

1329

VIRGINIA:

080002962

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 04-0921-1334 & VGOB 04-0921-1334-01

ELECTIONS: UNIT EE-14  
(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 Orders previously entered in the captioned matter on January 13, 2005 which was recorded at Deed Book 610, Page 698 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on January 21, 2005, and a subsequent order entered on June 19, 2007 which was recorded at Document #070002309 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on June 21, 2007, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein A 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 EE-14.

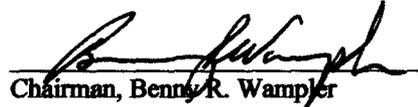
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, Attn: Judy Barger 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 (7) days from the date of receipt of this Order.

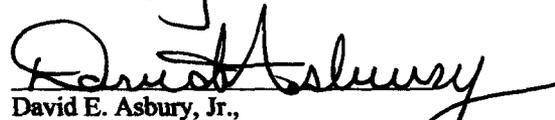
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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

DONE AND EXECUTED this 15<sup>th</sup> day of July, 2008, by a majority of the Virginia Gas and Oil Board.

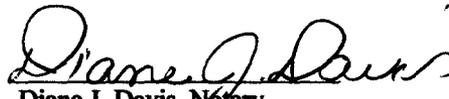
  
Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 15<sup>th</sup> day of July, 2008, by Order of the Board.

  
David E. Asbury, Jr.,  
Acting Director of the Division of Gas & Oil Board and  
Principal Executive to the Board

STATE OF VIRGINIA  
COUNTY OF WASHINGTON

Acknowledged on this 15<sup>th</sup> day of July, 2008, 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, and appeared David E. Asbury Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

  
Diane J. Davis, Notary  
174394

My commission expires: September 30, 2009

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 EE-14  
VGOB 04-0921-1334 & 04-0921-1334-01 in the Hurricane District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A 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(s) entered on January 13, 2005 and June 19, 2007, 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(s) were recorded on January 21, 2005 and June 21, 2007 respectively;

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:

John Tolman Sheffield Trust (Carried Operator) and Oryn Treadway Sheffield Trust (Carried Operator)

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 January 13, 2005 and June 19, 2007;

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.

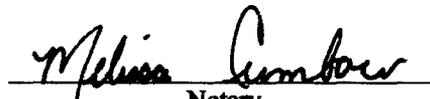
None

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.

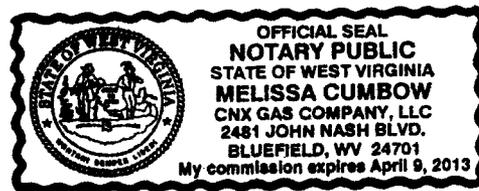
Dated at Mercer, West Virginia, this 30<sup>th</sup> day of June, 2008.

  
Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Director – Environmental Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 30<sup>th</sup> day of June, 2008.

  
Notary

My commission expires: April 9, 2013.



