Leased Johnie H. Short - Surface and All Minerals except Coal (Map 84 Parcel 8)**  
10.23 acres                      11.4468%
- 2I. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased Knox Creek Coal Corporation – Above Drainage Coal Leased CNX Gas Company LLC - CBM Leased Buford E. Short, et ux - Surface and All Minerals except Coal (Tax Map 84 Parcel 10)**  
2.94 acres                      3.2897%
- 2J. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased Knox Creek Coal Corporation – Above Drainage Coal Leased CNX Gas Company LLC - CBM Leased Buford E. Short - Surface and All Minerals except Coal (Tax Map 84 Parcel 9)**  
0.76 acres                      0.8504%
- 2K. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 – Coal Consolidation Coal Company – Below Drainage Coal Leased Knox Creek Coal Corporation – Above Drainage Coal Leased CNX Gas Company LLC – CBM Leased Commonwealth of Virginia – Surface and All Minerals except Coal (Tax Map 84 Parcel 8)**  
1.75 acres                      1.9582%

EX0935PG0015

Exhibit B-3  
 Unit FF-38  
 Docket #VGOB 03-1021-1207  
 List of all Owners/Claimants  
 (89.37 Acre Unit)

	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>		
<b><u>Tract #1B, 6.75 acres</u></b>		
Sterling Ball, et al.	6.75 acres	7.5529%
(1) Sterling Ball 2580 West Mountain Street Kernersville, NC 27284	0.9643 acres 1/7 of 6.75 acres	1.0790%
(2) Charlotte Ball Compton 1280 Timbercliff Mansfield, OH 44907	0.9643 acres 1/7 of 6.75 acres	1.0790%
(3) Lenwood Ball (Lenward) Heirs, Devisees, Successors or Assigns <i>Heirs/Addresses Unknown</i>	0.9643 acres 1/7 of 6.75 acres	1.0790%
(4) Exie Ball Johnson Heirs, Devisees, Successors or Assigns		
(a) Marvin Cline 159 Dakota Drive Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(b) Anne Mae Absher Rt. 1 Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(c) Otis Johnson HC62 Box 49 Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(d) Bobby Johnson 105 Bentwood Road Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(e) Johnny Johnson <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(f) Harold Cline P.O. Box 660 Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(g) Peggy Burke (Ford) <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(h) Betty Lawson <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(i) Ruth Short <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(j) Lucille Sisk <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%

Exhibit B-3  
 Unit FF-38  
 Docket #VGOB 03-1021-1207  
 List of all Owners/Claimants  
 (89.37 Acre Unit)

BK0935860017

	Acres in Unit	Interest in Unit
(k) Lois Mays <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(l) Maxine Ward <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(m) Nancy Johnson <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(5) Raleigh Ball Heirs, Devisees, Successors or Assigns		
(a) June Horn Heirs, Devisees, Successors or Assigns		
(a.1) Gary Horn <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(a.2) Michael Horn <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(a.3) Gerald Horn <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(a.4) Rita Wimmer <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(b) Ola Gay Vandyke 18 Smith Street Raven, VA 24639	0.1378 acres 1/49 of 6.75 acres	0.1541%
(c) Herby Ball 125 Albert Rd. Stokesdale, NC 27357	0.1378 acres 1/49 of 6.75 acres	0.1541%
(d) Hermas Ball 8609 McGuire Rd. Kernersville, NC 24284	0.1378 acres 1/49 of 6.75 acres	0.1541%
(e) Betty Hinkle P.O. Box 2326 Cedar Bluff, VA 24609	0.1378 acres 1/49 of 6.75 acres	0.1541%
(f) Raleigh Ball, Jr. <i>Address Unknown</i>	0.1378 acres 1/49 of 6.75 acres	0.1541%
(g) Irean Bostic Heirs, Devisees, Successors or Assigns		
(g.1) John L. Bostic <i>Address Unknown</i>	<i>Life Estate</i>	
(g.2) Greg Bostic Rt. 1 Box 2113 Pounding Mill, VA 24637	0.1378 acres 1/49 of 6.75 acres	0.1541%

