

ENTERED

BOOK 558 PAGE 07.00

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: POCAHONTAS GAS PARTNERSHIP) VIRGINIA GAS
) AND OIL BOARD
RELIEF SOUGHT: POOLING OF INTERESTS IN)
DRILLING UNIT NO. BA-111 LOCATED) DOCKET NO.
IN THE MIDDLE RIDGE I COALBED) 02-0416-1024
METHANE GAS FIELD PURSUANT TO VA.)
CODE §§ 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 BA-111)
(herein "Subject Drilling Unit") IN THE)
MIDDLE RIDGE I COALBED METHANE GAS FIELD)
NEW GARDEN MAGISTERIAL DISTRICT)
HONAKER QUADRANGLE)
RUSSELL 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 came on for final hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on April 16, 2002 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 & Stump, L.C., appeared for the Applicant; James D. Rasnake filed written objections which are attached hereto as Exhibit F; and Sandra Riggs, 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 Jawbone 1 Seam, including the Tiller Seam, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas No. 8, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 1 and various unnamed coal seams, coalbeds and rock strata associated therewith down to the red and green shales (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 Exhibit B-3 hereto are persons identified by Applicant through its due diligence who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation, in Subject Drilling Unit underlying and comprised of Subject Lands, 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 state due process.

4. Amendments: Exhibit A, page 2; Exhibit B-3; Exhibit E; and Exhibit EE.

5. Dismissals: See Exhibit B-2.

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 Pocahontas Gas Partnership 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, Pocahontas Gas Partnership (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 Middle Ridge I Coalbed Methane Gas Field Order VGOB 00-1017-0835, dated January 19, 2001; 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.

<u>Subject Formation</u>	<u>Unit Size</u>	<u>Permitted Well Location(s)</u>	<u>Field and Well Classification</u>	<u>Order Number</u>
All below drainage coalbeds and coal seams and associated rock strata which may include but are not limited to the Jawbone I seam down to the red and green shales	Approximately 58.74 acre square drilling unit	Well CBM-PGP-BA-111 is located in Subject Drilling Unit at the location depicted on the Plat attached hereto as Exhibit A. On January 17, 2002, pursuant to Permit #5068, the Unit Operator drilled Well CBM-PGP-BA111 to an approximate depth of 2,584.00 feet.	Middle Ridge I Coalbed Gas Field for Coalbed Methane Gas Produced in advance of mining including Gas from any Additional Well Authorized Pursuant to Va. Code § 45.1-361.20	VGOB 00-1017-0835 (herein "Middle Ridge I Field Rules")

For the Subject Drilling Unit
underlying and comprised of the Subject
Land referred to as:

Unit Number BA-111
Russell County, Virginia

Pursuant to the Middle Ridge I Field Rules, 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 58.74-acre drilling unit in which the well(s) 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 Middle Ridge 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 this Order is recorded in the county above named. 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 Middle Ridge 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: \$211,814.51

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, and such person elects or fails to elect to do other than participate under Paragraph 9.1 above in the Well Development and Operation in Subject Formations in Subject Drilling Unit, 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): Pocahontas Gas Partnership 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 Middle Ridge I Coalbed Gas Field Order VGOB 00-1017-0835, 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:

Pocahontas Gas Partnership
P. O. Box 947
Bluefield, VA 24605
Phone: (276) 988-1016
Fax: (276) 988-1055
Attn: Leslie K. Arrington

14. Commencement of Operations: On January 17, 2002, pursuant to Permit #5068, the Unit Operator drilled Well CBM-BA111 within Subject Drilling Unit. Unless sooner terminated by Order of the Board, this Order shall expire at 12:00 p.m. on the date on which said well is permanently abandoned and plugged.

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 Unit Operator represented to the Board that there are unknown or unlocatable Claimants in Tract 3 of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.1, and that there are conflicting Claimants in Tracts 2, 3, 4, and 5 of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Therefore, by this Order, the Board instructs the Escrow Agent named herein or any successor named by the Board to establish an interest-bearing escrow account for Subject Drilling Unit with subaccounts for Tracts 2, 3, 4, and 5 (herein "Escrow Account") and to receive and account to the Board pursuant to its agreement for funds hereafter described in Paragraphs 16.1 and 16.2.