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

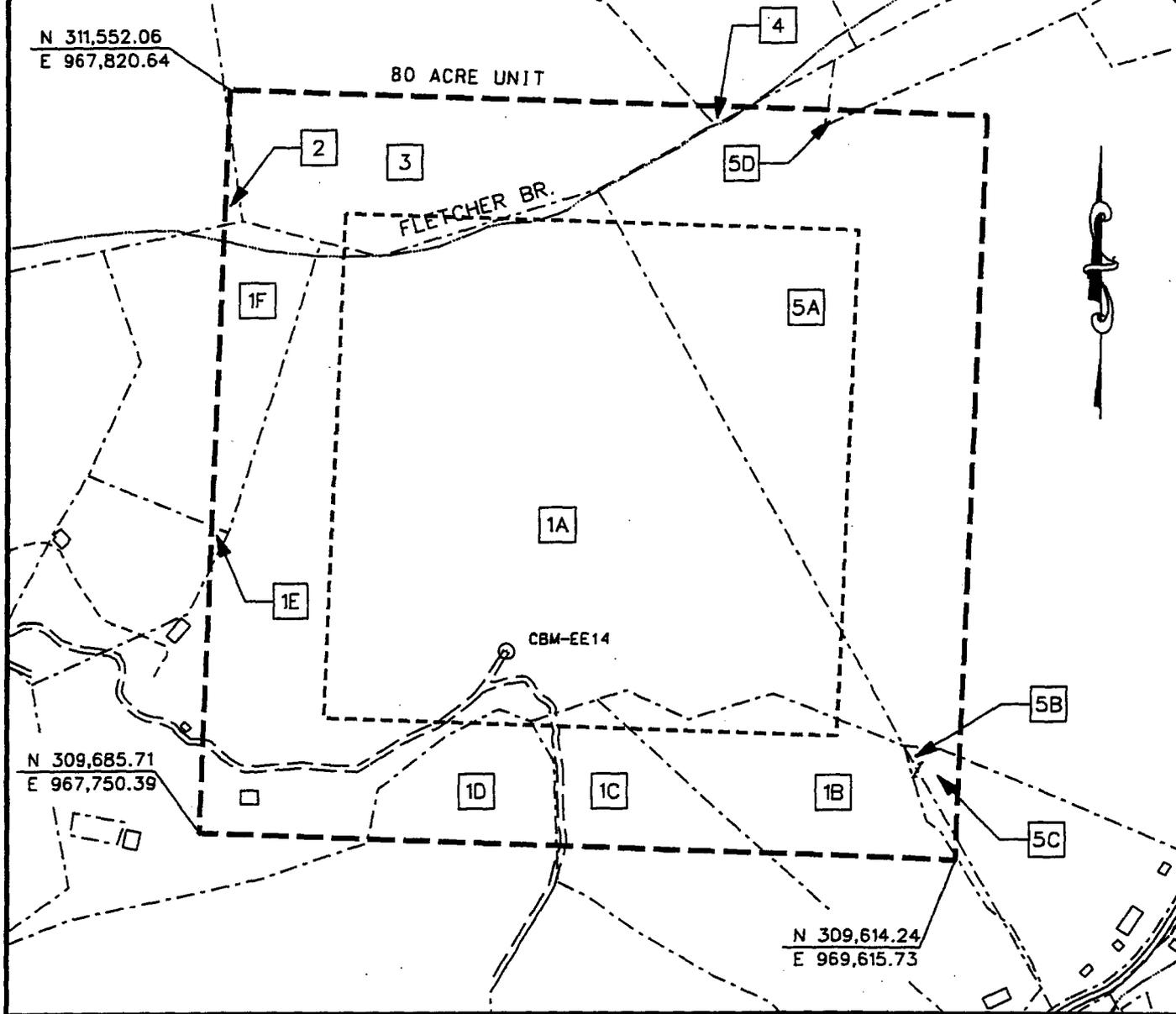
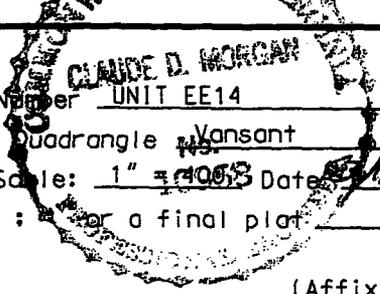


EXHIBIT A  
 OAKWOOD FIELD  
 UNIT EE-14  
 FORCE MAIN  
 VGD 04-0921-1334-01

Company CNX Gas Company LLC Well Name and Number UNIT EE14  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Vansant  
 County Buchanan District Hurricane Scale: 1" = 100' Date: 9/13/05  
 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)



**CNX Gas Company LLC**  
**UNIT EE 14**  
**Tract Identifications**

1. Harrison-Wyatt, LLC. Big Axe Tr. 9 (400 Acre Tract) – All Minerals  
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC. – Oil, Gas and CBM Leased  
50.89 Acres                      63.6125%
  
