

080000445

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: CNX Gas Company LLC) VIRGINIA GAS
) AND OIL BOARD

RELIEF SOUGHT: POOLING OF INTERESTS IN)
DRILLING UNIT **M-17** LOCATED) DOCKET NO.
IN THE **OAKWOOD COALBED METHANE GAS**) **06-0919-1713 &**
FIELD I PURSUANT TO VA. CODE) **06-0919-1713-01**
§§ 45.1-361.21 AND 45.1-361.22, FOR)
THE PRODUCTION OF OCCLUDED NATURAL)
GAS PRODUCED FROM COALBEDS AND ROCK)
STRATA ASSOCIATED THEREWITH (herein)
Collectively referred to as)
"Coalbed Methane Gas" or "Gas")
))
LEGAL DESCRIPTION:)
))
DRILLING UNIT NUMBER **M-17**)
(herein "Subject Drilling Unit"))
IN THE **OAKWOOD COALBED METHANE GAS** FIELD I)
SOUTH GRUNDY MAGISTERIAL DISTRICT,)
VANSANT QUADRANGLE)
BUCHANAN COUNTY, VIRGINIA)
(the "Subject Lands" are more)
particularly described on **Exhibit**)
A, attached hereto and made a)
part hereof))

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter was originally pooled at the September 19, 2006 and was subsequently repooled at the December 19, 2006 hearing. The matter came on for final hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on December 19, 2006 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, Virginia.

2. Appearances: Mark Swartz, Esquire, of the firm Swartz Law Offices, PLLC, appeared for the Applicant; and Sharon M. B. Pigeon, Assistant Attorney General, was present to advise the Board.

3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a search of the reasonably available sources to determine the identity and whereabouts of gas and oil owners, coal owners, mineral owners and/or potential owners, i.e., persons identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all coal seams below the Tiller Seam, including the Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas

No. 9, Pocahontas No. 8, Pocahontas No. 7, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 2 and various unnamed coal seams, coalbeds and rock strata associated therewith (hereafter "Subject Formation") in Subject Drilling Unit underlying and comprised of Subject Lands; (2) represented it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code §§ 45.1-361.19 and 45.1-361.22, to notice of the Application filed herein; and (3) that the persons set forth in their Application and Notice of Hearing have been identified by Applicant through its due diligence as Owners or Claimants of Coalbed Methane Gas interests underlying Subject Drilling Unit and that the persons identified in **Exhibit B-3** attached hereto are persons identified by Applicant who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Drilling Unit are listed on **Exhibit E**. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of due process.

4. Amendments: **None**

5. Dismissals: **None**

6. Relief Requested: Applicant requests (1) that pursuant to Va. Code § 45.1-361.22, including the applicable portions of Va. Code § 45.1-361.21, the Board pool all the rights, interests and estates in and to the Gas in Subject Drilling Unit, including the pooling of the interests of the Applicant and of the known and unknown persons named in **Exhibit B-3** hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas, produced from or allocated to the Subject Drilling Unit established for the Subject Formation underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "Well Development and/or Operation in the Subject Drilling Unit"), and (2) that the Board designate **CNX Gas Company LLC** as as Unit Operator.

7. Relief Granted: The Applicant's requested relief in this cause be and hereby is granted: (1) Pursuant to Va. Code § 45.1-361.21.C.3, **CNX Gas Company LLC** hereafter "Unit Operator" is designated as the Unit Operator authorized to drill and operate the Coalbed Methane Gas well in the Subject Drilling Unit at the location depicted on the plat attached hereto as **Exhibit A**, subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; to the Oakwood Coalbed Methane Gas Field I Order OGCB 3-90, dated May 18, 1990, as amended; to §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; and to §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and (2) all the interests and estates in and to the Gas in Subject Drilling Unit, including that of the Applicant and of the known and unknown persons listed on **Exhibit B-3**, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors,

both immediate and remote, be and hereby are pooled in the Subject Formation in the Subject Drilling Unit underlying and comprised of the Subject Lands.

Pursuant to the Oakwood I Field Rules promulgated under the authority of Va. Code § 45.1-361.20, the Board has adopted the following method for the calculation of production and revenue and allocation of allowable costs for the production of Coalbed Methane Gas.

For Frac Well Gas. - Gas shall be produced from and allocated to only the **80-acre** drilling unit in which the well is located according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Drilling Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire **80-acre** drilling unit in the manner set forth in the Oakwood I Field Rules.

8. Election and Election Period: In the event any Owner or Claimant named in **Exhibit B-3** hereto does not reach a voluntary agreement to share in the operation of the well located in the Subject Drilling Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address shown below within thirty (30) days from the date of receipt of a copy of this Order. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

9.1 Option 1 - To Participate In The Well Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in **Exhibit B-3** who does not reach a voluntary agreement with the Unit Operator may elect to participate in the Well Development and Operation in the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs of the Well Development contemplated by this Order for Gas produced pursuant to the Oakwood I Field Rules, including a reasonable supervision fee, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed-for-Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Completed-for-Production Cost as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The Completed-for-Production Cost for the Subject Drilling

Unit is as follows:

Completed-for-Production Cost: **\$225,378.50**

Any gas owner and/or claimants named in Exhibit B-3, who elect this option (Option 1) understand and agree that their initial payment under this option is for their proportionate share of the Applicant's estimate of actual costs and expenses. It is also understood by all persons electing this option that they are agreeing to pay their proportionate share of the actual costs and expenses as determined by the Operator named in this Board Order.

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Interest in Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in **Exhibit B-3** hereto who does not reach a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of **\$1.00** per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Coalbed Methane Gas produced from any Well Development and Operation covered by this Order multiplied by that person's Interest in Unit or proportional share of said production [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, subject to a final legal determination of

ownership, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to and hereby does lease and assign, its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

- 9.3. Option 3 - To Share In The Well Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a Cash Bonus Consideration under Paragraph 9.2 above, any Gas Owner or Claimant named in **Exhibit B-3** hereto who does not reach a voluntary agreement with the Unit Operator may elect to share in the Well Development and Operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator"] so that the proportionate part of the Completed-for-Production Cost hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Such Carried Well Operator's rights, interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Applicant until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Cost allocable to the interest of such Carried Well Operator. When the Applicant recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such Well Development and Operation.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the rights, interests, and

claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to have and hereby does assign its rights, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person named in **Exhibit B-3** hereto does not reach a voluntary agreement with the Unit Operator and fails to elect within the time, in the manner and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed Well Development and Operation in Subject Drilling Unit and shall be deemed, subject to a final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant. Persons who fail to properly elect shall be deemed, subject to a final legal determination of ownership, to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from the Subject Formation underlying Subject Lands.

11. Default By Participating Person: In the event a person named in **Exhibit B-3** elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Completed-for-Production Cost as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interest, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any royalties which would become due pursuant to Paragraph 9.2 hereof.

12. Assignment of Interest: In the event a person named in **Exhibit B-3** is unable to reach a voluntary agreement to share in the Well Development and Operation contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Unit

Operator, or fails to make an election under Paragraph 9.1 above, then subject to a final legal determination of ownership, such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well, and other share in production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said election.