First Union National Bank
Corporate Trust PA1328
123 South Broad Street
Philadelphia, PA 19109-1199
Telephone: (888) 396-0853 or (215) 985-3485
Attention: Corporate Trust Don Ballinghoff

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 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 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.

16.3 The Unit Operator represented to the Board that the person identified in Exhibit EE have agreed to settle their conflicting claims by entering into royalty split agreements thereby avoiding the need to escrow royalties pertaining to their interests and/or claims.

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

17.1. Pocahontas Gas Partnership is a Virginia general partnership composed of Consolidation Coal Company and CONSOL Energy, Inc. Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;

17.2. Pocahontas Gas Partnership is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;

17.3. Pocahontas Gas Partnership, claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing 97.93840 percent of the oil and gas interests/claims to Coalbed Methane Gas and 100.00 percent of the coal interests/claims to Coalbed Methane Gas in Subject Drilling Unit, and Pocahontas Gas Partnership claims the right to explore for, develop and produce Coalbed Methane Gas

from Subject Formations in Middle Ridge I Unit Number BA-111 in Russell County, Virginia, which Subject Lands are more particularly described in Exhibit "A";

- 17.4. The estimated total production from Subject Drilling Unit is 125 to 550 MMCF. The estimated amount of reserves from the Subject Drilling Unit is 125 to 550 MMCF;
- 17.5. While James D. Rasnake did not appear at the hearing of this matter, he did file with the Board the written objections set forth in Exhibit F hereto which challenges the Applicant's representation of his undivided Interest in Unit attributable to his oil and gas fee ownership in Tract 3. The testimony presented by the Applicant at the hearing and in their Application filed herein, and the information set forth in Exhibit F are in conflict. The Board is without jurisdiction to resolve such title/ownership issues. Therefore, without ruling on Mr. Rasnake's objections, the Board notes them for the record and orders that the Unit Operator escrow payments attributable to Tract 3 pending resolution of the disputed oil and gas ownership interests within said tract.
- 17.6. Set forth in Exhibit B-3 is the name and last known address of each Owner or Claimant identified by the Unit Operator 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/claims in Subject Drilling Unit for its development. The interests/claims of the Respondents listed in Exhibit B-3 comprise 2.06160 percent of the oil and gas interests/claims to Coalbed Methane Gas and 0.00 percent of the coal interests/claims to Coalbed Methane Gas in Subject Drilling Unit;
- 17.7. On September 11, 2001, the Virginia Department of Mines, Minerals and Energy's Division of Gas and Oil has heretofore issued Permit Number 5068 for Well CBM-PGP-BA-111 and said Well was drilled on January 17, 2002;
- 17.8. 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 any well covered hereby are those options provided in Paragraph 9 above;
- 17.9. 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 to each known and locatable Respondent, if any, named in Exhibit B-3 pooled by this Order and to each Respondent named in Exhibit E whose claims are subject to the escrow requirements of this Order.

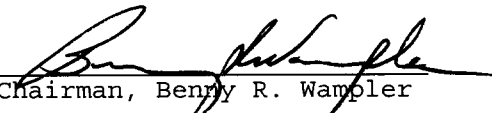
19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

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

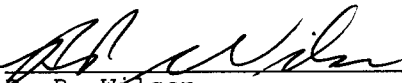
21. Appeals: Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court.

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

DONE AND EXECUTED this 8th day of July, 2002, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

DONE AND PERFORMED this 15th day of July, 2002, by Order of this Board.


E. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WISE)

Acknowledged on this 8th day of July, 2002, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny 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 Public

My commission expires July 31, 2002

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 15th day of July, 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 of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis
Diane J. Davis
Notary Public

My commission expires September 30, 2005

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 7-15, 2002. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 3:20 o'clock P.M., after payment of \$ — tax imposed by Sec. 58.1-802.

