

1203

070004646

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 04-0720-1306

ELECTIONS: UNIT AV-100
(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 December 10, 2004 which was recorded at Deed Book 608, Page 725 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on December 15, 2004, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein A Designated Operator) to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

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

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

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

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AV-100;

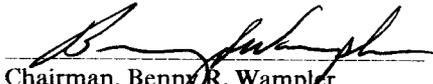
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, Attn: Judy Barger or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven 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 5th day of December, 2007, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA

COUNTY OF ~~WISE~~
Washington

Acknowledged on this 5th day of December, 2007, 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 174394

My commission expires: 9/30/09.

DONE AND PERFORMED THIS 5th day of December, 2007, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA

COUNTY OF WASHINGTON

Acknowledged on this 5th day of December, 2007, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: 9/30/09.

C002

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit AV-100
VGOB 04-0720-1306 in the Hurricane District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A Designated Operator) REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

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

That your affiant is employed by CNX Gas Company LLC, as a Manager - Environmental Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on December 10, 2004, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on December 15, 2004;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of December 15, 2004;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

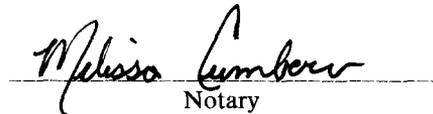
See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 24th day of October, 2007.