13. Unit Operator (or Operator): **CNX Gas Company LLC** shall be and hereby is designated as Unit Operator authorized to drill and operate the Coalbed Methane Well in Subject Formation in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; the Oakwood Coalbed Gas Field I Order OGCB 3-90, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

**CNX Gas Company LLC
2481 John Nash Blvd.
Bluefield, WV 24701
Attn: Leslie K. Arrington**

14. Commencement of Operations: Unit Operator shall commence or cause to commence operations for the drilling of the well(s) within the Subject Drilling Unit and/or the well(s) outside the Subject Drilling Unit but from which production is allocated to the Subject Drilling Unit within Seven Hundred and Thirty (730) days from the date of the Order and shall prosecute same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums then payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which all wells covered by the Order and/or all wells from which production is allocated to the Subject Drilling Unit are permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the petition for appeal and the final Order of the Circuit Court shall be excluded in calculating the two-year period referred to herein.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are chargeable against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

The Applicant represented to the Board that there **are** unknown or unlocatable claimants in the **Tract(s) 6** of the Subject Drilling Unit; and, the Unit Operator has represented to the Board that there **are** conflicting claimants in **Tract(s) 5, 6, 7, 8, 9B, 10, 11, 12, 15A, 15B,**

15C and 16 of the Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Therefore, by this Order, the Escrow Agent named herein or any successor named by the Board, **is** required to establish an interest-bearing escrow account for **Tract(s) 5, 6, 7, 8, 9B, 10, 11, 12, 15A, 15B, 15C and 16** of the Subject Drilling Unit (herein "Escrow Account"), and to receive and account to the Board pursuant to its agreement for the escrowed funds hereafter described in Paragraphs 16.1 and 16.2:

Wachovia Bank, N.A.
VA7515
P.O. Box 14061
Roanoke, VA 24038
Attention: Judy Barger

16.1. Escrow Provisions For Unknown or Unlocatable Persons: If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.

16.2 Escrow Provisions For Conflicting Claimants: If any payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent

relinquishes such funds as required by law or pursuant to Order of the Board.

17. Special Findings: The Board specifically and specially finds:

17.1. **CNX Gas Company LLC**, a Virginia limited liability company is duly authorized and qualified to transact business in the Commonwealth of Virginia;

17.2. **CNX Gas Company LLC** has the authority to explore, develop and maintain the properties and assets, now owned or hereafter acquired, consented to serve as Coalbed Methane Gas Unit Operator for Subject Drilling Unit and to faithfully discharge the duties imposed upon it as Unit Operator by statute and regulations;

17.3. **CNX Gas Company LLC** is an operator in the Commonwealth of Virginia, and has satisfied the Board's requirements for operations in Virginia;

17.4 **CNX Gas Company LLC** claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing **84.9000** percent of the oil and gas interest/claims in and to Coalbed Methane Gas and **97.8375** percent of the coal interest/claims in and to Coalbed Methane Gas in Subject Drilling Unit; and, Applicant claims the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Subject Drilling Unit in **Buchanan** County, Virginia, which Subject Lands are more particularly described in **Exhibit A**;

17.5. The estimated total production from Subject Drilling Unit is **125 MMCF to 550 MMCF**. The estimated amount of reserves from the Subject Drilling Unit is **125 MMCF to 550 MMCF**;

17.6. Set forth in **Exhibit B-3**, is the name and last known address of each Owner or Claimant identified by the Applicant as having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Drilling Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests in Subject Drilling Unit for its development. The interests of the Respondents listed in **Exhibit B-3** comprise **15.10000** percent of the oil and gas interests/claims in and to Coalbed Methane Gas and **2.1625** percent of the coal interests/claims in and to Coalbed Methane Gas in Subject Drilling Unit;

17.7 Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in the Wells are those options provided in Paragraph 9 above;

17.8 The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person

listed and named in **Exhibit B-3** hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of Coalbed Methane Gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt by Unit Operator to each Respondent named in **Exhibit B-3** pooled by this Order and whose address is known.

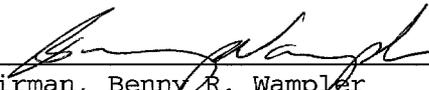
19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

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

21. Appeals: Appeals of this Order are governed by the provisions of Va. Code Ann. § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court.

22. Effective Date: This Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

DONE AND EXECUTED this 31st day of January, 2008, by a majority of the Virginia Gas and Oil Board.

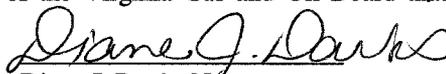

Chairman, Benny R. Wampler

DONE AND PERFORMED this 31st day of January, 2008, by Order of this Board.


B. R. Wilson
Principal Executive To The Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 31st day of January, 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 B. R. Wilson, 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

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

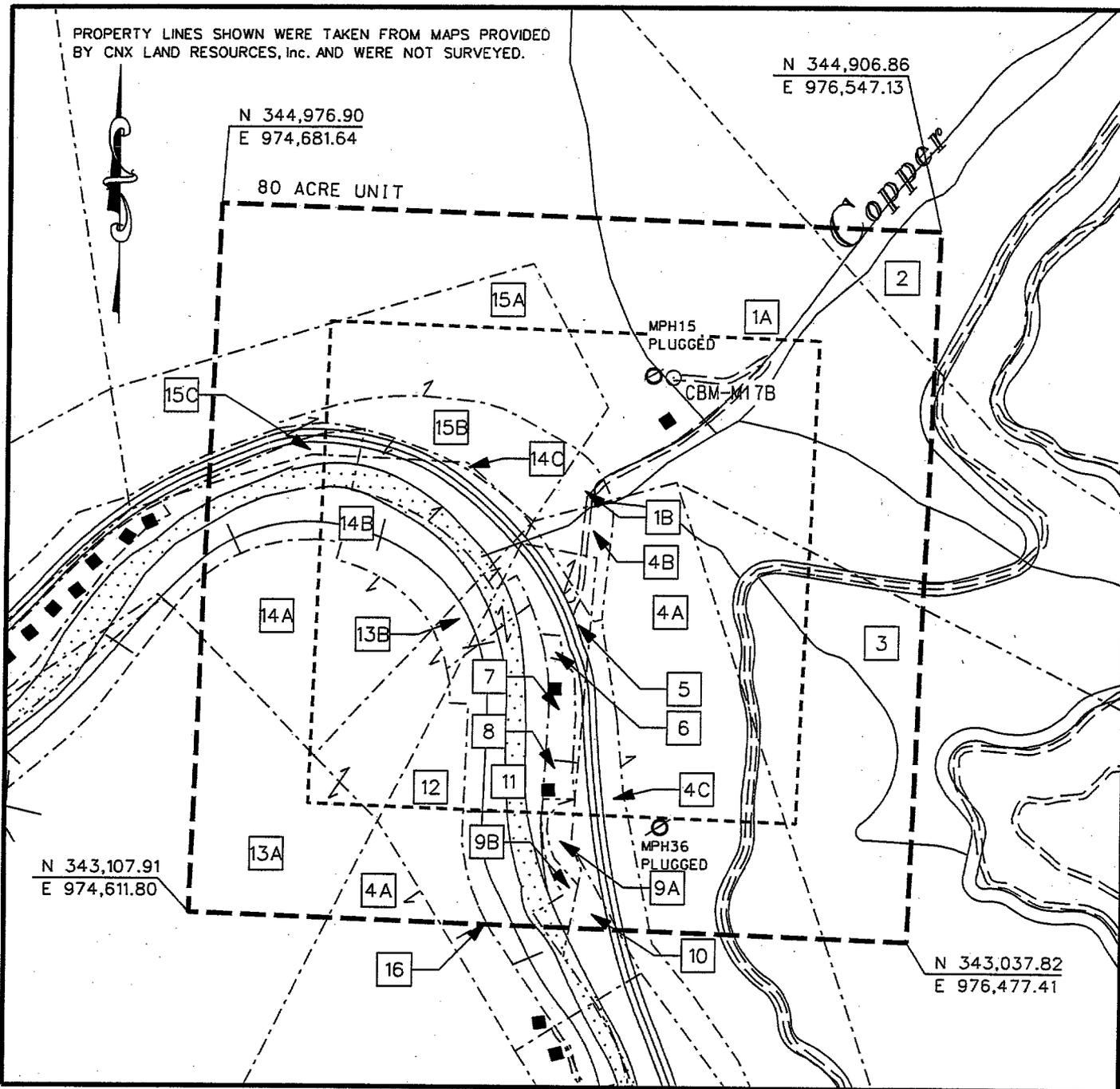
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E 974,681.64

