

BOOK 545 PAGE 203

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB-00-1121-0840

ELECTIONS: UNIT E-25
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on March 6, 2001 which was recorded at Deed Book 520, Page 736 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on March 14, 2001, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed Consol Energy Inc. (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates that the escrow of funds is required with regard to Unit E-25;

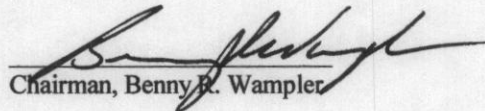
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Union National Bank, Corporate Trust PA1328,123 Broad Street, Philadelphia, PA 19109-1199, Telephone: (215) 985-3485 or (800) 664-9359, Attn: Don Ballinghoff, 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.

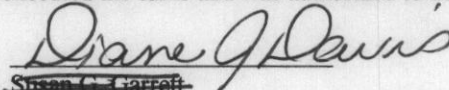
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 15th day of April, 2002, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

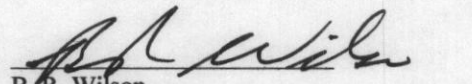
STATE OF VIRGINIA
COUNTY OF WISE

Acknowledged on this 15th day of April, 2002, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


~~Susan G. Garrett~~
Notary

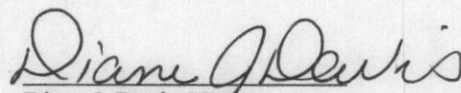
My commission expires: 9/30/2005.

DONE AND PERFORMED THIS 18th day of April, 2002, by Order of the Board.


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

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 18th day of April, 2002, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff, Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9/30/05.

Order Recorded Under Code of
Virginia Section 45.1-361.26

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of BUCHANAN PRODUCTION CO. for Forced Pooling of Interests in CBM Unit E-25
VGOB-00-1121-0840 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF Consol Energy Inc. (herein "Designated Operator") REGARDING ELECTIONS, ESCROW
AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by Consol Energy Inc., as a Gas Engineer and is duly authorized to make this affidavit on behalf of the designated operator,

That the Order entered on March 6, 2001, 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 county identified above; that said Order was recorded on March 14, 2001;

That the designated operator Consol Energy Inc. 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:

Eastern American Energy Corporation

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 March 6, 2001;

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:

None

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:

See attached Exhibit B-2

that to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are not subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

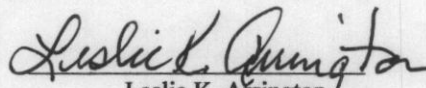
Yukon Pocahontas Coal Company, et al. including Yukon Pocahontas Coal Company, Buchanan Coal Company and Sayers-Pocahontas Coal Company

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.

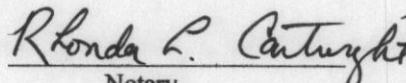
None

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 Tazewell, Virginia, this 3RD day of APRIL, 2002.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Gas Engineer of Consol Energy Inc., on behalf of the corporate Designated Operator, this 3rd day of April, 2002.


Notary

My commission expires: 10/31/05.