TESTE: DOLLIE M. COMPTON, CLERK
BY Diane J. Davis D. CLERK

Original returned this date to: D. Davis

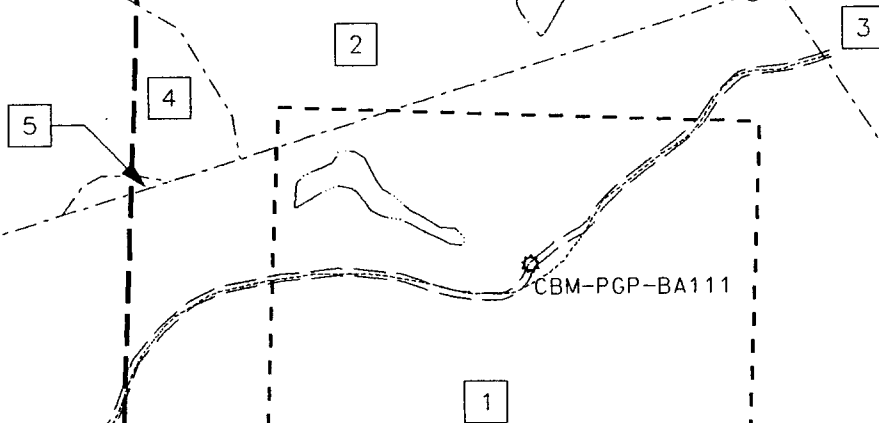
0003013

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

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N 299,139.82
E 985,138.22

N 299,082.41
E 986,736.70



58.74 ACRE UNIT

N 297,541.04
E 985,080.81

N 297,483.63
E 986,679.28

EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BA-111
FORCE POOLING
VGOB-02-0416-1024

Company Pocahontas Gas Partnership Well Name and Number UNIT BA-111
Tract No. _____ Elevation _____ Quadrangle Honaker
County Russell District New Garden Scale: 1" = 400' Date 3/15/02
This plat is a new plat X ; an updated plat _____ ; or a final plat 100%

Form DGO-GO-7
Rev. 9/91

Charles D. May
Licensed Professional Engineer or Licensed Land Surveyor

POCAHONTAS GAS PARTNERSHIP**CBM-PGP-BA-111****Tract Identifications****(58.74 Acre Unit)**

1. Buckhorn Coal Company Tr. 10 (J. T. Stinson 170 Acre Tract) - Fee
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
49.74 acres 84.6782 %
2. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Lowie Perkins, et al. - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
6.38 acres 10.8614 %
3. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Jacob Fuller Heirs, Successors or Assigns - Oil & Gas
Wanda L. Ray, et al. - Surface
1.31 acres 2.2302 %
4. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Mary Dye - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
1.27 acres 2.1621 %
5. Buckhorn Coal Company Tr. 9 - Coal
Reserve Coal Properties Company - Below Drainage Coal Leased
Sandy Ridge Energy Company - Above Drainage Coal Leased
Pocahontas Gas Partnership - CBM Leased
Donald Whited, et ux. - Surface, Oil & Gas
Pocahontas Gas Partnership - Oil, Gas and CBM Leased
0.04 acres 0.0681 %

Exhibit B-2
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Respondents to be Dismissed
(58.74 Acre Unit)

BOOK 558 PAGE 0770

	Acres in Unit	Interest in Unit	Reason for Dismissal
II. OIL & GAS FEE OWNERSHIP			
<u>Tract #3, 1.31 acres</u>			
Jacob Fuller Heirs, Devisees, Successors or Assigns	1.31 acres	2.2302%	
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns			
(a) Claude and Luran Compton Heirs			
(a.1) Genevia Cotsmire 215 Kanawha Avenue Dunbar, WV 25064	0.0061 acres 0.463000% of 1.31 acres	0.0103%	Leased
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.0061 acres 0.463000% of 1.31 acres	0.0103%	Leased
(a.3) Margaret Kieffman 5112 Kingsport Highway Gray, TN 37615	0.0061 acres 0.463000% of 1.31 acres	0.0103%	Leased
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.0061 acres 0.463000% of 1.31 acres	0.0103%	Leased
(c) Brady Massie Heirs, Devisees, Successors or Assigns			
(c.1) James Massie P.O. Box 682 Honaker, VA 24260	0.0049 acres 0.370400% of 1.31 acres	0.0083%	Leased
(c.3) Ruby & Leroy Lester 627 Twin Oak Circle Lebanon, VA 24266	0.0049 acres 0.370400% of 1.31 acres	0.0083%	Leased
(c.4) Gladys Puckett P.O. Box 153 Easley, SC 29641	0.0049 acres 0.370400% of 1.31 acres	0.0083%	Leased
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.0243 acres 1.851900% of 1.31 acres	0.0413%	Leased
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns			
(f.1) William Earl Richardson 1140 Texarkana Drive Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%	Leased