Exhibit B-3  
 Unit FF-38  
 Docket #VGOB 03-1021-1207  
 List of all Owners/Claimants  
 (89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns <i>(previously listed as Ida Webb Ball)</i>		
(a) Beulah V. Osborne HC 62, Box 109 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(b) Exie Osborne Heirs, Devisees, Successors or Assigns		
(b.1) John Lee Osborne P.O. Box 6 Shortt Gap, VA 24647	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.2) Maxie Boyd P.O. Box 972 Raven, VA 24639	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.3) Ruth Osborne P.O. Box 672 Doran, VA 24612	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.4) Judy Blankenship General Delivery Doran, VA 24612	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.5) Ida Proffitt P.O. Box 6 Shortt Gap, VA 24647	0.0241 acres 1/280 of 6.75 acres	0.0270%
(c) Arthur M. Stilwell HC62 Box 93 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(d) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns		
(d.1) Arlin W. Osborne P. O. Box 446 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.2) Daniel J. Osborne HC 62, Box 80 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.3) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.4) Hubbard Osborne HC 62, Box 89 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.5) Jackie D. Osborne Rt. 1, Box 209 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%

Exhibit B-3  
Unit FF-38  
Docket #VGOB 03-1021-1207  
List of all Owners/Claimants  
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(d.6) Jerline Davis 10 Davis Street North Tazewell, VA 24630	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.7) Sylvia A. Shelton St. Rt. Box 81A Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.8) Lois Casey P. O. Box 162 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.9) Linda S. Shelton P. O. Box 8 Shortt Gap, VA 24647	0.0134 acres 1/504 of 6.75 acres	0.0150%
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns		
(e.1) Jay C. Stilwell Heirs, Devisees, Successors or Assigns		
(e.1.2) Connie Stilwell, widow P. O. Box 1035 Raven, VA 24639	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.2) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.3) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.4) Theodore Stilwell P. O. Box 626 Raven, VA 24639	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.5) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.6) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f) Charles Stilwell Heirs, Devisees, Successors or Assigns		
(f.1) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	<i>Life Estate</i>	
(f.2) David W. Stilwell 3920 Pointe West Place Apt #154 Rapid City, SD 57702	0.0201 acres 1/336 of 6.75 acres	0.0225%

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 Unit FF-38  
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 (89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(f.3) Thomas H. Stilwell 615 3rd Street North Fargo, ND 58102	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.4) Quentin A. Stilwell P. O. Box 1013 Rhame, ND 58651	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.5) Gladys E. Pollert 1211 29th Street North Fargo, ND 58102	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.6) Daniel J. Stilwell 600 South 9th Street #64 Bismark, ND 58504	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.7) Bernice R. Lamb 3100 Vermillion Hastings, MN 55033	0.0201 acres 1/336 of 6.75 acres	0.0225%
(g) Elmer Stilwell Heirs, Devisees, Successors or Assigns		
(g.1) Virginia N. Stilwell, widow HC 62, Box 97 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(h) Raleigh Stilwell Heirs, Devisees, Successors or Assigns		
(h.1) Martha J. Stilwell HC 62, Box 95 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(7) John Ball Heirs, Devisees, Successors or Assigns		
(a) Goldie Ball Compton <i>Address Unknown</i>	0.4821 acres 1/14 of 6.75 acres	0.5395%
(b) Judith Compton <i>Address Unknown</i>	0.2411 acres 1/28 of 6.75 acres	0.2697%
(c) Clayton Compton <i>Address Unknown</i>	0.2411 acres 1/28 of 6.75 acres	0.2697%
<b><u>Tract #2E, 0.14 acres</u></b>		
(1) Wanda Simmons, et al. (Mary Jane Short Heirs, Devisees, Successors or Assigns)	0.14 acres	0.1567%
(l) Wanda Simmons Heirs, Devisees, Successors or Assigns		