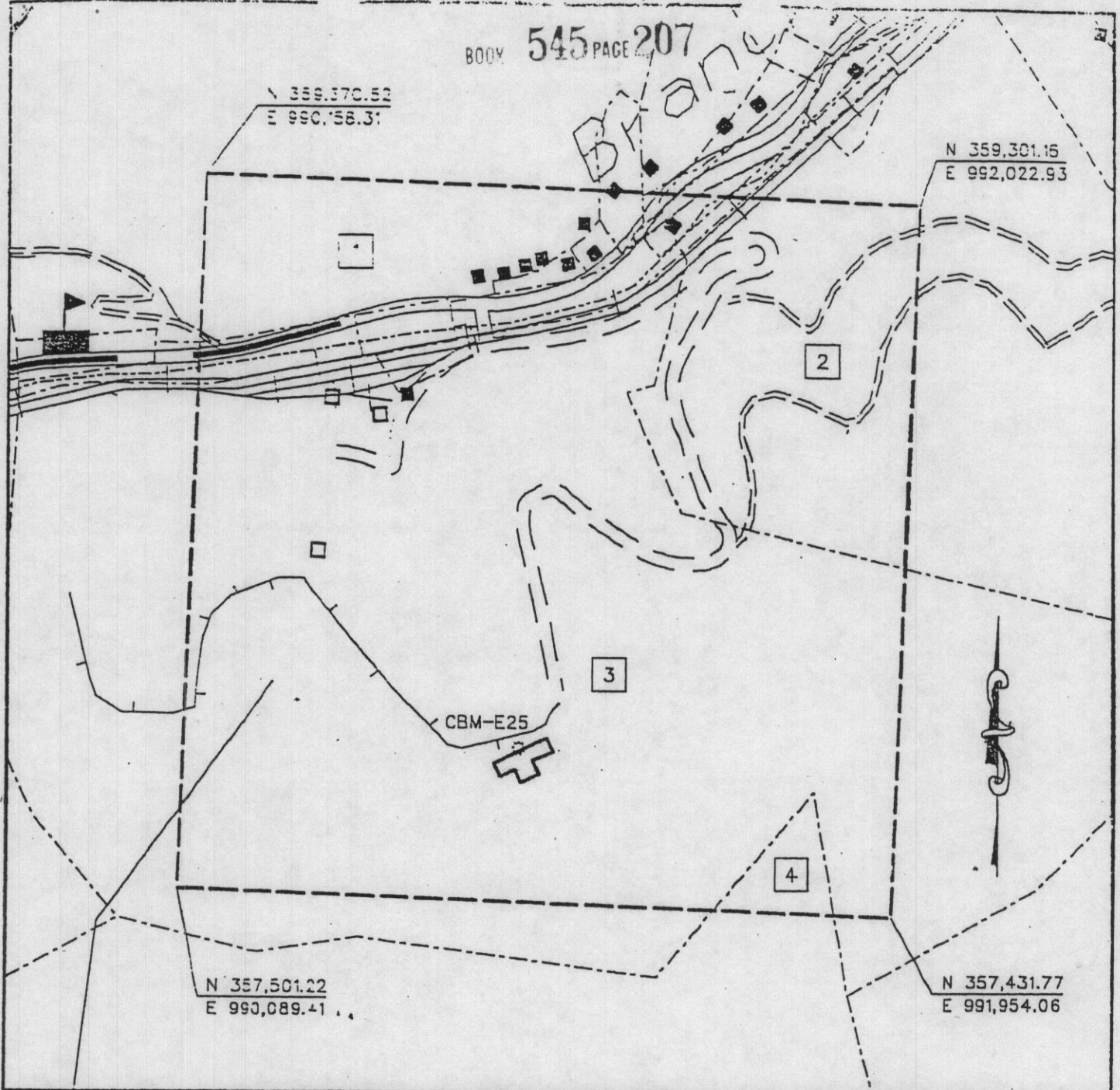


EXHIBIT A
OAKWOOD FIELD UNIT E-25
FORCE POOLING
VGOB-00-1121-0840

Company CONSCL Inc. Well Name and Number UNIT E25
Tract No. _____ Elevation _____ Quadrangle Patterson
County Buchanan District Garden Scale: 1" = 400' Date 10/13/00
This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGO-GC-7
Rev. 9/91

Charles D. Mays
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

CONSOL Energy Inc.

Unit E-25

Tract Identifications

1. Leroy Cranshaw, III, et al. - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Eastern Amercian Energy Corp. - Oil & Gas CBM Leased
6.30 Acres 7.8750%

2. C.L. Ritter Lumber Co. - Tr. 24 - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
13.83 Acres 17.2875%

3. C.L. Ritter Lumber Co. - Tr. 25 - Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
C.L. Ritter Lumber Co., et al. - Surface
58.22 Acres 72.7750%

4. Yukon Pocahontas Coal Co./Buchanan Coal Co./Sayers-Pocahontas Coal Co. - Tr. 106
2/3 Coal, Oil & Gas
Plum Creek Timberland, L.P. (prev. North American Timber Corp.) - 1/3 Coal, Oil & Gas
Island Creek Coal Company - Below Drainage Coal Leased
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased
Buchanan Production Co. - CBM Leased
1.65 Acres 2.0625%

Exhibit B-2
UNIT E-25
Docket # VGOB 00-1121-0840
List of Respondents to be Dismissed