- 1A. Donald M. Vandyke, et al - Surface
- 1B. Harlis W. Keen, et ux – Surface
- 1C. Macie E. Beck, et vir – Surface
- 1D. Robert Hale - Surface
- 1E. Bobby Fletcher, et al - Surface
- 1F. Donald M. Vandyke, et al - Surface
- 1G. Danny R. Street, et al - Surface
  
2. Harrison-Wyatt, LLC. Big Axe Tr. 54 (82.50 Acre Tract) – All Minerals  
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Drainage Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC. – Oil, Gas and CBM Leased  
Debra Ann Elswick - Surface  
0.13 Acres                      0.1625%
  
3. Oryn Treadway Sheffield, Jr, Trustee of John Tolman Sheffield Trust and John Tolman  
Sheffield, Trustee of the Oryn Treadway Sheffield, Jr. Trust (50%) – Fee  
B.F. McGlothlin Heirs, Successors or Assigns (50%) – Fee except P-3 Seam  
Island Creek Coal Company/Consol Energy Inc. (50%) – P-3 Seam  
Island Creek Coal Company/Consol Energy Inc. – Coal In and Below Tiller Seam Leased  
7.74 Acres                      9.6750%
  
4. Harold E. Jackson, et al (17.65 Acre Tract) – All Minerals  
Island Creek Coal Company/Consol Energy Inc. – Coal Below Tiller Seam Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Harold V. Cooke, et ux – Surface  
0.07 Acres                      0.0875%
  
5. Buckhorn Coal Company Tract 6 (H.C. Stuart 425 Acre Tract) – All Minerals  
Reserved Coal Properties Company – Below Tiller Coal Leased  
Knox Creek Coal Corporation – Above Drainage Coal Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
21.17 Acres                      26.4625%
  
- 5A. J.M. Hall Heirs, et al - Surface
- 5B. Danny R. Street, et al - Surface
- 5C. Unknown Surface Owner

Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
<b>I. COAL FEE OWNERSHIP</b>			
<b><u>Tract #3 - 7.74 acres</u></b>			
(1) Trustee of Oryn Treadway, Jr. Trust and/or John Tolman Sheffield Trust c/o Brandi Sheffield 125 West Lane Kerrville, TX 78028	3.87 acres 1/2 of 7.74 acres	4.8375%	Carried
(2) B.F. McGlothlin Heirs, Devisees, Successors or Assigns (exc. P3 seam)	3.87 acres 1/2 of 7.74 acres	4.8375%	
(1) Bennie McGlothlin Rt.4 Box 420 Gate City, VA 24251	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(2) Bonnie McGlothlin Rt. 1, Box 182 Hiltons, VA 24258	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(3) Ralph Edward McGlothlin 100 Collins Crest Cedar Bluff, VA 24609	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(4) Robert D. McGlothlin Heirs, Devisees, Successors or Assigns			
(a) Patricia S. McGlothlin 6293 Wildemess Road Dublin, VA 24084	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(5) Ruby B. McGlothlin Heirs, Devisees, Successors or Assigns			
(a) Ann M. Lilly 16540 Heron Coach Way #406 Fort Myers, FL 33908	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(6) Helen E. Counts 1334 Augusta Street Bluefield, WV 24701	0.352 acres 1/11 of 3.87 acres	0.4398%	Deemed Leased
(7) Joseph Blair McGlothlin P. O. Box 71 Cedar Bluff, VA 24609	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(8) Katherine M. & John Warren 2208 Wingfield Road Charlottesville, VA 22901	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(9) Nannie P. Lockhart 9625 Alfaree Road Richmond, VA 23237-3330	0.352 acres 1/11 of 3.87 acres	0.4398%	Deemed Leased

**Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit	Election
(10) Mary & Donald A. McGlothlin, Sr. P.O. Box 909 Grundy, VA 24614	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(11) Billy Sue Dixon Heirs, Devisees, Successors or Assigns			
(a) Hobart Dixon 14121 Heather Rd. Bristol, VA 24202	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(12) Peggy & Henry Durham 2232 Island Road Blountville, TN 37617	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(13) Rose Myrtle Wampler Heirs, Devisees, Successors or Assigns			
(a) Sherry W. Bennett 155 Mountain Ave Rocky Mount, VA 24151	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(b) Pauline W. Shortridge 9217 Brentsville Road Manassas, VA 20112	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(c) F.E. Wampler 22784 Osprey Ridge Road Bristol, VA 24202	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(14) Woodrow & Sally McGlothlin Heirs, Devisees, Successors or Assigns P.O. Box 266 Oakwood, VA 24631	0.352 acres 1/11 of 3.87 acres	0.4398%	Deemed Leased
(15) Doris Ann McGlothlin P. O. Box 428 Raven, VA 24639	0.101 acres 2/77 of 3.87 acres	0.1256%	Deemed Leased
(16) Francis Ann Borkey 503 Ridgley Lane Richmond, VA 23229	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(17) James Lloyd McGlothlin 998 Glenwood Street Cedar Bluff, VA 24609	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(18) Una Lee Mulligan Bailey P. O. Box 51 Richlands, VA 24641	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(19) Cecil Earl McGlothlin P.O. Box 194 Wingo, KY 42088	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(20) Norman R.. McGlothlin 6239 Oak Leaf lane N. Fayetteville, PA 17222	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(21) Dorothy Mullins Heirs, Devisees,			

**Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit	Election
<b>Successors or Assigns</b>			
(a) Ann Mullins Washburn 3343 Nottingham Drive Tallahassee, FL 32312	0.059 acres 1/66 of 3.87 acres	0.0733%	Deemed Leased
(b) Michael M. Mullins 1445 Westerly Terrace Los Angeles, CA 90026	0.059 acres 1/66 of 3.87 acres	0.0733%	Deemed Leased
(22) Charles Robert Dixon Rt.4 200 Heather Road Bristol, VA 24201	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(23) Gladys Jessee 413 North Street Richlands, VA 24641	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(24) Frankie Mae Street Heirs, Devisees, Successors or Assigns			
(a) H. A. Street, Trustee Will of Frankie Mae Street P.O. Drawer 2100 Grundy, VA 24614-1179			
(b) N. D. Street, Trustee Will of Frankie Mae Street P.O. Drawer 2100 Grundy, VA 24614-1179			
(c) Gaynell S. Fowler P.O. Box 1179 Grundy, VA 24614-1179	0.044 acres 1/88 of 3.87 acres	0.0550%	Deemed Leased
(d) James H. Street P. O. Box 2100 Grundy, VA 24614	0.022 acres 1/176 of 3.87 acres	0.0275%	Deemed Leased
(e) Marcus A. Street <i>Address Unknown</i>	0.022 acres 1/176 of 3.87 acres	0.0275%	Deemed Leased
(f) Robert D. Street <i>Address Unknown</i>	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(g) David A. Street <i>Address Unknown</i>	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(h) Lauren F. Street <i>Address Unknown</i>	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(i) Russell K. Street #110 Buford Avenue Windsor Place Anderson, SC 29621	0.044 acres 1/88 of 3.87 acres	0.0550%	Deemed Leased

**Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit	Election
(j) Susan S. Hoffman 814 North Wood Street Logan, OH 43138-1121	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(k) Colleen S. Mellors 17 Commercial Road Devizes, Willshire SNID-1UK	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(l) Stephen Street RD 1, Sunset Lake Road Richmond, OH 43944	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(m) Lisa Street RD 1, Sunset Lake Road Richmond, OH 43944	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(n) Nelgie Lane Street P. O. Box 1460 Grundy, VA 24614	0.044 acres 1/88 of 3.87 acres	0.0550%	Deemed Leased
(o) Barry Dale Norris P. O. Box 3328 Johnson City, TN 37615	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(p) Michael Norris 590 County Home Road Blountville, TN 37617	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(q) Ann Norris Reid 2924 SE Alder Street Portland, OR 97214	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(r) Frank Arthur Norris 2005 Sandlewood Drive Dunwoody, GA 30350	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(s) Dwight Douglas Norris P.O. Box 3147 Blountville, TN 37617	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(t) Benjamin A. Street Rt. 2, Box 125 Vansant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(u) Daniel S. Street Rt. 2, Box 125 Vansant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(v) Jill Nicole Street Rt. 2, Box 125 Vansant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased

**Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit	Election
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>			
<b><u>Tract #3 - 21.67 acres</u></b>			
(1) Trustee of Oryn Treadway, Jr. Trust and/or John Tolman Sheffield Trust c/o Brandi Sheffield 125 West Lane Kerrville, TX 78028	3.87 acres 1/2 of 7.74 acres	4.8375%	Carried
(2) B.F. McGlothlin Heirs, Devisees, Successors or Assigns (exc. P3 seam)	3.87 acres 1/2 of 7.74 acres	4.8375%	
(1) Bennie McGlothlin Rt.4 Box 420 Gate City, VA 24251	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(2) Bonnie McGlothlin Rt. 1, Box 182 Hiltons, VA 24258	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(3) Ralph Edward McGlothlin 100 Collins Crest Cedar Bluff, VA 24609	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(4) Robert D. McGlothlin Heirs, Devisees, Successors or Assigns			
(a) Patricia S. McGlothlin 6293 Wilderness Road Dublin, VA 24084	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(5) Ruby B. McGlothlin Heirs, Devisees, Successors or Assigns			
(a) Ann M. Lilly 16540 Heron Coach Way #406 Fort Myers, FL 33908	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(6) Helen E. Counts 1334 Augusta Street Bluefield, WV 24701	0.352 acres 1/11 of 3.87 acres	0.4398%	Deemed Leased
(7) Joseph Blair McGlothlin P. O. Box 71 Cedar Bluff, VA 24609	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(8) Katherine M. & John Warren 2208 Wingfield Road Charlottesville, VA 22901	0.176 acres 1/22 of 3.87 acres	0.2199%	Deemed Leased
(9) Nannie P. Lockhart 9625 Alfaree Road Richmond, VA 23237-3330	0.352 acres 1/11 of 3.87 acres	0.4398%	Deemed Leased

**Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit	Election
(10) Mary & Donald A. McGlothlin, Sr. P.O. Box 909 Grundy, VA 24614	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(11) Billy Sue Dixon Heirs, Devisees, Successors or Assigns			
(a) Hobart Dixon 14121 Heather Rd. Bristol, VA 24202	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(12) Peggy & Henry Durham 2232 Island Road Blountville, TN 37617	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(13) Rose Myrtle Wampler Heirs, Devisees, Successors or Assigns			
(a) Sherry W. Bennett 155 Mountain Ave Rocky Mount, VA 24151	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(b) Pauline W. Shortridge 9217 Brentsville Road Manassas, VA 20112	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(c) F.E. Wampler 22784 Osprey Ridge Road Bristol, VA 24202	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(14) Woodrow & Sally McGlothlin Heirs, Devisees, Successors or Assigns P.O. Box 266 Oakwood, VA 24631	0.352 acres 1/11 of 3.87 acres	0.4398%	Deemed Leased
(15) Doris Ann McGlothlin P. O. Box 428 Raven, VA 24639	0.101 acres 2/77 of 3.87 acres	0.1256%	Deemed Leased
(16) Francis Ann Borkey 503 Ridgley Lane Richmond, VA 23229	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(17) James Lloyd McGlothlin 998 Glenwood Street Cedar Bluff, VA 24609	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(18) Una Lee Mulligan Bailey P. O. Box 51 Richlands, VA 24641	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(19) Cecil Earl McGlothlin P.O. Box 194 Wingo, KY 42088	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(20) Norman L. McGlothlin 6107 63rd Place Riverdale Hill, MD 20737	0.050 acres 1/77 of 3.87 acres	0.0628%	Deemed Leased
(21) Dorothy Mullins Heirs, Devisees,			

**Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit	Election
<b>Successors or Assigns</b>			
(a) Ann Mullins Washburn 3343 Notingham Drive Tallahassee, FL 32312	0.059 acres 1/66 of 3.87 acres	0.0733%	Deemed Leased
(b) Michael M. Mullins 1445 Westerly Terrace Los Angeles, CA 90026	0.059 acres 1/66 of 3.87 acres	0.0733%	Deemed Leased
(22) Charles Robert Dixon Rt.4 200 Heather Road Bristol, VA 24201	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(23) Gladys Jessee 413 North Street Richlands, VA 24641	0.117 acres 1/33 of 3.87 acres	0.1466%	Deemed Leased
(24) Frankie Mae Street Heirs, Devisees, Successors or Assigns			
(a) H. A. Street, Trustee Will of Frankie Mae Street P.O. Drawer 2100 Grundy, VA 24614-1179			
(b) N. D. Street, Trustee Will of Frankie Mae Street P.O. Drawer 2100 Grundy, VA 24614-1179			
(c) Gaynell S. Fowler P.O. Box 1179 Grundy, VA 24614-1179	0.044 acres 1/88 of 3.87 acres	0.0550%	Deemed Leased
(d) James H. Street P. O. Box 2100 Grundy, VA 24614	0.022 acres 1/176 of 3.87 acres	0.0275%	Deemed Leased
(e) Marcus A. Street <i>Address Unknown</i>	0.022 acres 1/176 of 3.87 acres	0.0275%	Deemed Leased
(f) Robert D. Street <i>Address Unknown</i>	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(g) David A. Street <i>Address Unknown</i>	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(h) Lauren F. Street <i>Address Unknown</i>	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(i) Russell K. Street #110 Buford Avenue Windsor Place Anderson, SC 29621	0.044 acres 1/88 of 3.87 acres	0.0550%	Deemed Leased

**Exhibit B-3  
Unit EE-14  
Docket #VGOB 04-0921-1334-01  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit	Election
(j) Susan S. Hoffman 814 North Wood Street Logan, OH 43138-1121	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(k) Colleen S. Mellors 17 Commercial Road Devizes, Willshire SNID-1UK	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(l) Stephen Street RD 1, Sunset Lake Road Richmond, OH 43944	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(m) Lisa Street RD 1, Sunset Lake Road Richmond, OH 43944	0.011 acres 1/352 of 3.87 acres	0.0137%	Deemed Leased
(n) Nelgie Lane Street P. O. Box 1460 Grundy, VA 24614	0.044 acres 1/88 of 3.87 acres	0.0550%	Deemed Leased
(o) Barry Dale Norris P. O. Box 3328 Johnson City, TN 37615	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(p) Michael Norris 590 County Home Road Blountville, TN 37617	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(q) Ann Norris Reid 2924 SE Alder Street Portland, OR 97214	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(r) Frank Arthur Norris 2005 Sandilewood Drive Dunwoody, GA 30350	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(s) Dwight Douglas Norris P.O. Box 3147 Blountville, TN 37617	0.009 acres 1/440 of 3.87 acres	0.0110%	Deemed Leased
(t) Benjamin A. Street Rt. 2, Box 125 Vasant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(u) Daniel S. Street Rt. 2, Box 125 Vasant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased
(v) Jill Nicole Street Rt. 2, Box 125 Vasant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%	Deemed Leased