Exhibit B-3  
Unit FF-38

DK0935PG0021

Docket #VGOB 03-1021-1207  
List of all Owners/Claimants  
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(1.1) Dennis Simmons 109 Eagle Street Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(1.2) Bernice Simmons (Widow) Heirs, devisees, Successors or Assigns		
(1.2.1) Michael T. Simmons 520 Crestwood Drive Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(1.3) Norma Lee 751 Terry Drive Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(1.4) Billy R. Simmons P.O. Box 45 Doran, VA 24612	0.0013 acres 7/768 of 0.14 acres	0.0014%
(1.5) Jack Simmons 764 Terry Drive Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(1.6) Renee Younce 1828 Broad Street Bristol, TN 37620	0.0013 acres 7/768 of 0.14 acres	0.0014%
(1.7) Bernard Simmons 2805 W. Front Street Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(1.8) Sandra Simmons 3455 Pitzer Road Roanoke, VA 24014	0.0013 acres 7/768 of 0.14 acres	0.0014%
(2) Knox Creek Coal Corporation c/o A.T. Massey P.O. Box 519 Raven, VA 24639	0.0175 acres 1/8 of 0.14 acres	0.0196%
<b><u>Tract #2F, 3.17 acres</u></b>		
(1) David E. Short 4150 Road Ridge Raven, VA 24639	3.17 acres	3.5471%
<b><u>Tract #2G, 3.76 acres</u></b>		
(1) Russell J. Short, et ux. P.O. Box 363 Swords Creek, VA 24649	3.76 acres	4.2072%

exhibit B-3  
 Unit FF-38  
 Docket #VGOB 03-1021-1207  
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 (89.37 Acre Unit)

	Acres in Unit	Interest in Unit
<b><u>Tract #2H, 10.23 acres</u></b>		
(1) Johnie H. Short P.O. Box 227 Richlands, VA 24641	10.23 acres	11.4468%
<b><u>Tract #2I, 2.94 acres</u></b>		
(1) Buford E. Short 3929 Road Ridge Turnpike Raven, VA 24639	2.94 acres	3.2897%
<b><u>Tract #2J, 0.76 acres</u></b>		
(1) Buford E. Short 3929 Road Ridge Turnpike Raven, VA 24639	0.76 acres	0.8504%
<b><u>Tract #2K, 1.75 acres</u></b>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.75 acres	1.9582%

Exhibit E  
Unit FF-38  
Docket #VGOB 03-1021-1207  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
<b><u>Tract #1A, 2.89 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.89 acres	3.2337%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Jerry T. Absher, et ux. Rt.1 Box 24A Raven, VA 24639	2.89 acres	3.2337%
<b><u>Tract #1B, 6.75 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	6.75 acres	7.5529%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
Sterling Ball, et al.	6.75 acres	7.5529%
(1) Sterling Ball 2580 West Mountain Street Kernersville, NC 27284	0.9643 acres 1/7 of 6.75 acres	1.0790%
(2) Charlotte Ball Compton 1280 Timbercliff Mansfield, OH 44907	0.9643 acres 1/7 of 6.75 acres	1.0790%
(3) Lenwood Ball (Lenward) Heirs, Devisees, Successors or Assigns <i>Heirs/Addresses Unknown</i>	0.9643 acres 1/7 of 6.75 acres	1.0790%
(4) Exie Ball Johnson Heirs, Devisees, Successors or Assigns		
(a) Marvin Cline 159 Dakota Drive Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(b) Anne Mae Absher Rt.1 Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(c) Otis Johnson HC62 Box 49 Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%

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	Acres in Unit	Interest in Unit
(d) Bobby Johnson 105 Bentwood Road Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(e) Johnny Johnson <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(f) Harold Cline P.O. Box 660 Raven, VA 24639	0.0742 acres 1/91 of 6.75 acres	0.0830%
(g) Peggy Burke (Ford) <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(h) Betty Lawson <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(i) Ruth Short <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(j) Lucille Sisk <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(k) Lois Mays <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(l) Maxine Ward <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(m) Nancy Johnson <i>Address Unknown</i>	0.0742 acres 1/91 of 6.75 acres	0.0830%
(5) Raleigh Ball Heirs, Devisees, Successors or Assigns		
(a) June Horn Heirs, Devisees, Successors or Assigns		
(a.1) Gary Horn <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(a.2) Michael Horn <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(a.3) Gerald Horn <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(a.4) Rita Wimmer <i>Address Unknown</i>	0.0344 acres 1/196 of 6.75 acres	0.0385%
(b) Ola Gay Vandyke 18 Smith Street Raven, VA 24639	0.1378 acres 1/49 of 6.75 acres	0.1541%
(c) Herby Ball 125 Albert Rd. Stokesdale, NC 27357	0.1378 acres 1/49 of 6.75 acres	0.1541%