Exhibit B-2
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Respondents to be Dismissed
(58.74 Acre Unit)

BOOK 558 PAGE 0700

	Acres in Unit	Interest in Unit	Reason for Dismissal
(f.2) Nelson Richardson 1124 Texarkana Drive Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%	Leased
(f.5) Alice Marie Musick 7981 N. 875 W Indianapolis, IN 46259	0.0030 acres 0.231500% of 1.31 acres	0.0052%	Leased
(f.6) Betty Doty 875 W. 6779 Lambert Street Indianapolis, IN 46241	0.0030 acres 0.231500% of 1.31 acres	0.0052%	Leased
(f.8) Violet Dunn 8607 Mosey Manor Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%	Leased
(3) Myrtle Rowe Heirs, Devisees Successors or Assigns			
(a) Ellen Fletcher HC65 Box 27A Rowe, VA 24649	0.1456 acres 11.111000% of 1.31 acres	0.2478%	Leased
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns			
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns			
(a.1) Betty Nuckles, Widow 275 Beverly Drive Abingdon, VA 24210	Life Estate		Leased
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns			
(b.1) David Blankenship c/o Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.0146 acres 1.111110% of 1.31 acres <i>(This interest belongs to Patty Chambers)</i>	0.0248%	Not an owner
(9) Ellen Brown Heirs, Devisees, Successors or Assigns			
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.0052 acres 0.400000% of 1.31 acres	0.0089%	Leased
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.0052 acres 0.400000% of 1.31 acres	0.0089%	Leased

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 558 PAGE 9701

	Acres in Unit	Interest in Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #3, 1.31 acres</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns	1.31 acres	2.2302%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(c) Brady Massie Heirs, Devisees, Successors or Assigns		
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.0049 acres 0.370400% of 1.31 acres	0.0083%
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.0049 acres 0.370400% of 1.31 acres	0.0083%
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns		
(f.3) Fred Richardson 9019 Broken Arrow Road Indianapolis, IN 46234	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		
(a.1) Virgie Correll Address Unknown	0.1456 acres 11.111000% of 1.31 acres	0.2478%
(4) William T. Fuller Heirs, Devisees Successors or Assigns		

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 558 PAGE 9702

	Acres in Unit	Interest in Unit
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643	0.1456 acres 11.111000% of 1.31 acres	0.2478%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(a) Fred Rasnake Heirs, Devisees, Successors or Assigns		
(a.2) Jackie Rasnake, Widow 565 49th Street SW Canton, OH 44706	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(b.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260	0.0121 acres 0.925900% of 1.31 acres	0.0206%
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.0121 acres 0.925900% of 1.31 acres	0.0206%
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(d) Ralph Rasnake Heirs, Devisees, Successors or Assigns		
(d.1) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(e) James Earl Rasnake Heirs, Devisees, Successors or Assigns		
(e.1) Louella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns		
(a.2) Carolyn Carty 1614 River Creek Drive Suffolk, VA 23434	0.0146 acres 1.111100% of 1.31 acres	0.0248%