80 ACRE UNIT



Copper



N 343,107.91
E 974,611.80

N 343,037.82
E 976,477.41

EXHIBIT A
OAKWOOD FIELD
UNIT M-17
FORCE POOLING
VGOB-06-0919-1713-01

Company CNX Gas Company LLC Well Name and Number UNIT M17

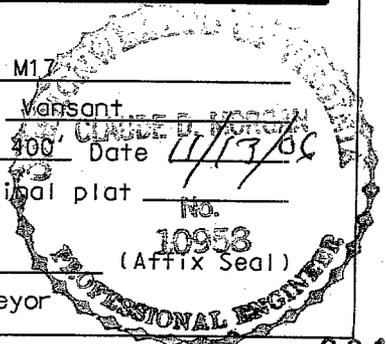
Tract No. _____ Elevation _____ Quadrangle Versant

County Buchanan District South Grundy Scale: 1" = 400' Date 11/13/06

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

Form DGO-GO-7
Rev. 9/91

Charles D. Meyer
Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
UNIT M-17
Tract Identifications

- 1A. Consolidation Coal Company, et al. Big Vein Tr. 87 (86.94 Acre Tract) – All Minerals except Oil, Gas and CBM**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
Plum Creek Timberlands, L.P., et al – Oil, Gas and CBM
EOG Resources, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC, et al - Surface
20.80 acres 26.0000%
- 1B. Consolidation Coal Company, et al. Big Vein Tr. 87 (86.94 Acre Tract) – All Minerals except Oil, Gas and CBM**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
Plum Creek Timberlands, L.P., et al – Oil, Gas and CBM
EOG Resources, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
Commonwealth of Virginia - Surface
0.38 acres 0.4750%
- 2. Consolidation Coal Company, et al. Big Vein Tr. 43 (102.83 Acre Tract) – All Minerals except Oil, Gas and CBM**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
Plum Creek Timberlands, L.P., et al – Oil, Gas and CBM
EOG Resources, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC, et al - Surface
1.36 acres 1.7000%
- 3. Consolidation Coal Company, et al. Big Vein Tr. 84 (200.20 Acre Tract) – All Minerals except Oil, Gas and CBM**
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
Plum Creek Timberlands, L.P., et al – Oil, Gas and CBM
EOG Resources, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC, et al - Surface
9.52 acres 11.9000%

CNX Gas Company LLC
UNIT M-17
Tract Identifications

- 4. **Consolidation Coal Company, et al. Big Vein Tr. 92 (77.75 Acre Tract) – All Minerals except Oil, Gas and CBM**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
 Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
 Plum Creek Timberlands, L.P., et al – Oil, Gas and CBM
 EOG Resources, Inc. - Oil and Gas Leased
 CNX Gas Company LLC - CBM Leased
 12.53 acres 15.6625%

- 4A. **CNX Gas Company LLC, et al – Surface**
- 4B. **Commonwealth of Virginia – Surface**
- 4C. **Commonwealth of Virginia – Surface**

- 5. **Commonwealth of Virginia – Fee Less Coal Below Tiller Seam**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam
 1.16 acres 1.4500%

- 6. **H. A. Street, et al – Fee except Coal In P-3 Seam**
 Island Creek Coal Company/Consol Energy, Inc. – Coal In P-3 Seam
 0.07 acres 0.0875%

- 7. **Nora Ramey – Fee except Coal Below Tiller Seam**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam
 0.41 acres 0.5125%

- 8. **Orpha D. Brown – Fee except Coal Below Tiller Seam**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam
 0.19 acres 0.2375%

- 9A. **Oakwood Market, Inc. – Fee**
 0.25 acres 0.3125%

- 9B. **Oakwood Market, Inc. - Fee except Coal Below Tiller Seam**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam
 0.31 acres 0.3875%

- 10. **Commonwealth of Virginia – All Minerals except Coal Below Tiller Seam**
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam
 Commonwealth of Virginia - Surface
 0.25 acres 0.3125%

CNX Gas Company LLC

UNIT M-17

Tract Identifications

11. Norfolk Southern Corporation - Fee (Except Coal Below 800 Feet)
Consolidation Coal Company, et al – Coal Below 800 Feet
Island Creek Coal Company/Consol Energy, Inc. – Coal Below 800 Feet Leased
EOG Resources, Inc. - Oil and Gas Leased (Coal Below 800 Feet)
CNX Gas Company LLC - CBM Leased (Coal Below 800 Feet)
4.08 acres 5.1000%
12. Terran LeAnn Ratliff, et al (Pearl Ratliff Heirs) – All Minerals except Coal Below Tiller Seam
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam
CNX Gas Company LLC – Oil, Gas and CBM Leased
Terran LeAnn Ratliff, et al (Pearl Ratliff Heirs) - Surface
2.03 acres 2.5375%
13. Consolidation Coal Company, et al. Big Vein Tr. 85 (78.72 Acre Tract) – All Minerals except
Oil, Gas and CBM
Plum Creek Timberlands, L.P., et al – Oil, Gas and CBM
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
EOG Resources, Inc. - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
7.44 acres 9.3000%
- 13A. CNX Gas Company LLC, et al - Surface
- 13B. Norfolk Southern Railway Company - Surface
14. Consolidation Coal Company, et al Big Vein Tr. 13 (19.63 Acre Tract) – All Minerals except
Oil, Gas and CBM
Plum Creek Timberlands, L.P., et al – Oil, Gas and CBM
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
EOG Resources, Inc. - Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
9.78 acres 12.2250%
- 14A. Unknown Surface Owner
- 14B. Norfolk Southern Railway Company – Surface
- 14C. Commonwealth of Virginia - Surface
- 15A. Consolidation Coal Company, et al Big Vein Tr. 88 (6.59 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased

CNX Gas Company LLC

UNIT M-17

Tract Identifications

Patty Daniels, et al – All Minerals except Coal
CNX Gas Company LLC – CBM Leased
Commonwealth of Virginia – Surface
6.46 acres 8.0750%

15B. Consolidation Coal Company, et al Big Vein Tr. 88 (6.59 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
Patty Daniels, et al OR Commonwealth of Virginia – All Minerals except Coal
Commonwealth of Virginia – Surface
2.58 acres 3.2250%

15C. Consolidation Coal Company, et al Big Vein Tr. 88 (6.59 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased
Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased
Patty Daniels, et al – All Minerals except Coal
Norfolk Southern Railway Company – Surface
0.39 acres 0.4875%

16. Larry M. Whitt, et ux – All Minerals except Coal Below Tiller Seam
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam
Larry M. Whitt, et ux - Surface
0.01 acres 0.0125%

Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
I. COAL FEE OWNERSHIP		
<u>Tract #5, 1.16 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.16 acres	1.4500%
<u>Tract #6, 0.07 acres</u>		
H.A. Street, et al. (<i>Fee exc. P3 seam</i>)	0.07 acres	0.0875%
(1) W.A. Street Family Trust		
(a) H.A. Street, Trustee P.O. Box 969 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(b) N.D. Street, Trustee P.O. Box 2100 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(2) Louise E. McCoy Heirs, Devisees, Successors or Assigns		
(a) John K. McCoy, III Heirs, Devisees, Successors or Assigns		
(a.1) Mary Elizabeth McCoy <i>Address Unknown</i>	0.01 acres 1/8 of 0.07 acres	0.0109%
(a.2) Sharon Lee McCoy Hutchinson <i>Address Unknown</i>	0.01 acres 1/8 of 0.07 acres	0.0109%
(b) Alan P. McCoy Heirs, Devisees, Successors or Assigns		
(b.1) Betty Jean Fraley 207 Park Avenue Princeton, WV 24740	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.2) Sallie Few Gillespie <i>Address Unknown</i>	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.3) Lynn Greer Gillespie <i>Address Unknown</i>	0.01 acres 1/12 of 0.07 acres	0.0073%
<u>Tract #9A, 0.25 acres</u>		
(1) Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.25 acres	0.3125%
<u>Tract #10, 0.25 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.25 acres	0.3125%

Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #5, 1.16 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.16 acres	1.4500%
<u>Tract #6, 0.07 acres</u>		
H.A. Street, et al.	0.07 acres	0.0875%
(1) W.A. Street Family Trust		
(a) H.A. Street, Trustee P.O. Box 969 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(b) N.D. Street, Trustee P.O. Box 2100 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(2) Louise E. McCoy Heirs, Devisees, Successors or Assigns		
(a) John K. McCoy, III Heirs, Devisees, Successors or Assigns		
(a.1) Mary Elizabeth McCoy <i>Address Unknown</i>	0.01 acres 1/8 of 0.07 acres	0.0109%
(a.2) Sharon Lee McCoy Hutchinson <i>Address Unknown</i>	0.01 acres 1/8 of 0.07 acres	0.0109%
(b) Alan P. McCoy Heirs, Devisees, Successors or Assigns		
(b.1) Betty Jean Fraley 207 Park Avenue Princeton, WV 24740	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.2) Sallie Few Gillespie <i>Address Unknown</i>	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.3) Lynn Greer Gillespie <i>Address Unknown</i>	0.01 acres 1/12 of 0.07 acres	0.0073%
<u>Tract #7, 0.41 acres</u>		
(1) Nora Ramey c/o Bobby Ramey 2490 Old Hurst Road Hiwassee, VA 24347	0.41 acres	0.5125%
<u>Tract #8, 0.19 acres</u>		
(1) Orpha D. Brown Box 95 Oakwood, VA 24631	0.19 acres	0.2375%

Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
<u>Tract #9A, 0.25 acres</u>		
(1) Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.25 acres	0.3125%
<u>Tract #9B, 0.31 acres</u>		
(1) Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.31 acres	0.3875%
<u>Tract #10, 0.25 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.25 acres	0.3125%
<u>Tract #15A, 6.46 acres</u>		
(1) Patty Daniels, et al.	6.46 acres	8.0750%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	1.62 acres 1/4 of 6.46 acres	2.0188%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	1.62 acres 1/4 of 6.46 acres	2.0188%
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.65 acres 1/10 of 6.46 acres	0.8075%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.65 acres 1/10 of 6.46 acres	0.8075%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.65 acres 1/10 of 6.46 acres	0.8075%
(e) Patty Daniels Rt. 1 Box 1 Oakwood, VA 24631	0.65 acres 1/10 of 6.46 acres	0.8075%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.32 acres 1/20 of 6.46 acres	0.4038%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.32 acres 1/20 of 6.46 acres	0.4038%

**Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
<u>Tract #15B, 2.58 acres</u>		
(1) Patty Daniels, et al.	2.58 acres	3.2250%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	0.65 acres 1/4 of 2.58 acres	0.8063%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	0.65 acres 1/4 of 2.58 acres	0.8063%
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.26 acres 1/10 of 2.58 acres	0.3225%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.26 acres 1/10 of 2.58 acres	0.3225%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.26 acres 1/10 of 2.58 acres	0.3225%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.26 acres 1/10 of 2.58 acres	0.3225%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.13 acres 1/20 of 2.58 acres	0.1613%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.13 acres 1/20 of 2.58 acres	0.1613%
- OR -		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	2.58 acres	3.2250%
<u>Tract #15C, 0.39 acres</u>		
(1) Patty Daniels, et al.	0.39 acres	0.4875%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	0.10 acres 1/4 of 0.39 acres	0.1219%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	0.10 acres 1/4 of 0.39 acres	0.1219%

Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.04 acres 1/10 of 0.39 acres	0.0488%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.04 acres 1/10 of 0.39 acres	0.0488%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.04 acres 1/10 of 0.39 acres	0.0488%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.04 acres 1/10 of 0.39 acres	0.0488%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.02 acres 1/20 of 0.39 acres	0.0244%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.02 acres 1/20 of 0.39 acres	0.0244%
<u>Tract #16, 0.01 acres</u>		
(1) Larry M. Whitt Box 241 Oakwood, VA 24631	0.01 acres	0.0125%

Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #5, 1.16 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) ICCO / Consol Energy Inc. P.O. Box 947 Bluefield, VA 24605	1.16 acres	1.4500%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.16 acres	1.4500%
<u>Tract #6, 0.07 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(3) ICCO / Consol Energy Inc. (P3 Seam) P.O. Box 947 Bluefield, VA 24605	0.07 acres	0.0875%
<u>OIL & GAS FEE OWNERSHIP</u>		
H.A. Street, et al.	0.07 acres	0.0875%
(1) W.A. Street Family Trust		
(a) H.A. Street, Trustee P.O. Box 969 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(b) N.D. Street, Trustee P.O. Box 2100 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(2) Louise E. McCoy Heirs, Devisees, Successors or Assigns		
(a) John K. McCoy, III Heirs, Devisees, Successors or Assigns		
(a.1) Mary Elizabeth McCoy Address Unknown	0.01 acres 1/8 of 0.07 acres	0.0109%
(a.2) Sharon Lee McCoy Hutchinson Address Unknown	0.01 acres 1/8 of 0.07 acres	0.0109%
(b) Alan P. McCoy Heirs, Devisees, Successors or Assigns		
(b.1) Betty Jean Fraley 207 Park Avenue Princeton, WV 24740	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.2) Sallie Few Gillespie Address Unknown	0.01 acres 1/12 of 0.07 acres	0.0073%

0022

Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b.3) Lynn Greer Gillespie Address Unknown	0.01 acres 1/12 of 0.07 acres	0.0073%
<u>Tract #7, 0.41 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) ICCG / Consol Energy Inc. P.O. Box 947 Bluefield, VA 24605	0.41 acres	0.5125%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Nora Ramey c/o Bobby Ramey 2490 Old Hurst Road Hiwassee, VA 24347	0.41 acres	0.5125%
<u>Tract #8, 0.19 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) ICCG / Consol Energy Inc. P.O. Box 947 Bluefield, VA 24605	0.19 acres	0.2375%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Orpha D. Brown Box 95 Oakwood, VA 24631	0.19 acres	0.2375%
<u>Tract #9B, 0.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) ICCG / Consol Energy Inc. P.O. Box 947 Bluefield, VA 24605	0.31 acres	0.3875%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.31 acres	0.3875%
<u>Tract #10, 0.25 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) ICCG / Consol Energy Inc. P.O. Box 947 Bluefield, VA 24605	0.25 acres	0.3125%

0023

Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.25 acres	0.3125%
<u>Tract #11, 4.08 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Norfolk Southern Corporation(Coal - Surface down 800') Real Estate Dept. 1200 Peachtree St. NE Atlanta, GA 30309-3579	4.08 acres	5.1000%
(2) Yukon Pocahontas Coal Co., et al. (Coal below 800')	4.08 acres	5.1000%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	2.04 acres 1/2 of 4.08 acres	2.5500%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.45 acres 1/9 of 4.08 acres	0.5667%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.23 acres 1/18 of 4.08 acres	0.2833%
(d) Consolidation Coal Company P.O. Box 947 Bluefield, VA 24605	1.36 acres 1/3 of 4.08 acres	1.7000%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Norfolk Southern Corporation Real Estate Dept. 1200 Peachtree St. NE Atlanta, GA 30309-3579	4.08 acres	5.1000%
<u>Tract #12, 2.03 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) ICC / Consol Energy Inc. P.O. Box 947 Bluefield, VA 24605	2.03 acres	2.5375%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Terran LeAnn Ratliff, et al. (a.k.a. - Pearl Ratliff Heirs, Devisees, Successors or Assigns)	2.03 acres	2.5375%
(a) Terran LeAnn Ratliff P.O. Box 656 Richlands, VA 24641	0.25 acres 1/8 of 2.03 acres	0.3172%

Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b) Stella Smith Boyd P.O. Box 722 Grundy, VA 24614	0.25 acres 1/8 of 2.03 acres	0.3172%
(c) Ruby M. Keen P.O. Box 1938 Grundy, VA 24614	0.25 acres 1/8 of 2.03 acres	0.3172%
(d) Bascom W. Ratliff P.O. Box 1938 Grundy, VA 24614	0.25 acres 1/8 of 2.03 acres	0.3172%
(e) Charles W. Ratliff Rt.6 Box 4 Tazewell, VA 24641	0.25 acres 1/8 of 2.03 acres	0.3172%
(f) Nell A. Belcher 808 East Fincastle Tazewell, VA 24651	0.25 acres 1/8 of 2.03 acres	0.3172%
(g) Emory H. Ratliff 24166 Fantasy Court Bristol, VA 24202	0.25 acres 1/8 of 2.03 acres	0.3172%
(h) Helen R. Elswick HC72 Box 330 Big Rock, VA 24603	0.25 acres 1/8 of 2.03 acres	0.3172%

Tract #15A, 6.46 acres

COAL FEE OWNERSHIP

(1) Yukon Pocahontas Coal Co., et al., Tr.88	6.46 acres	8.0750%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	3.23 acres 1/2 of 6.46 acres	4.0375%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.72 acres 1/9 of 6.46 acres	0.8972%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.36 acres 1/18 of 6.46 acres	0.4486%
(d) Consolidation Coal Company P.O. Box 947 Bluefield, VA 24605	2.15 acres 1/3 of 6.46 acres	2.6917%

OIL & GAS FEE OWNERSHIP

(1) Patty Daniels, et al.	6.46 acres	8.0750%
(a) David Owens Heirs, Devisees, Successors or Assigns		

0025

Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	1.62 acres 1/4 of 6.46 acres	2.0188%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	1.62 acres 1/4 of 6.46 acres	2.0188%
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.65 acres 1/10 of 6.46 acres	0.8075%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.65 acres 1/10 of 6.46 acres	0.8075%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.65 acres 1/10 of 6.46 acres	0.8075%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.65 acres 1/10 of 6.46 acres	0.8075%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.32 acres 1/20 of 6.46 acres	0.4038%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.32 acres 1/20 of 6.46 acres	0.4038%

Tract #15B, 2.58 acres

Escrow due to conflicting ownership and title conflict

COAL FEE OWNERSHIP

(1) Yukon Pocahontas Coal Co., et al., Tr.88	2.58 acres	3.2250%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.29 acres 1/2 of 2.58 acres	1.6125%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.29 acres 1/9 of 2.58 acres	0.3583%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.14 acres 1/18 of 2.58 acres	0.1792%
(d) Consolidation Coal Company P.O. Box 947 Bluefield, VA 24605	0.86 acres 1/3 of 2.58 acres	1.0750%

0026

**Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Patty Daniels, et al.	2.58 acres	3.2250%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	0.65 acres 1/4 of 2.58 acres	0.8063%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	0.65 acres 1/4 of 2.58 acres	0.8063%
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.26 acres 1/10 of 2.58 acres	0.3225%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.26 acres 1/10 of 2.58 acres	0.3225%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.26 acres 1/10 of 2.58 acres	0.3225%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.26 acres 1/10 of 2.58 acres	0.3225%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.13 acres 1/20 of 2.58 acres	0.1613%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.13 acres 1/20 of 2.58 acres	0.1613%
- OR -		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.25 acres	0.3125%