List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(d) Hermas Ball 8609 McGuire Rd. Kernersville, NC 24284	0.1378 acres 1/49 of 6.75 acres	0.1541%
(e) Betty Hinkle P.O. Box 2326 Cedar Bluff, VA 24609	0.1378 acres 1/49 of 6.75 acres	0.1541%
(f) Raleigh Ball, Jr. Address Unknown	0.1378 acres 1/49 of 6.75 acres	0.1541%
(g) Irean Bostic Heirs, Devisees, Successors or Assigns		
(g.1) John L. Bostic Address Unknown		Life Estate
(g.2) Greg Bostic Rt. 1 Box 2113 Pounding Mill, VA 24637	0.1378 acres 1/49 of 6.75 acres	0.1541%
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns <i>(previously listed as Ida Webb Ball)</i>		
(a) Beulah V. Osborne HC 62, Box 109 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(b) Exie Osborne Heirs, Devisees, Successors or Assigns		
(b.1) John Lee Osborne P.O. Box 6 Shortt Gap, VA 24647	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.2) Maxie Boyd P.O. Box 972 Raven, VA 24639	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.3) Ruth Osborne P.O. Box 672 Doran, VA 24612	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.4) Judy Blankenship General Delivery Doran, VA 24612	0.0241 acres 1/280 of 6.75 acres	0.0270%
(b.5) Ida Proffitt P.O. Box 6 Shortt Gap, VA 24647	0.0241 acres 1/280 of 6.75 acres	0.0270%
(c) Arthur M. Stilwell HC62 Box 93 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(d) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns		

## exhibit E

## Unit FF-38

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## List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(d.1) Arlin W. Osborne P. O. Box 446 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.2) Daniel J. Osborne HC 62, Box 80 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.3) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.4) Hubbard Osborne HC 62, Box 89 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.5) Jackie D. Osborne Rt. 1, Box 209 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.6) Jerline Davis 10 Davis Street North Tazewell, VA 24630	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.7) Sylvia A. Shelton St. Rt. Box 81A Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.8) Lois Casey P. O. Box 162 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%
(d.9) Linda S. Shelton P. O. Box 8 Shortt Gap, VA 24647	0.0134 acres 1/504 of 6.75 acres	0.0150%
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns		
(e.2) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.3) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.4) Theodore Stilwell P. O. Box 626 Raven, VA 24639	0.0201 acres 1/336 of 6.75 acres	0.0225%
(e.5) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0201 acres 1/336 of 6.75 acres	0.0225%

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## List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(e.6) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f) Charles Stilwell Heirs, Devisees, Successors or Assigns		
(f.1) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	<i>Life Estate</i>	
(f.2) David W. Stilwell 3920 Pointe West Place Apt #154 Rapid City, SD 57702	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.3) Thomas H. Stilwell 615 3rd Street North Fargo, ND 58102	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.4) Quentin A. Stilwell P. O. Box 1013 Rhome, ND 58651	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.5) Gladys E. Pollert 1211 29th Street North Fargo, ND 58102	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.6) Daniel J. Stilwell 600 South 9th Street #64 Bismark, ND 58504	0.0201 acres 1/336 of 6.75 acres	0.0225%
(f.7) Bernice R. Lamb 3100 Vermillion Hastings, MN 55033	0.0201 acres 1/336 of 6.75 acres	0.0225%
(g) Elmer Stilwell Heirs, Devisees, Successors or Assigns		
(g.1) Virginia N. Stilwell, widow HC 62, Box 97 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(h) Raleigh Stilwell Heirs, Devisees, Successors or Assigns		
(h.1) Martha J. Stilwell HC 62, Box 95 Raven, VA 24639	0.1205 acres 1/56 of 6.75 acres	0.1349%
(7) John Ball Heirs, Devisees, Successors or Assigns		
(a) Goldie Ball Compton <i>Address Unknown</i>	0.4821 acres 1/14 of 6.75 acres	0.5395%
(b) Judith Compton <i>Address Unknown</i>	0.2411 acres 1/28 of 6.75 acres	0.2697%