**Exhibit E**  
**Unit EE-14**  
**Docket #VGOB 04-0921-1334-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
<b><u>Tract #3 - 7.74 acres</u></b>		
<i>Note: The only CBM ownership in conflict is the P3 Seam. The entire 1/2 interest will not be escrowed. Payment will be based on the percentage of the P3 Seam that is stimulated upon completion.</i>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(3) ICCG / Consol Energy Inc. (P3 seam only) P.O. Box 947 Bluefield, VA 24605	3.870 acres 1/2 of 7.74 acres	4.8375%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(2) B.F. McGlothlin Heirs, Devisees, Successors or Assigns (exc. P3 seam)	3.87 acres 1/2 of 7.74 acres	4.8375%
(1) Bennie McGlothlin Rt.4 Box 420 Gate City, VA 24251	0.117 acres 1/33 of 3.87 acres	0.1466%
(2) Bonnie McGlothlin Rt. 1, Box 182 Hiltons, VA 24258	0.117 acres 1/33 of 3.87 acres	0.1466%
(3) Ralph Edward McGlothlin 100 Collins Crest Cedar Bluff, VA 24609	0.117 acres 1/33 of 3.87 acres	0.1466%
(4) Robert D. McGlothlin Heirs, Devisees, Successors or Assigns		
(a) Patricia S. McGlothlin 6293 Wilderness Road Dublin, VA 24084	0.176 acres 1/22 of 3.87 acres	0.2199%
(5) Ruby B. McGlothlin Heirs, Devisees, Successors or Assigns		
(a) Ann M. Lilly 16540 Heron Coach Way #406 Fort Myers, FL 33908	0.176 acres 1/22 of 3.87 acres	0.2199%
(6) Helen E. Counts 1334 Augusta Street Bluefield, WV 24701	0.352 acres 1/11 of 3.87 acres	0.4398%
(7) Joseph Blair McGlothlin P. O. Box 71 Cedar Bluff, VA 24609	0.176 acres 1/22 of 3.87 acres	0.2199%
(8) Katherine M. & John Warren 2208 Wingfield Road Charlottesville, VA 22901	0.176 acres 1/22 of 3.87 acres	0.2199%
(9) Nannie P. Lockhart 9625 Alfaree Road Richmond, VA 23237-3330	0.352 acres 1/11 of 3.87 acres	0.4398%

**Exhibit E**  
**Unit EE-14**  
**Docket #VGOB 04-0921-1334-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(10) Mary & Donald A. McGlothlin, Sr. P.O. Box 909 Grundy, VA 24614	0.117 acres 1/33 of 3.87 acres	0.1466%
(11) Billy Sue Dixon Heirs, Deviseses, Successors or Assigns		
(a) Hobart Dixon 14121 Heather Rd. Bristol, VA 24202	0.117 acres 1/33 of 3.87 acres	0.1466%
(12) Peggy & Henry Durham 2232 Island Road Blountville, TN 37617	0.117 acres 1/33 of 3.87 acres	0.1466%
(13) Rose Myrtle Wampler Heirs, Deviseses, Successors or Assigns		
(a) Sherry W. Bennett 155 Mountain Ave Rocky Mount, VA 24151	0.117 acres 1/33 of 3.87 acres	0.1466%
(b) Pauline W. Shortridge 9217 Brentsville Road Manassas, VA 20112	0.117 acres 1/33 of 3.87 acres	0.1466%
(c) F.E. Wampler 22784 Osprey Ridge Road Bristol, VA 24202	0.117 acres 1/33 of 3.87 acres	0.1466%
(14) Woodrow & Sally McGlothlin Heirs, Deviseses, Successors or Assigns P.O. Box 266 Oakwood, VA 24631	0.352 acres 1/11 of 3.87 acres	0.4398%
(15) Doris Ann McGlothlin P. O. Box 428 Raven, VA 24639	0.101 acres 2/77 of 3.87 acres	0.1256%
(16) Francis Ann Borkey 503 Ridgley Lane Richmond, VA 23229	0.050 acres 1/77 of 3.87 acres	0.0628%
(17) James Lloyd McGlothlin 998 Glenwood Street Cedar Bluff, VA 24609	0.050 acres 1/77 of 3.87 acres	0.0628%
(18) Una Lee Mulligan Bailey P. O. Box 51 Richlands, VA 24641	0.050 acres 1/77 of 3.87 acres	0.0628%
(19) Cecil Earl McGlothlin P.O. Box 194 Wingo, KY 42088	0.050 acres 1/77 of 3.87 acres	0.0628%
(20) Norman L. McGlothlin 6107 63rd Place Riverdale Hill, MD 20737	0.050 acres 1/77 of 3.87 acres	0.0628%