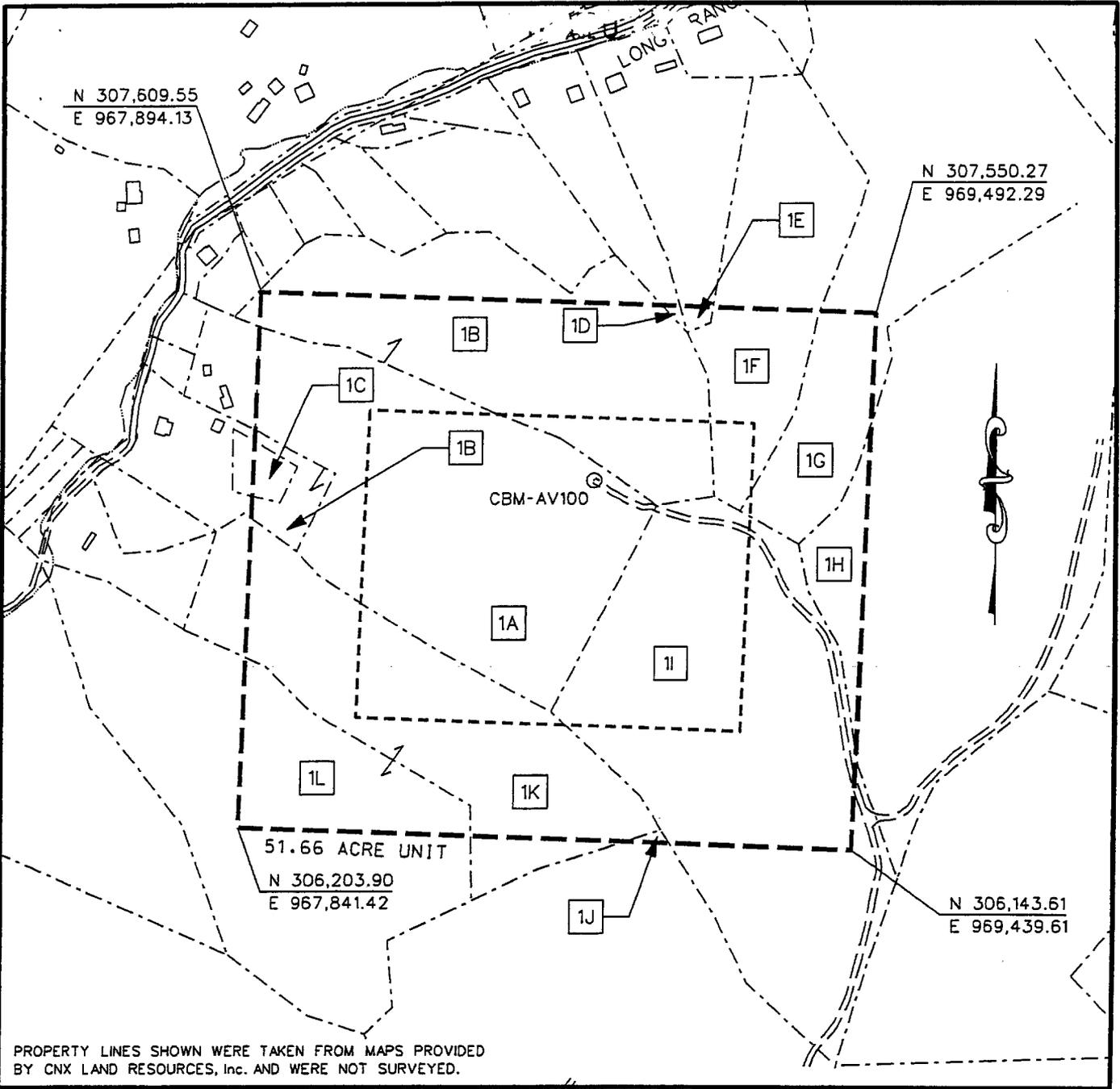

Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager - Environmental Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 24th day of October, 2007.


Notary

My commission expires: April 9, 2013.



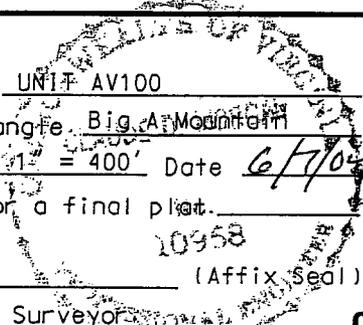


PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

EXHIBIT A
 NORA FIELD
 UNIT AV-100
 FORCE POOLING
 VGOB-04-0720-1306

Company CNX Gas Company LLC Well Name and Number UNIT AV100
 Tract No. _____ Elevation _____ Quadrangle Big A Mountain
 County Buchanan District Hurricane Scale: 1" = 400' Date 6/7/04
 This plot is a new plot ; an updated plot _____ ; or a final plat _____

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



0005

CNX Gas Company LLC

UNIT AV-100

Tract Identifications

(51.66 Acre Unit)

- 1A. Harrison-Wyatt, LLC. (Big Axe Tr. 3) – Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Maggie I. Hale Heirs – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
12.90 acres 24.9710%
- 1B. Harrison-Wyatt, LLC. (Big Axe Tr. 3) - Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Beulah B. Hess, et al – Surface and All Minerals except Coal
8.46 acres 16.3763%
- 1C. Harrison-Wyatt, LLC. (Big Axe Tr. 3) - Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Joel D. Burke, et ux – Surface and All Minerals except Coal
0.29 acres 0.5614%
- 1D. Harrison-Wyatt, LLC. (Big Axe Tr. 3) – Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Raymond Hess, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.04 acres 0.0774%
- 1E. Harrison-Wyatt, LLC. (Big Axe Tr. 3) – Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Harlis Hess, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.09 acres 0.1742%
- 1F. Harrison-Wyatt, LLC. (Big Axe Tr. 3) – Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Darrell Hess, et al – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.48 acres 4.8006%

CNX Gas Company LLC

UNIT AV-100

Tract Identifications

(51.66 Acre Unit)

- 1G. Harrison-Wyatt, LLC. (Big Axe Tr. 3) – Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Herman L. Hess, et al – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.64 acres 5.1103%
- 1H. Harrison-Wyatt, LLC. (Big Axe Tr. 3) – Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Surface and All Minerals except Coal
1.37 acres 2.6520%
- 1I. Harrison-Wyatt, LLC. (Big Axe Tr. 3) – Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
Raymond Hess, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
11.80 acres 22.8417%
- 1J. Harrison-Wyatt, LLC (Big Axe Tr. 3) - Coal
Island Creek Coal Company/Consolidation Coal Co. – Coal Below Drainage Leased
Jewell Smokeless Coal Corp. – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
R.W. Helton Heirs – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.05 acres 0.0968%
- 1K. Harrison-Wyatt, LLC (Big Axe Tr. 3) - Coal
Island Creek Coal Company/Consolidation Coal Co. – Coal Below Drainage Leased
Jewell Smokeless Coal Corp. – Coal Above Jawbone Seam Leased
CNX Gas Company LLC – CBM Leased
R.W. Helton Heirs – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
7.99 acres 15.4665%
- 1L. Harrison-Wyatt, LLC. (Big Axe Tr. 3) - Coal
Island Creek Coal Company/Consolidation Coal Company - Coal Below Drainage Leased
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC – Surface and All Minerals except Coal
3.55 acres 6.8718%

