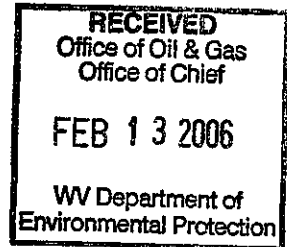


STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
AFFIDAVIT OF PLUGGING AND FILLING WELL

AFFIDAVIT SHOULD BE IN TRIPLICATE, one copy mailed to the Department, one copy to be retained by the Well Operator and the third copy (and extra copies if required) should be mailed to each coal operator at their respective addresses:

Farm Name: John Mills 104 Operator Well No: 104



LOCATION: Elevation: 277.1 Quadrangle: Pine Grove
District: Grant County: Wetzel
Latitude Feet South of Deg. Min. Sec.
Longitude Feet West of Deg. Min. Sec.

Well Type: OIL X GAS X
Company: Ross & Wharton Gas Co. Coal Operator or Owner n/a
Rt. 5, Box 29
Buckhannon, WV 26201

Agent: R. L. Wharton Ltd. Coal Operator or Owner n/a
Rt. 5, Box 29
Buckhannon, WV 26201

Permit Issued Date: 09/28/05

AFFIDAVIT

STATE OF WEST VIRGINIA,
County of Upshur ss:

Robert Wharton and William Landis being first duly sworn according to law depose and say that they are experienced in the work of plugging and filling oil and gas wells and were employed by the above named well operator, and participated in the work of plugging and filling the above well, and Larry Parrish Oil and Gas Inspector representing the Secretary, say that said work was commenced on the 11th day of November 2005, and that the well was plugged and filled in the following manner:

TYPE	FROM	TO	PIPE REMOVED	LEFT
Gel	3000	0		
Cement	3000	2810	Cut 5 3/15 @ 11100	
Cement	2700	2600	460' of 5"	540
Cement	2300	2000		
Cement	1700	1600		
Cement	1175	1075		
Cement	700	600		
Cement	400	300		
Cement	100	0		

Description of monument 6 5/8" Pipe 30" above ground and that the work of plugging and filling said well was completed on the 1st day of January 2006.

And further deponents saith not.

William R Landis

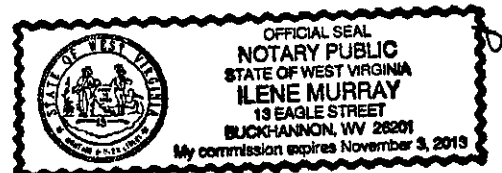
William R Landis

Sworn and subscribe before me this 2nd day of February 2006.

My commission expires: November 03, 2013

Irene Murray

Notary Public



FEB 17 2006

Oil and Gas Inspector *[Signature]* 2/11/06

WET 1606