Tract #15C, 0.39 acres

COAL FEE OWNERSHIP

(1) Yukon Pocahontas Coal Co., et al., Tr.88	0.39 acres	0.4875%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.20 acres 1/2 of 0.39 acres	0.2438%

0027

Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimaints that require escrow

	Acres in Unit	Percent of Unit
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.04 acres 1/9 of 0.39 acres	0.0542%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.02 acres 1/18 of 0.39 acres	0.0271%
(d) Consolidation Coal Company P.O. Box 947 Bluefield, VA 24605	0.13 acres 1/3 of 0.39 acres	0.1625%

OIL & GAS FEE OWNERSHIP

(1) Patty Daniels, et al.	0.39 acres	0.4875%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	0.10 acres 1/4 of 0.39 acres	0.1219%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	0.10 acres 1/4 of 0.39 acres	0.1219%
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.04 acres 1/10 of 0.39 acres	0.0488%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.04 acres 1/10 of 0.39 acres	0.0488%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.04 acres 1/10 of 0.39 acres	0.0488%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.04 acres 1/10 of 0.39 acres	0.0488%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.02 acres 1/20 of 0.39 acres	0.0244%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.02 acres 1/20 of 0.39 acres	0.0244%

Tract #16, 0.01 acres

COAL FEE OWNERSHIP

(1) ICCO / Consol Energy Inc. P.O. Box 947 Bluefield, VA 24605	0.01 acres	0.0125%
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0028

Exhibit E
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Conflicting Owners/Claimants that require escrow

		Acres in Unit	Percent of Unit
<u>OIL & GAS FEE OWNERSHIP</u>			
(1)	Larry M. Whitt Box 241 Oakwood, VA 24631	0.01 acres	0.0125%

0029

BV
939

BV-3700
10/2/08

INSTRUMENT #080000445
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
FEBRUARY 7, 2008 AT 01:21PM

BEVERLY S. TILLER, CLERK
RECORDED BY: NKE

RECORDED
FEB 11 2008

TABLE OF CONTENTS

M-17 Repooling

VGOB 06-0919-1713-01

<u>Exhibit No.</u>	<u>Name</u>
1	Affidavit of Due Diligence
2	Return Receipts
3	Publication
4	Exhibit B-2
5	Revised Exhibit B-3

↓

AFFIDAVIT OF DUE DILIGENCE

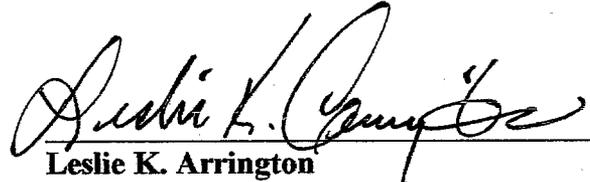
COMMONWEALTH OF VIRGINIA
COUNTY OF BUCHANAN

I, Leslie K. Arrington, after being duly sworn upon oath, state as follows:

1. I am a Manager – Environmental Permitting of CNX Gas Company LLC and am responsible for the notification process required by Va. Code Ann. §45.1-361.19 and VR 480-05-22.2 §4.
2. That CNX Gas Company LLC has exercised due diligence in attempting to locate and notice all owners and claimants who are unleased and/or who were not previously pooled by prior order(s) of the Virginia Gas and Oil Board regarding Unit M-17, all as required by Va. Code Ann. §45.1-361.19 and VR 480-05-22.2.
3. That on November 17, 2006 a true and correct copy of the Notice of Hearing with Exhibits will be mailed, via certified mail return receipt requested, to all owners and claimants listed in Exhibit B-3 for whom mailing addresses were then available.
4. That every individual or entity having an unleased or unpooled interest in the methane gas underlying the tracts in the M-17 unit, whether known or unknown, including those persons whose mailing address were unknown, was notified of the filing of CNX Gas Company LLC's application by publication of the Notice of Hearing in the *Bluefield Daily Telegraph*.
5. That CNX Gas Company LLC will continue to exercise due diligence in attempting to locate and identify the names and/or addresses of any unknown or unlocatable parties and, if located or identified, will notify them of CNX Gas Company LLC's application.

Docket No. VGOB 06-0919-1713-01
Affidavit of Due Diligence

I have read the foregoing, and the information given above is true and correct to the best of my knowledge and belief.



Leslie K. Arrington
Manager - Environmental Permitting
for CNX Gas Company LLC

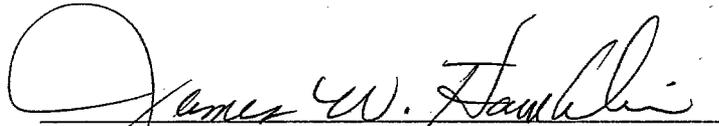
ACKNOWLEDGMENT

STATE OF WEST VIRGINIA

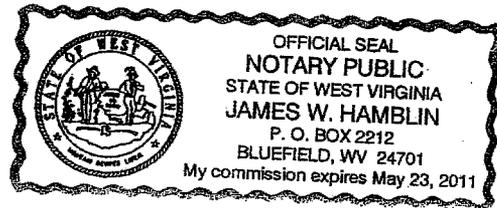
COUNTY OF MERCER, TO-WIT:

TAKEN, SUBSCRIBED AND SWORN to before me this 16TH day of

November, 2006.


Notary Public

My commission expires: 23 May, 2011



CERTIFICATION OF NOTICE

CNX Gas Company LLC

Unit M-17
 VGOB 06-0919-1713-01
 Re-pooling

NAME		MAILED	RECEIPT #	RECEIVED
Brown	Orpha D.	11/17/06	7004 1350 0004 0181 5795	11/24/06
Daniels	Patty	11/17/06	7004 1350 0004 0181 5801	11/18/06
Fraleay	Betty Jean	11/17/06	7004 1350 0004 0181 5818	11/18/06
Grizzle	James Cameron	11/17/06	7004 1350 0004 0181 5825	11/25/06
Hancock	Mary	11/17/06	7004 1350 0004 0181 5832	11/20/06
Keen	Joan & Don	11/17/06	7004 1350 0004 0181 5849	11/20/06
Morgan	Larinda Jesko	11/17/06	7004 1350 0004 0181 5856	11/25/06
Oakwood Market, Inc.		11/17/06	7004 1350 0004 0181 5863	11/24/06
Owens	Jim	11/17/06	7004 1350 0004 0181 5870	11/18/06
Ramey c/o Bobby Ramey	Nora	11/17/06	7004 1350 0004 0181 5887	11/27/06
Sheets	Thelma	11/17/06	7004 1350 0004 0181 5894	Returned
Shortridge	Bobbie	11/17/06	7004 1350 0004 0181 5900	11/25/06
Street, Trustee	H.A.	11/17/06	7004 1350 0004 0181 5917	12/04/06
Street, Trustee	N.D.	11/17/06	7004 1350 0004 0181 5924	11/18/06
VDOT		11/17/06	7004 1350 0004 0181 5931	11/20/06
Whitt	Larry M.	11/17/06	7004 1350 0004 0181 5948	11/21/06
Gillespie	Sallie Few		**Address Unknown**	
Gillespie	Lynn Greer		**Address Unknown**	
Hutchinson	Sharon Lee		**Address Unknown**	
McCoy	Mary Elizabeth		**Address Unknown**	