Exhibit B-3
Unit AV-100
Docket #VGOB 04-0720-1306
List of Unleased Owners/Claimants
(51.66 Acre Unit)

	Acres in Unit	Percent of Unit
II. <u>OIL & GAS FEE OWNERSHIP</u>		
<u>Tract #1B - 8.46 acres</u>		
(1) Beulah B. Hess, et al.	8.46 acres	16.3763%
(a) James Hess P.O. Box 119 Rowe, VA 24646	1.69 acres 1/5 of 8.46 acres <i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	3.2753%
(b) Allen Hess Rt.2 Box 54C Honaker, VA 24646	1.69 acres 1/5 of 8.46 acres <i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	3.2753%
(c) Regina Hess Reynolds HC65 Box 149 Rowe, VA 24646	1.69 acres 1/5 of 8.46 acres <i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	3.2753%
(d) Brenda Hess Burke P.O. Box 33 Rowe, VA 24646	1.69 acres 1/5 of 8.46 acres <i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	3.2753%
(e) Timothy Hess Rt.5 Box 121C Grundy, VA 24614	1.69 acres 1/5 of 8.46 acres <i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	3.2753%
(f) Beulah B. Hess Box 33 Rowe, VA 24646	<i>(Life Estate)</i>	
<u>Tract #1C - 0.29 acres</u>		
(1) Joel D. Burke, et ux. Box 33 Rowe, VA 24646	0.29 acres	0.5614%

0008

Exhibit E
Unit AV-100
Docket #VGOB 04-0720-1306
List of Conflicting Owners/Claimants that require escrow
(51.66 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1B - 8.46 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	8.46 acres	16.3763%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Beulah B. Hess, et al.	8.46 acres	16.3763%
(a) James Hess P.O. Box 119 Rowe, VA 24646	1.69 acres 1/5 of 8.46 acres	3.2753%
	<i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	
(b) Allen Hess Rt.2 Box 54C Honaker, VA 24646	1.69 acres 1/5 of 8.46 acres	3.2753%
	<i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	
(c) Regina Hess Reynolds HC65 Box 149 Rowe, VA 24646	1.69 acres 1/5 of 8.46 acres	3.2753%
	<i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	
(d) Brenda Hess Burke P.O. Box 33 Rowe, VA 24646	1.69 acres 1/5 of 8.46 acres	3.2753%
	<i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	
(e) Timothy Hess Rt.5 Box 121C Grundy, VA 24614	1.69 acres 1/5 of 8.46 acres	3.2753%
	<i>(Subject to the Life Estate of Beulah Hess & James Coy Hess)</i>	
(f) Beulah B. Hess Box 33 Rowe, VA 24646		<i>(Life Estate)</i>
<u>Tract #1C - 0.29 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.29 acres	0.5614%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Joel D. Burke, et ux. Box 33 Rowe, VA 24646	0.29 acres	0.5614%

0009

Exhibit E
Unit AV-100
Docket #VGOB 04-0720-1306
List of Conflicting Owners/Claimants that require escrow
(51.66 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1E - 0.09 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.09 acres	0.1742%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Harlis Hess, et ux. P.O. Box 40 Rosedale, VA 24280	0.09 acres	0.1742%
<u>Tract #1F - 2.48 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	2.48 acres	4.8006%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Darrell Hess, et al. c/o Darrell Hess P.O. Box 324 Raven, VA 24639	2.48 acres	4.8006%
<u>Tract #1G - 2.64 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	2.64 acres	5.1103%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Herman L. Hess, et al. c/o Herman L. Hess Star Rt. Box 8 Rowe, VA 24646	2.64 acres	5.1103%