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 558 PAGE 9703

	Acres in Unit	Interest in Unit
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.0146 acres 1.111100% of 1.31 acres	0.0248%
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns		
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.0582 acres 4.444400% of 1.31 acres	0.0991%
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Mellie Coleman <i>Address Unknown</i>	0.0146 acres 1.111200% of 1.31 acres	0.0248%
(c.2) Michael Coleman <i>Address Unknown</i>	0.0146 acres 1.111200% of 1.31 acres	0.0248%
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		
(d.1) Debbie Penaly <i>Address Unknown</i>	0.0291 acres 2.222200% of 1.31 acres	0.0496%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(a) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(c) Goldie Hess Star Route Box 118 Rowe, VA 24646	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(g) Arlene Compton Rt.2 Box 190 Honaker, VA 24260	0.0182 acres 1.388900% of 1.31 acres	0.0310%

Exhibit B-3
CBM-PGP-BA111
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List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(h) Leona Shope P.O. Box 272 Rosedale, VA 24280	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%
(b) Ollie Wilson Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%
(c) Dora Webb Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%
(d) Leona Beavers Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.0052 acres 0.400000% of 1.31 acres	0.0089%
(d) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(e) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(f) Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(g) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(h) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(i) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(k) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.0070 acres 0.533400% of 1.31 acres	0.0119%

Exhibit B-3
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Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(l) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.0070 acres 0.533400% of 1.31 acres	0.0119%
(m) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(m.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.0052 acres 0.394400% of 1.31 acres	0.0088%
(m.2) Michael Whitt 35 Pace Drive Bristol, VA 24201	0.0052 acres 0.394400% of 1.31 acres	0.0088%
(n) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.0103 acres 0.788900% of 1.31 acres	0.0176%
(o) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.0103 acres 0.788900% of 1.31 acres	0.0176%
(p) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.0103 acres 0.788900% of 1.31 acres	0.0176%
(q) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(r) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(s) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(t) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(u) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(v) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(w) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.0026 acres 0.200000% of 1.31 acres	0.0045%

Exhibit B-3
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(x) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(y) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(z) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(aa) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ab) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ac) Carl Brown 12077 Salem Church Road King George, VA 22485	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ad) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ae) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(af) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ag) Virgil K. Street Box 999 Honaker, VA 24260	0.0012 acres 0.088900% of 1.31 acres	0.0020%
(ah) Kimberly Lynn Street Box 999 Honaker, VA 24260	0.0012 acres 0.088900% of 1.31 acres	0.0020%
(ai) Dexter Perkins Heirs, Devisees, Successors or Assigns		
(ai.1) Lennie E. Perkins 3814 Ludgate Drive Chesapeake, VA 23321	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(aj) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.022300% of 1.31 acres	0.0005%

Exhibit B-3
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List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(ak) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(al) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(am) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(an) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(ao) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(ap) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(aq) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns Address Unknown	0.0182 acres 1.388900% of 1.31 acres	0.0310%
<u>Tract #4, 1.27 acres</u>		
(1) Mary Dye, et al.	1.27 acres	2.1621%
(b) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.141 acres 1/9 of 1.27 acres	0.2402%

Exhibit E
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 558 PAGE 0768

	Acres in Unit	Interest in Unit
<u>Tract #2, 6.38 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	6.38 acres	10.8614%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Lowie Perkins, et al.	6.38 acres	10.8614%
(a) Lowie Perkins Rt.2 Box 597 Honaker, VA 24260	3.190 acres 1/2 of 6.38 acres	5.4307%
(b) Wayne Perkins c/o Debbie Boyd 21431 Bonher Road Bristol, VA 24202	3.190 acres 1/2 of 6.38 acres	5.4307%
<u>Tract #3, 1.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.31 acres	2.2302%
<u>OIL & GAS FEE OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns	1.31 acres	2.2302%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(a) Claude and Luran Compton Heirs		
(a.1) Genevia Cotsmire 215 Kanawha Avenue Dunbar, WV 25064	0.0061 acres 0.463000% of 1.31 acres	0.0103%
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.0061 acres 0.463000% of 1.31 acres	0.0103%
(a.3) Margaret Kleffman 5112 Kingsport Highway Gray, TN 37615	0.0061 acres 0.463000% of 1.31 acres	0.0103%
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.0061 acres 0.463000% of 1.31 acres	0.0103%