RELIEF SOUGHT: RE-POOLING
 UNIT NUMBER: M-17

State of West Virginia, }
 County of Mercer, } To-wit:-

NOTICE OF HEARING
 HEARING DATE: December 19, 2006
 PLACE: Southwest Virginia Higher Education Center
 Campus of the Virginia Highlands
 Community College
 Abingdon, Virginia 24210
 9:00 AM

I, Pam Gaylor of the
 Bluefield Daily Telegraph, a daily newspaper published in the City of
 Bluefield, Mercer County, West Virginia, do certify that the notice attached
 hereto under the caption;

COMMONWEALTH OF VIRGINIA:
 To: Commonwealth of Virginia - Department of Transportation, H.A. Street, Trustee, N.D. Street, Trustee, Mary Elizabeth McCoy, Sharon Lee McCoy Hutchinson, Betty Jean Fraley, Sallie Few Gillespie, Lynn Greer Gillespie, Oakwood Market, Inc., Nora Ramey c/o Bobby Ramey, Orpha D. Brown, Larry M. Whit, Jim Owens, Joan & Don Keen, Mary Hancock, Thelma Sheets, Bobbie Shortridge, Patty Daniels, Larinda Jesko Morgan and James Cameron Grizzle.

1. **Applicant and its counsel:** Applicant is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701, (304) 323-6500. Applicant's counsel is Mark A. Swartz, P.O. Box 517, Abingdon, Virginia 24212.
 2. **Relief sought:** Pooling.
 3. **Proposed provisions of order:** (a) Pooling all the interests and estates of the persons named above in coalbed methane in the unit question; (b) Establishing a procedure whereby each respondent shall have the right to make elections; (c) Providing that any respondent who does not make a timely election shall be deemed to have leased or assigned his coalbed methane gas interests to the applicant at a rate to be established by the Board; (d) Designating CNX Gas Company LLC as Unit Operator; (e) Making any necessary provisions for the escrow of funds; (f) Granting such other relief as is merited by the evidence and is just and equitable, whether or not such relief has been specifically requested herein.

was published in the said Bluefield Daily Telegraph
One (1) Times

on the following days, namely: November 28
 in the year 2006.

Publication Fee 232.54
Pam Gaylor

Subscribed and sworn to before me this 28 day of
November 2006

My Commission expires December 16 2008
275 3x13 1/4 Lucretia

4. **Legal Authority:** Va. Code Ann. §45.1-361.1 et seq. 4 VAC 25-160-10 et seq. and relevant Virginia Gas and Oil Board Orders heretofore promulgated pursuant to law including OGCB 3-90; VGOB-91-1119-162; VGOB 92/02/16-0336; and VGOB 93/03/16-0349.
 5. **Type of well(s):** Coalbed methane.
 6. **Plat:** Annexed hereto are Exhibit A, Exhibit A1 and the Tract identifications for Exhibit A. The Plat shows the size and shape of the unit and the boundaries of the tracts within the unit. The Tract identification page shows the percentage of acreage in each tract. The plat is certified by a licensed professional engineer and is attested by the undersigned on behalf of the applicant to be in conformity with existing orders issued by the Board.
 7. **Your interest or claim sought to be pooled by this Application pertains to coalbed methane gas.**
 8. **Formation(s) to be produced and estimates:** All coal seams and associated strata below the Tiller seam of coal all as more particularly described in the annexed proposed order. The estimated total production from subject unit is 125 to 550 MMCF. The estimated amount of reserves from the subject drilling unit is 125 to 550 MMCF. These figures concerning estimated production and the amount of reserves are, however, estimates only that are not based upon actual production and should not be relied upon for any purpose. It should not be assumed that final production before plugging and abandonment will equal estimated reserves.

9. **Estimate of allowable costs:** \$225,378.50
 10. **Attestation:** The foregoing notice to the best of my knowledge, information and belief is true and correct.

NOTICE IS FURTHER GIVEN that this cause has been set for hearing and the taking of evidence before the Board at 9:00 AM, on December 19, 2006, at the Southwest Virginia Higher Education Center, Campus of the Virginia Highlands Community College, Abingdon, Virginia 24210 and that notice will be published as required by law and the rules of the Board.

NOTICE IS FURTHER GIVEN that you may attend this hearing, with or without an attorney, and offer evidence or state any comments you have. For further information or a copy of the application and exhibits, either contact the Virginia Gas and Oil Board, State Oil and Gas Inspector, Department of Mines, Minerals and Energy, Division of Gas and Oil, P.O. Box 1416, Abingdon, Virginia 24210, 276 / 676-5423 or the Applicant at the address shown below.

DATED: 11/16/06
 CNX Gas Company LLC
 Applicant
 By: Leslie K. Arrington
 Manager - Environmental / Permitting
 for CNX Gas Company LLC
 2481 John Nash Blvd.
 Bluefield, West Virginia 24701
 304/323-6500

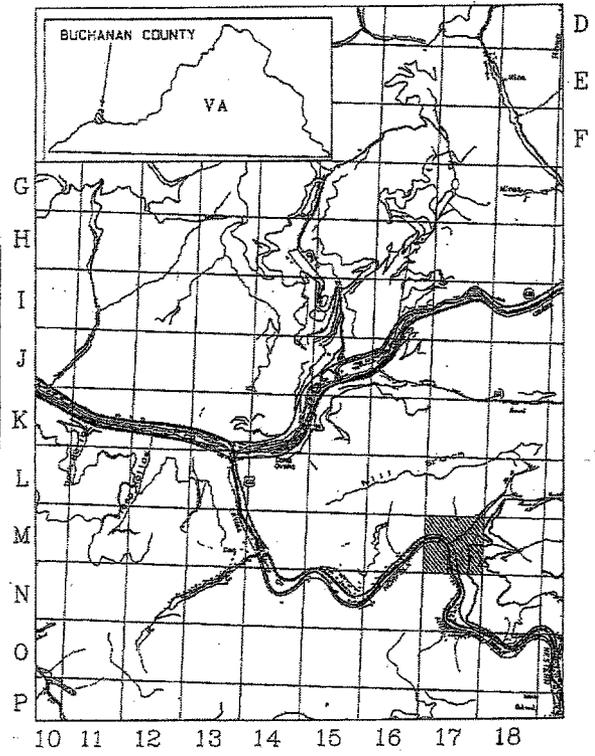


EXHIBIT A1
 UNIT M-17
 VGOB 06-0919-1713-01

Exhibit B-2
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Respondants to be Added and/or Dismissed

		Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL FEE OWNERSHIP				
<u>Tract #9A, 0.25 acres</u>				
(1)	Oakwood Market, Inc. Box 95 Oakwood, VA 24631	0.25 acres	0.3125%	No longer an owner
	<u>New Owner:</u>			
	Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.25 acres	0.3125%	New Owner
II. OIL & GAS FEE OWNERSHIP				
<u>Tract #9A, 0.25 acres</u>				
(1)	Oakwood Market, Inc. Box 95 Oakwood, VA 24631	0.25 acres	0.3125%	No longer an owner
	<u>New Owner:</u>			
	Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.25 acres	0.3125%	New Owner
<u>Tract #9B, 0.31 acres</u>				
(1)	Oakwood Market, Inc. Box 95 Oakwood, VA 24631	0.31 acres	0.3875%	No longer an owner
	<u>New Owner:</u>			
	Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.31 acres	0.3875%	New Owner

**Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
I. COAL FEE OWNERSHIP		
<u>Tract #5, 1.16 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.16 acres	1.4500%
<u>Tract #6, 0.07 acres</u>		
H.A. Street, et al. (<i>Fee exc. P3 seam</i>)	0.07 acres	0.0875%
(1) W.A. Street Family Trust		
(a) H.A. Street, Trustee P.O. Box 969 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(b) N.D. Street, Trustee P.O. Box 2100 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(2) Louise E. McCoy Heirs, Devisees, Successors or Assigns		
(a) John K. McCoy, III Heirs, Devisees, Successors or Assigns		
(a.1) Mary Elizabeth McCoy <i>Address Unknown</i>	0.01 acres 1/8 of 0.07 acres	0.0109%
(a.2) Sharon Lee McCoy Hutchinson <i>Address Unknown</i>	0.01 acres 1/8 of 0.07 acres	0.0109%
(b) Alan P. McCoy Heirs, Devisees, Successors or Assigns		
(b.1) Betty Jean Fraley 207 Park Avenue Princeton, WV 24740	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.2) Sallie Few Gillespie <i>Address Unknown</i>	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.3) Lynn Greer Gillespie <i>Address Unknown</i>	0.01 acres 1/12 of 0.07 acres	0.0073%
<u>Tract #9A, 0.25 acres</u>		
(1) Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.25 acres	0.3125%
<u>Tract #10, 0.25 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.25 acres	0.3125%

Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #5, 1.16 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.16 acres	1.4500%
<u>Tract #6, 0.07 acres</u>		
H.A. Street, et al.	0.07 acres	0.0875%
(1) W.A. Street Family Trust		
(a) H.A. Street, Trustee P.O. Box 969 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(b) N.D. Street, Trustee P.O. Box 2100 Grundy, VA 24614	0.02 acres 1/4 of 0.07 acres	0.0219%
(2) Louise E. McCoy Heirs, Devisees, Successors or Assigns		
(a) John K. McCoy, III Heirs, Devisees, Successors or Assigns		
(a.1) Mary Elizabeth McCoy Address Unknown	0.01 acres 1/8 of 0.07 acres	0.0109%
(a.2) Sharon Lee McCoy Hutchinson Address Unknown	0.01 acres 1/8 of 0.07 acres	0.0109%
(b) Alan P. McCoy Heirs, Devisees, Successors or Assigns		
(b.1) Betty Jean Fraley 207 Park Avenue Princeton, WV 24740	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.2) Sallie Few Gillespie Address Unknown	0.01 acres 1/12 of 0.07 acres	0.0073%
(b.3) Lynn Greer Gillespie Address Unknown	0.01 acres 1/12 of 0.07 acres	0.0073%
<u>Tract #7, 0.41 acres</u>		
(1) Nora Ramey c/o Bobby Ramey 2490 Old Hurst Road Hiwassee, VA 24347	0.41 acres	0.5125%
<u>Tract #8, 0.19 acres</u>		
(1) Orpha D. Brown Box 95 Oakwood, VA 24631	0.19 acres	0.2375%

Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
<u>Tract #9A, 0.25 acres</u>		
(1) Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.25 acres	0.3125%
<u>Tract #9B, 0.31 acres</u>		
(1) Jimmy & Merinda Horn P.O. Box 366 Oakwood, VA 24631	0.31 acres	0.3875%
<u>Tract #10, 0.25 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.25 acres	0.3125%
<u>Tract #15A, 6.46 acres</u>		
(1) Patty Daniels, et al.	6.46 acres	8.0750%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	1.62 acres 1/4 of 6.46 acres	2.0188%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	1.62 acres 1/4 of 6.46 acres	2.0188%
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.65 acres 1/10 of 6.46 acres	0.8075%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.65 acres 1/10 of 6.46 acres	0.8075%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.65 acres 1/10 of 6.46 acres	0.8075%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.65 acres 1/10 of 6.46 acres	0.8075%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.32 acres 1/20 of 6.46 acres	0.4038%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.32 acres 1/20 of 6.46 acres	0.4038%

**Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
<u>Tract #15B, 2.58 acres</u>		
(1) Patty Daniels, et al.	2.58 acres	3.2250%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	0.65 acres 1/4 of 2.58 acres	0.8063%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	0.65 acres 1/4 of 2.58 acres	0.8063%
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.26 acres 1/10 of 2.58 acres	0.3225%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.26 acres 1/10 of 2.58 acres	0.3225%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.26 acres 1/10 of 2.58 acres	0.3225%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.26 acres 1/10 of 2.58 acres	0.3225%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.13 acres 1/20 of 2.58 acres	0.1613%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.13 acres 1/20 of 2.58 acres	0.1613%
- OR -		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	2.58 acres	3.2250%
<u>Tract #15C, 0.39 acres</u>		
(1) Patty Daniels, et al.	0.39 acres	0.4875%
(a) David Owens Heirs, Devisees, Successors or Assigns		
(a.1) Jim Owens 19447 Brandy Wine Road Bristol, VA 24201	0.10 acres 1/4 of 0.39 acres	0.1219%
(a.2) Joan & Don Keen P.O. Box 213 Oakwood, VA 24631	0.10 acres 1/4 of 0.39 acres	0.1219%

Exhibit B-3
Unit M-17
Docket #VGOB 06-0919-1713-01
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
(b) Mary Hancock 6843 Martha Avenue Chattanooga, TN 37412	0.04 acres 1/10 of 0.39 acres	0.0488%
(c) Thelma Sheets P.O. Box 2311 Valparaiso, IN 46384	0.04 acres 1/10 of 0.39 acres	0.0488%
(d) Bobbie Shortridge 1673 Randles Road Grant, AL 35747-8065	0.04 acres 1/10 of 0.39 acres	0.0488%
(e) Patty Daniels Rt.1 Box 1 Oakwood, VA 24631	0.04 acres 1/10 of 0.39 acres	0.0488%
(f) Larinda Jesko Morgan 1862 Richson Street Apopka, FL 32703	0.02 acres 1/20 of 0.39 acres	0.0244%
(g) James Cameron Grizzle 25707 Glenola Street Sorrento, FL 32776	0.02 acres 1/20 of 0.39 acres	0.0244%
<u>Tract #16, 0.01 acres</u>		
(1) Larry M. Whitt Box 241 Oakwood, VA 24631	0.01 acres	0.0125%