0010

Exhibit EE
Unit AV-100
Docket #VGOB 04-0720-1306
List of Conflicting Owners/Claimants with Royalty Split Agreements
(51.66 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1A - 12.90 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	12.90 acres	24.9710%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Maggie I. Hale Heirs, Devisees, Successors or Assigns	12.90 acres	24.9710%
(a) Christine Hall 704 Heaston Street Winchester, IN 47394	2.15 acres 1/6 of 12.90 acres	4.1618%
(b) Phyllis Tiller 1298 E. Gary Lane Winchester, IN 47394	2.15 acres 1/6 of 12.90 acres	4.1618%
(c) Earl Hale 349 South 400W Winchester, IN 47394	2.15 acres 1/6 of 12.90 acres	4.1618%
(d) Shelby Holder 5270 N. Silver Road Olney, IL 62450	2.15 acres 1/6 of 12.90 acres	4.1618%
(e) Verlin Hale 1134 N. 500 E. Union City, IN 47390	2.15 acres 1/6 of 12.90 acres	4.1618%
(f) Crystal Farber 1298 E. Gary Lane Winchester, IN 47394	2.15 acres 1/6 of 12.90 acres	4.1618%
<u>Tract #1D - 0.04 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.04 acres	0.0774%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Raymond Hess, et ux. HC65 Box 14 Rowe, VA 24646	0.04 acres	0.0774%

0011

Exhibit EE
Unit AV-100
Docket #VGOB 04-0720-1306
List of Conflicting Owners/Claimants with Royalty Split Agreements
(51.66 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1H - 1.37 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	1.37 acres	2.6520%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24630	1.37 acres	2.6520%
<u>Tract #1I - 11.80 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	11.80 acres	22.8417%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Raymond Hess, et ux. HC65 Box 14 Rowe, VA 24646	11.80 acres	22.8417%
<u>Tract #1J - 0.05 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	0.05 acres	0.0968%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) R. W. Helton Heirs, Devises, Successors or Assigns	0.05 acres	0.0968%
(a) Ollie Ellen Gross 1011 Arch Street Zanesville, OH 43701	0.05 acres	0.0968%
<u>Tract #1K - 7.99 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	7.99 acres	15.4665%

0012

Exhibit EE
Unit AV-100
Docket #VGOB 04-0720-1306
List of Conflicting Owners/Claimants with Royalty Split Agreements
(51.66 Acre Unit)

	Acres in Unit	Percent of Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) R. W. Helton Heirs, Devisees, Successors or Assigns	7.99 acres	15.4665%
(a) Ollie Ellen Gross 1011 Arch Street Zanesville, OH 43701	7.99 acres	15.4665%
<u>Tract #1L - 3.55 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	3.55 acres	6.8719%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24630	3.55 acres	6.8719%

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 acknowledgement annexed, admitted to record this 12th day of December, 20 07th. Instrument No. 12:32 P.M. 070004646 TESTE: Beverly S. Tiller, Clerk
Returned to: LTME TESTE: Beverly S. Tiller Clerk

0013

Exhibit EE
 Unit AV-100
 Docket #VGOB 04-0720-1306
 List of Conflicting Owners/Claimants with Royalty Split Agreements
 (51.66 Acre Unit)

	Acres in Unit	Percent of Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) R. W. Helton Heirs, Deviseses, Successors or Assigns	7.99 acres	15.4665%
(a) Ollie Ellen Gross 1011 Arch Street Zanesville, OH 43701	7.99 acres	15.4665%

Tract #1L - 3.55 acres

COAL FEE OWNERSHIP

(1) Harrison-Wyatt, LLC, Tr.3 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	3.55 acres	6.8719%
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OIL & GAS FEE OWNERSHIP

(1) CNX Gas Company LLC P.O. Box 947 Bluefield, VA 24630	3.55 acres	6.8719%
----------------------------------------------------------------	------------	---------

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 acknowledgement annexed, admitted to record this 12th day of December, 20 07th. Instrument No. 12:32 P.M. 070004646 TESTE: Beverly S. Tiller, Clerk
 Returned to: DMME TESTE: Beverly S. Tiller Clerk

0013

BV
#23

ENTERED

INSTRUMENT #070004646
RECORDED IN THE CLERK'S OFFICE OF
BOCHANAN COUNTY ON
DECEMBER 12, 2007 AT 12:32PM
BEVERLY S. TILLER, CLERK

RECORDED BY: TLB

0010