Exhibit E
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(c) Brady Massie Heirs, Devisees, Successors or Assigns		
(c.1) James Massie P.O. Box 682 Honaker, VA 24260	0.0049 acres 0.370400% of 1.31 acres	0.0083%
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.0049 acres 0.370400% of 1.31 acres	0.0083%
(c.3) Ruby & Leroy Lester 627 Twin Oak Circle Lebanon, VA 24266	0.0049 acres 0.370400% of 1.31 acres	0.0083%
(c.4) Gladys Puckett P.O. Box 153 Easley, SC 29641	0.0049 acres 0.370400% of 1.31 acres	0.0083%
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.0049 acres 0.370400% of 1.31 acres	0.0083%
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns		
(f.1) William Earl Richardson 1140 Texarkana Drive Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.2) Nelson Richardson 1124 Texarkana Drive Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.3) Fred Richardson 9019 Broken Arrow Road Indianapolis, IN 46234	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%

Exhibit E
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(58.74 Acre Unit)

BOOK 558 PAGE 0700

	Acres in Unit	Interest in Unit
(f.5) Alice Marie Musick 7981 N. 875 W Indianapolis, IN 46259	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.6) Betty Doty 875 W. 6779 Lambert Street Indianapolis, IN 46241	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(f.8) Violet Dunn 8607 Mosey Manor Indianapolis, IN 46231	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		
(a.1) Virgie Correll Address Unknown	0.1456 acres 11.111000% of 1.31 acres	0.2478%
(3) Myrtle Rowe Heirs, Devisees Successors or Assigns		
(a) Ellen Fletcher HC65 Box 27A Rowe, VA 24649	0.1456 acres 11.111000% of 1.31 acres	0.2478%
(4) William T. Fuller Heirs, Devisees Successors or Assigns		
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643	0.1456 acres 11.111000% of 1.31 acres	0.2478%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(a) Fred Rasnake Heirs, Devisees, Successors or Assigns		
(a.2) Jackie Rasnake, Widow 565 49th Street SW Canton, OH 44706	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(b.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260	0.0121 acres 0.925900% of 1.31 acres	0.0206%

Exhibit E
CBM-PGP-BA111
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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 558 PAGE 0701

	Acres in Unit	Interest in Unit
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.0121 acres 0.925900% of 1.31 acres	0.0206%
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(d) Ralph Rasnake Heirs, Devisees, Successors or Assigns		
(d.1) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(e) James Earl Rasnake Heirs, Devisees, Successors or Assigns		
(e.1) Louella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.0243 acres 1.851900% of 1.31 acres	0.0413%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns		
(a.1) Betty Nuckles, Widow 275 Beverly Drive Abingdon, VA 24210	<i>Life Estate</i>	
(a.2) Carolyn Carty 1614 River Creek Drive Suffolk, VA 23434	0.0146 acres 1.111100% of 1.31 acres	0.0248%
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.0146 acres 1.111100% of 1.31 acres	0.0248%
(b) Hestor Arwood & Marie Blankenship Heirs, Devisees, Successors or Assigns		
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.0582 acres 4.444400% of 1.31 acres	0.0991%
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Mellie Coleman Address Unknown	0.0146 acres 1.111200% of 1.31 acres	0.0248%

Exhibit E
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(c.2) Michael Coleman Address Unknown	0.0146 acres 1.111200% of 1.31 acres	0.0248%
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		
(d.1) Debbie Penaly Address Unknown	0.0291 acres 2.222200% of 1.31 acres	0.0496%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(a) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(c) Goldie Hess Star Route Box 118 Rowe, VA 24646	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(f) Eugene Whited 25429 Briarwood Drive Columbia Station, OH 44028	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(g) Arlene Compton Rt.2 Box 190 Honaker, VA 24260	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(h) Leona Shope P.O. Box 272 Rosedale, VA 24280	0.0182 acres 1.388900% of 1.31 acres	0.0310%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%
(b) Ollie Wilson Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%
(c) Dora Webb Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%