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	Acres in Unit	Interest in Unit
(c) Clayton Compton Address Unknown	0.2411 acres 1/28 of 6.75 acres	0.2697%
<b><u>Tract #1C, 0.44 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.44 acres	0.4923%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Robert E. Cordill, et al. P.O. Box 87 Raven, VA 24639	0.44 acres	0.4923%
<b><u>Tract #1D, 5.11 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	5.11 acres	5.7178%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Earl J. Cordill, et ux. P.O. Box 421 Doran, VA 24612	5.11 acres	5.7178%
<b><u>Tract #2A, 5.17 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	5.17 acres	5.7849%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Betty J. Short, et al.	5.17 acres	5.7849%
(a) Betty J. Short 411 Kents Ridge Road Richlands, VA 24641	3.88 acres 3/4 of 5.17 acres	4.3387%
(b) Charles G. Rakes Rt.3 Box 108A Tazewell, VA 24651	1.29 acres 1/4 of 5.17 acres	1.4462%

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	Acres in Unit	Interest in Unit
<b><u>Tract #2B, 41.85 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	41.85 acres	46.8278%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) James M. Short, et al. c/o Myrtle Short Rt.1 Box 24 Raven, VA 24639	41.85 acres	46.8278%
<b><u>Tract #2E, 0.14 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.14 acres	0.1567%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Wanda Simmons, et al. (Mary Jane Short Heirs, Devisees, Successors or Assigns)	0.14 acres	0.1567%
(a) Maude Murray 1234 1/2 N. F Street Muscogee, OK 74403	0.0102 acres 7/96 of 0.14 acres	0.0114%
(b) Ruby Boice 1409 Old Manor Road Chesapeake, VA 23323	0.0102 acres 7/96 of 0.14 acres	0.0114%
(c) Millie Maxey Campbell 216 Cassidy Avenue Virginia Beach, VA 23452	0.0102 acres 7/96 of 0.14 acres	0.0114%
(d) Carolyn Phelps Heirs, Devisees, Successors or Assigns		
(d.1) Robert L. Phelps, widower 3108 Sterling Way Portsmouth, VA 23703	0.0102 acres 7/96 of 0.14 acres	0.0114%
(e) George H. Short 806 Nottingham Road Portsmouth, VA 23703	0.0102 acres 7/96 of 0.14 acres	0.0114%

Exhibit E  
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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(f) James H. Short 622 Chandler Harper Drive Portsmouth, VA 23701	0.0102 acres 7/96 of 0.14 acres	0.0114%
(g) Donald Blane Short 4404 Point West Drive Portsmouth, VA 23703	0.0102 acres 7/96 of 0.14 acres	0.0114%
(h) Alfred V. Short Heirs, Devisees, Successors or Assigns		
(h.1) Alfred V. Short, Jr. 109 Wyoming Avenue Portsmouth, VA 23701	0.0034 acres 7/288 of 0.14 acres	0.0038%
(h.2) Cheryl Wood 13 California Avenue Portsmouth, VA 23701	0.0034 acres 7/288 of 0.14 acres	0.0038%
(h.3) Patricia Clark 6101 #B College Drive Suffolk, VA 23435	0.0034 acres 7/288 of 0.14 acres	0.0038%
(i) Daniel A. Short Heirs, Devisees, Successors or Assigns		
(i.1) Delmar Short (spouse) 2741 Martha Drive Chesapeake, VA 23323	0.0034 acres 7/288 of 0.14 acres	0.0038%
(i.2) Dennis Short 1421 Old Manor Road Chesapeake, VA 23323	0.0010 acres 1/144 of 0.14 acres	0.0011%
(i.3) Dwayne Short 2106 Wyoming Avenue Portsmouth, VA 23701	0.0010 acres 1/144 of 0.14 acres	0.0011%
(i.4) David Short 3920 Wedgewood Drive Chesapeake, VA 23321	0.0010 acres 1/144 of 0.14 acres	0.0011%
(i.5) Danny Short 1112 Elm Street Suffolk, VA 23434	0.0010 acres 1/144 of 0.14 acres	0.0011%
(i.6) Delmar Grover Short 2709 Martha Drive Chesapeake, VA 23323	0.0010 acres 1/144 of 0.14 acres	0.0011%
(i.7) Dawn Short Robey 2749 Martha Drive Chesapeake, VA 23323	0.0010 acres 1/144 of 0.14 acres	0.0011%
(i.8) Dianna Short Barney 3 Windmere Heights Bristol, VA 24201	0.0010 acres 1/144 of 0.14 acres	0.0011%