**Exhibit E**  
**Unit EE-14**  
**Docket #VGOB 04-0921-1334-01**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(21) Dorothy Mullins Heirs, Devisees, Successors or Assigns		
(a) Ann Mullins Washburn 3343 Notingham Drive Tallahassee, FL 32312	0.059 acres 1/66 of 3.87 acres	0.0733%
(b) Michael M. Mullins 1445 Westerly Terrace Los Angeles, CA 90026	0.059 acres 1/66 of 3.87 acres	0.0733%
(22) Charles Robert Dixon Rt.4 200 Heather Road Bristol, VA 24201	0.117 acres 1/33 of 3.87 acres	0.1466%
(23) Gladys Jess�e 413 North Street Richlands, VA 24641	0.117 acres 1/33 of 3.87 acres	0.1466%
(24) Frankie Mae Street Heirs, Devisees, Successors or Assigns		
(a) H. A. Street, Trustee Will of Frankie Mae Street P.O. Drawer 2100 Grundy, VA 24614-1179		
(b) N. D. Street, Trustee Will of Frankie Mae Street P.O. Drawer 2100 Grundy, VA 24614-1179		
(c) Gaynell S. Fowler P.O. Box 1179 Grundy, VA 24614-1179	0.044 acres 1/88 of 3.87 acres	0.0550%
(d) James H. Street P. O. Box 2100 Grundy, VA 24614	0.022 acres 1/176 of 3.87 acres	0.0275%
(e) Marcus A. Street Address Unknown	0.022 acres 1/176 of 3.87 acres	0.0275%
(f) Robert D. Street Address Unknown	0.015 acres 1/264 of 3.87 acres	0.0183%
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**Unit EE-14**  
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	Acres in Unit	Percent of Unit
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(n) Nelgie Lane Street P. O. Box 1460 Grundy, VA 24614	0.044 acres 1/88 of 3.87 acres	0.0550%
(o) Barry Dale Norris P. O. Box 3328 Johnson City, TN 37615	0.009 acres 1/440 of 3.87 acres	0.0110%
(p) Michael Norris 590 County Home Road Blountville, TN 37617	0.009 acres 1/440 of 3.87 acres	0.0110%
(q) Ann Norris Reid 2924 SE Alder Street Portland, OR 97214	0.009 acres 1/440 of 3.87 acres	0.0110%
(r) Frank Arthur Norris 2005 Sandlewood Drive Dunwoody, GA 30350	0.009 acres 1/440 of 3.87 acres	0.0110%
(s) Dwight Douglas Norris P.O. Box 3147 Blountville, TN 37617	0.009 acres 1/440 of 3.87 acres	0.0110%
(t) Benjamin A. Street Rt. 2, Box 125 Vansant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%
(u) Daniel S. Street Rt. 2, Box 125 Vansant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%
(v) Jill Nicole Street Rt. 2, Box 125 Vansant, VA 24656	0.015 acres 1/264 of 3.87 acres	0.0183%

BV  
#28

ENTERED

INSTRUMENT #080002962  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
AUGUST 8, 2008 AT 04:33PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: NKE