Exhibit E
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(d) Leona Beavers Address Unknown	0.0364 acres 2.777800% of 1.31 acres	0.0619%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.0052 acres 0.400000% of 1.31 acres	0.0089%
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.0052 acres 0.400000% of 1.31 acres	0.0089%
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.0052 acres 0.400000% of 1.31 acres	0.0089%
(d) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(e) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(f) Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(g) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(h) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(i) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.0009 acres 0.066700% of 1.31 acres	0.0015%
(j) Anna Nuckles Rt.1 Box 156 Vasant, VA 24565	0.0070 acres 0.533400% of 1.31 acres	0.0119%
(k) Toly "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.0070 acres 0.533400% of 1.31 acres	0.0119%
(l) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.0070 acres 0.533400% of 1.31 acres	0.0119%
(m) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		

Exhibit E
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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(m.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.0052 acres 0.394400% of 1.31 acres	0.0088%
(m.2) Michael Whitt 35 Pace Drive Bristol, VA 24201	0.0052 acres 0.394400% of 1.31 acres	0.0088%
(n) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.0103 acres 0.788900% of 1.31 acres	0.0176%
(o) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.0103 acres 0.788900% of 1.31 acres	0.0176%
(p) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.0103 acres 0.788900% of 1.31 acres	0.0176%
(q) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(r) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(s) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(t) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(u) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(v) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.0030 acres 0.231500% of 1.31 acres	0.0052%
(w) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(x) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.0026 acres 0.200000% of 1.31 acres	0.0045%
(y) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.0023 acres 0.177800% of 1.31 acres	0.0040%

Exhibit E
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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(z) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(aa) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ab) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ac) Carl Brown 12077 Salem Church Road King George, VA 22485	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ad) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ae) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(af) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.0023 acres 0.177800% of 1.31 acres	0.0040%
(ag) Virgil K. Street Box 999 Honaker, VA 24260	0.0012 acres 0.088900% of 1.31 acres	0.0020%
(ah) Kimberly Lynn Street Box 999 Honaker, VA 24260	0.0012 acres 0.088900% of 1.31 acres	0.0020%
(ai) Dexter Perkins Heirs, Devisees, Successors or Assigns		
(ai.1) Lennie E. Perkins 3814 Ludgate Drive Chesapeake, VA 23321	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(aj) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(ak) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(al) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.0003 acres 0.022300% of 1.31 acres	0.0005%

Exhibit E
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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(am) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(an) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(ao) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(ap) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0003 acres 0.022300% of 1.31 acres	0.0005%
(aq) Dr. L.M. Harrison Heirs, Devises, Successors or Assigns Address Unknown	0.0182 acres 1.388900% of 1.31 acres	0.0310%

Tract #4, 1.27 acres

COAL FEE OWNERSHIP

(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.27 acres	2.1621%
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OIL & GAS FEE OWNERSHIP

(1) Mary Dye, et al.	1.27 acres	2.1621%
(b) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.141 acres 1/9 of 1.27 acres	0.2402%
(c) Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.141 acres 1/9 of 1.27 acres	0.2402%
(d) Allen Dye 19433 Avon-Belden Road Grafton, OH 44044	0.141 acres 1/9 of 1.27 acres	0.2402%
(e) Janice Workman 7762 State Road Parma, OH 44134	0.141 acres 1/9 of 1.27 acres	0.2402%
(f) Mack Dye c/o Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.141 acres 1/9 of 1.27 acres	0.2402%

Exhibit E
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List of Conflicting Owners/Claimants that require escrow
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	Acres in Unit	Interest in Unit
(g) Russell H. Dye, Jr. 3562 Winchell Road Mantua, OH 44255	0.141 acres 1/9 of 1.27 acres	0.2402%

Tract #5, 0.04 acres

COAL FEE OWNERSHIP

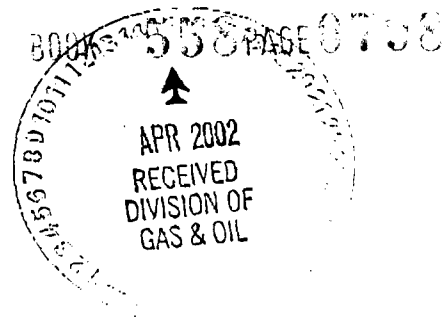
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	0.04 acres	0.0681%
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OIL & GAS FEE OWNERSHIP