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	Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL FEE OWNERSHIP			
<u>Tract #4, 1.65 acres</u>			
(1) Yukon Pocahontas Coal Co. et al. Tr 106	1.65 acres	2.0625%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.83 acres 1/2 of 0.11 acres	1.0313%	Leased
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.18 acres 1/9 of 0.11 acres	0.2292%	Leased
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.09 acres 1/18 of 0.11 acres	0.1146%	Leased
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #4, 1.65 acres</u>			
(1) Yukon Pocahontas Coal Co. et al. Tr 106	1.65 acres	2.0625%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.83 acres 1/2 of 0.11 acres	1.0313%	Leased
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.18 acres 1/9 of 0.11 acres	0.2292%	Leased
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.09 acres 1/18 of 0.11 acres	0.1146%	Leased

Exhibit B-3
UNIT E-25
Docket # VGOB 00-1121-0840
List of Unleased Owners/Claimants

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		Acres in Unit	Percent of Unit	Election
I. COAL FEE OWNERSHIP				
Tract #1, 6.30 acres				
(1)	Leroy Crenshaw III, et al.	6.30 acres	7.8750%	Deemed Leased
(a)	Leroy Crenshaw III 2624 Linnbrook Drive Richmond, VA 23228			
(b)	Dorothy Crenshaw Cronk 13751 Elmstead Road Midlothian, VA 23113			
(c)	Charles Walford Crenshaw 3133D Stony Point Road Richmond, VA 23235			
Tract #4, 1.65 acres				
(1)	Yukon Pocahontas Coal Co. et al. Tr 106	1.65 acres	2.0625%	
(d)	Plum Creek Timberland, L.P. Plum Creek (prev. North American Timber) Natural Resources Department 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303	0.55 acres 1/3 of 0.11 acres	0.6875%	Deemed Leased
II. OIL & GAS FEE OWNERSHIP				
Tract #1, 6.30 acres				
(1)	Leroy Crenshaw III, et al. *	6.30 acres	7.8750%	
(a)	Leroy Crenshaw III 2624 Linnbrook Drive Richmond, VA 23228			
(b)	Dorothy Crenshaw Cronk 13751 Elmstead Road Midlothian, VA 23113			
(c)	Charles Walford Crenshaw 3133D Stony Point Road Richmond, VA 23235			
	* Eastern American Gas Company P.O. Box 820 Glennville, WV 26351			Participate
Tract #4, 1.65 acres				
(1)	Yukon Pocahontas Coal Co. et al. Tr 106	1.65 acres	2.0625%	
(d)	Plum Creek Timberland, L.P. Plum Creek (prev. North American Timber) Natural Resources Department	0.55 acres 1/3 of 0.11 acres	0.6875%	Deemed Leased

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is together with the certificate of acknowledgment annexed, admitted to record this 1st day of April, 2002, at 1:16 P.M.
Deed Book No. 545 and Page No. 203.
Returned to: *James M. Bevens, Jr.*
TESTE: *James M. Bevens, Jr.* Deputy Clerk

COMMONWEALTH OF VIRGINIA


 OFFICIAL RECEIPT
 BUCHANAN COUNTY CIRCUIT COURT
 DEED RECEIPT

DATE: 04/22/02 TIME: 13:17:37 ACCOUNT: 00701020001109 RECEIPT: 00000002149
 CASHIER: AKT RES: 2001 TYPE: AG PAYMENT: FULL PAYMENT
 INSTRUMENT : 000001509 BOOK: PAGE: RECORDED: 04/22/02 AT 13:14
 GRANTOR: VIRGINIA GAS AND OIL BOARD EX: N LCC: CO
 GRANTEE: POCAHONTAS GAS PARTNERSHIP; ETAL EX: N FOT: 100X
 AND ADDRESS :
 RECEIVED OF : DEPT MINEE MINERALS ENERGY
 CHECK : \$210.00
 DESCRIPTION 1: 10 DECLARATION OF POOLINGS PAGES: 0
 2: BATCH RECEIPT: 000001509 THRU 000001515 NAMES: 0
 CONSIDERATION: .00 ASSUME/VAL: .00 MAP: PAID
 CODE DESCRIPTION PAID CODE DESCRIPTION
 301 DEEDS 210.00

TENDERED : 210.00
 AMOUNT PAID: 210.00
 CHANGE AMT: .00

CLERK OF COURT: JAMES M. BEVINS JR.