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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(j) Max O. Short Heirs, Devisees, Successors or Assigns		
(j.1) Marie (Frances) Short, widow 9 Morris Street, Apt.2 Portsmouth, VA 23702	0.0034 acres 7/288 of 0.14 acres	0.0038%
(j.2) Mary Ann Rowe 9 Morris Street, Apt.2 Portsmouth, VA 23702	0.0034 acres 7/288 of 0.14 acres	0.0038%
(j.3) Carrol J. Short 3263 Asbury Square Atlanta, GA 30346	0.0034 acres 7/288 of 0.14 acres	0.0038%
(k) John D. Short 6178 Knotts Creek Lane Suffolk, VA 23435	0.0102 acres 7/96 of 0.14 acres	0.0114%
(l) Wanda Simmons Heirs, Devisees, Successors or Assigns		
(l.1) Dennis Simmons 109 Eagle Street Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(l.2) Bernice Simmons (Widow) Heirs, Devisees, Successors or Assigns		
(l.2.1) Michael T. Simmons 520 Crestwood Drive Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(l.3) Norma Lee 751 Terry Drive Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(l.4) Billy R. Simmons P.O. Box 45 Doran, VA 24612	0.0013 acres 7/768 of 0.14 acres	0.0014%
(l.5) Jack Simmons 764 Terry Drive Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(l.6) Renee Younce 1828 Broad Street Bristol, TN 37620	0.0013 acres 7/768 of 0.14 acres	0.0014%
(l.7) Bernard Simmons 2805 W. Front Street Richlands, VA 24641	0.0013 acres 7/768 of 0.14 acres	0.0014%
(l.8) Sandra Simmons 3455 Pitzer Road Roanoke, VA 24014	0.0013 acres 7/768 of 0.14 acres	0.0014%

## List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(2) Knox Creek Coal Corporation c/o A.T. Massey P.O. Box 519 Raven, VA 24639	0.0175 acres 1/8 of 0.14 acres	0.0196%
<b><u>Tract #2G, 3.76 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.76 acres	4.2072%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Russell J. Short, et ux. P.O. Box 363 Swords Creek, VA 24649	3.76 acres	4.2072%
<b><u>Tract #2H, 10.23 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	10.23 acres	11.4468%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Johnie H. Short P.O. Box 227 Richlands, VA 24641	10.23 acres	11.4468%
<b><u>Tract #2I, 2.94 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.94 acres	3.2897%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Buford E. Short 3929 Road Ridge Turnpike Raven, VA 24639	2.94 acres	3.2897%

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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
<b><u>Tract #2J, 0.76 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.76 acres	0.8504%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Buford E. Short 3929 Road Ridge Turnpike Raven, VA 24639	0.76 acres	0.8504%
<b><u>Tract #2K, 1.75 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.75 acres	1.9582%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.75 acres	1.9582%

Exhibit EE  
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List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit
<b><u>Tract #1B, 6.75 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	6.75 acres	7.5529%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
Sterling Ball, et al.	6.75 acres	7.5529%
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns		
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns		
(e.1) Jay C. Stilwell Heirs, Devisees, Successors or Assigns		
(e.1.2) Connie Stilwell, widow P. O. Box 1035 Raven, VA 24639	0.0201 acres 1/336 of 6.75 acres	0.0225%
<b><u>Tract #2C, 1.10 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.10 acres	1.2308%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Carl N. Ball, et ux. 384 Leonards Drive Raven, VA 24639	1.10 acres	1.2308%
<b><u>Tract #2D, 3.31 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.31 acres	3.7037%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Carl N. Ball, et ux. 384 Leonards Drive Raven, VA 24639	3.31 acres	3.7037%

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Exhibit EE  
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List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit
<b><u>Tract #2F, 3.17 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.17 acres	3.5471%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) David E. Short 4150 Road Ridge Raven, VA 24639	3.17 acres	3.5471%

INSTRUMENT #050001119  
RECORDED IN THE CLERK'S OFFICE OF  
TAZEWELL COUNTY ON  
MARCH 14, 2005 AT 12:57PM  
JAMES E. BLEVINS, CLERK  
*Petley G. Buchanan*  
RECORDED BY: BGE