(1) Donald Whited, et ux. P.O. Box 417 Swords Creek, VA 24649	0.04 acres	0.0681%
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April 15, 2002

Mr. Benny Wampler, Chairman
Virginia Gas and Oil Board
P.O. Box 1416
Abingdon, VA 24212



RE: VGOB 02-0416-1023 Unit AZ-111
VGOB 02-0416-1024 Unit BA-111
VGOB 02-0416-1025 Unit BA-112

Dear Mr. Wampler:

Please accept this letter as my objection to the pooling of the above-referenced units. I am the owner of an undivided 23/48 interest (47.92%) in the Jacob Fuller Estate. The applicant, Pocahontas Gas Partnership, has submitted a list of descendants of Jacob Fuller in the ownership section of these and previous pooling applications concerning the lands of Jacob Fuller. A careful review of the public records of Russell and Buchanan counties reveal the owners, successors and assigns of Jacob Fuller to be as follows:

James D. Rasnake	23/48 interest	47.92%
Mike O. Rasnake	23/48 interest	47.92%
Lucy Blankenship	1/24 interest	4.16%

Please find attached, as exhibits to this letter, documents that have been a matter of public record for many years, and, months prior to any poolings of Jacob Fuller lands before the VGOB.

The applicant, Pocahontas Gas Partnership, would like for the VGOB to approve the applications, with the ownership as they have submitted, in order to deny me my full ownership interest and in particular to deny me my full participation on a "carried" basis. The applicant's attorney will argue that there are "title" problems that should be resolved in a court.

The Circuit Court of Russell County, by DECREE (see Exhibit C, pages 3 and 4), on February 4, 1918, adjudged, ordered and decreed that William T. Fuller and Laura Fuller (my grandmother) were the "sole heirs and distributees" of Jacob Fuller, "as the other heirs had received their portion of his estate from him before he died". The Russell County Circuit Court will not adjudicate what the Russell County Circuit Court has already adjudged, ordered and decreed (res adjudicata).

As witness to my testimony, I submit the following public records of Russell and Buchanan counties:

- EXHIBIT A - List of Heirs of Jacob Fuller
- EXHIBIT B - Deed from Elbert Fuller, et al., to W.T. Fuller and Laura Fuller
- EXHIBIT C - Decree, Report and (Final) Decree (W.T. Fuller, et al., vs Ellen Brown, et al.)
- EXHIBIT D - Deed from Jonas C. Rasnake to James D. Rasnake
- EXHIBIT E - Deed from Marvin R. Fuller to James D. Rasnake and Mike O. Rasnake
- EXHIBIT F - Deed from Betty Rasnake to James D. Rasnake and Mike O. Rasnake
- EXHIBIT G - Deed from Jackie Rasnake to James D. Rasnake and Mike O. Rasnake
- EXHIBIT H - Deed from Lonella Rasnake to James D. Rasnake and Mike O. Rasnake
- EXHIBIT I - Deed from Ricky Nelson Ray to James D. Rasnake and Mike O. Rasnake
- EXHIBIT J - Deed from Jonas C. Rasnake to James D. Rasnake
- EXHIBIT K - A diagram summary of all of the above

Respectfully submitted,

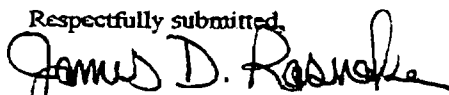

James D. Rasnake

Exhibit EE
CBM-PGP-BA111
Docket No. VGOB 02-0416-1024
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #3, 1.31 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.31 acres	2.2302%
<u>OIL & GAS FEE OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns	1.31 acres	2.2302%
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(c) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.0243 acres 1.851900% of 1.31 acres	0.0413%
<u>Tract #4, 1.27 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Buckhorn Coal Company, Tr.9 P. O. Box 187 Tazewell, VA 24651	1.27 acres	2.1621%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Mary Dye, et al.	1.27 acres	2.1621%
(a) Mary Dye P.O. Box 391 Damascus, VA 24236	0.423 acres 1/3 of 1.27 acres	0.7207%