

90x
VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 02-0716-1040

ELECTIONS: UNIT AZ-118
(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 amending the Order previously in the captioned matter on July 11, 2003 which was recorded at Deed Book 587, Page 334 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on July 14, 2003, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (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 whether or not the escrow of funds is required with regard to Unit AZ-118;

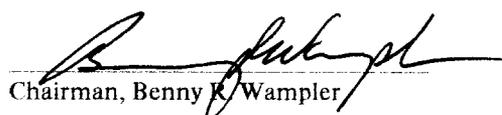
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Attn: Rachel Rafferty 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 15th day of April, 2005, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF ~~WISE~~

Washington
Acknowledged on this 15 day of April, 2005, 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: 9/30/05

DONE AND PERFORMED THIS 18th day of April, 2005, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 18th day of April, 2005, 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

My commission expires: 9/30/05

Order Recorded Under Code of
Virginia Section 45.1-331.26

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 AZ-118
VGOB 02-0716-1040 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (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 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 July 11, 2003, 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 July 14, 2003;

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 July 11, 2003;

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:

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 subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

Maggie Dye

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 (Note the addition of the Leslie Peck tracts)

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 10th day of March, 2005.

Leslie K. Arrington
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 10th day of March, 2005.

Rhonda L. Carter
Notary

My commission expires: 10/31/05

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

BOOK 629 PAGE 678

N 300,336.74
E 996,384.99

N 300,279.33
E 997,983.47

58.74 ACRE UNIT

N 298,737.96
E 996,327.57

N 298,680.55
E 997,926.05

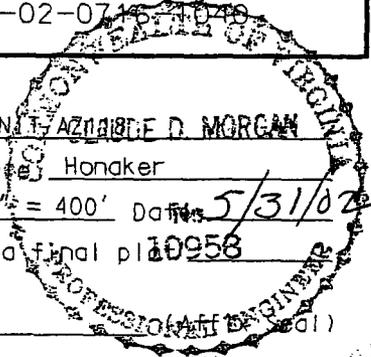
CBM-PGP-AZ118

EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AZ-118
FORCE POOLING
VGOB-02-0716-10-08

Company Pocahontas Gas Partnership Well Name and Number UNIT AZ-118 D. MORGAN
Tract No. _____ Elevation _____ Quadrangle Honaker
County Russell District New Garden Scale: 1" = 400' Date 5/31/02
This plat is a new plat X ; an updated plat _____ ; or a final plat 10958

Form DGO-GO-7
Rev. 9/91

Claudia O. Moya
Licensed Professional Engineer or Licensed Land Surveyor



POCAHONTAS GAS PARTNERSHIP
CBM-PGP-AZ-118
 Tract Identifications
 (58.74 Acres)

- 1A. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Leslie W. Peck, et ux - Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas & CBM Leased
 11.13 acres 18.9479%
-
- 1B. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Leslie W. Peck, et ux - Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas & CBM Leased
 6.40 acres 10.8955%
-
- 1C. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Leslie W. Peck, et ux - Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas & CBM Leased
 0.41 acres 0.6980%
-
- 1D. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Charlie W. Brown, et ux - Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas & CBM Leased
 1.22 acres 2.0769%
-
- 1E. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Mollie Elizabeth Miller - Surface, Oil & Gas
 2.63 acres 4.4774%
-
- 1F. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Monnie R. Coleman, et ux - Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas and CBM Leased
 0.33 acres 0.5618%

POCAHONTAS GAS PARTNERSHIP**CBM-PGP-AZ-118****Tract Identifications****(58.74 Acres)**

- 1G. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Larry Miller, et ux - Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas and CBM Leased
 8.89 acres 15.1345%
-
- 1H. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Leslie W. Peck, et ux- Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas and CBM Leased
 0.75 acres 1.2768%
-
- 1I. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Cleo Hubbard- Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas and CBM Leased
 14.58 acres 24.8212%
-
- 1J. Swords Creek Land Partnership Tr. 15 - Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Leslie W. Peck, et ux- Surface, Oil & Gas
 Pocahontas Gas Partnership - Oil, Gas and CBM Leased
 0.43 acres 0.7320%
2. Buckhorn Coal Mining Tr. 7 - Fee
 Consolidation Coal Company - Below Tiller Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 Pocahontas Gas Partnership - Oil & Gas Leased
 1.16 acres 1.9748%
3. Swords Creek Land Partnership Tr. 18 - Coal, Oil & Gas
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership - CBM Leased
 0.31 acres 0.5277%
- 3A. Rafty Dye - Surface
 3B. Unknown Surface Owner

POCAHONTAS GAS PARTNERSHIP**CBM-PGP-AZ-118****Tract Identifications****(58.74 Acres)**

- 4A. Swords Creek Land Partnership Tr. 55 – Coal
Consolidation Coal Company - Below Tiller Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Agnes Breedlove Perkins – Surface, Oil & Gas
0.74 acres 1.2598%
-
- 4B. Swords Creek Land Partnership Tr. 55 – Coal
Consolidation Coal Company - Below Tiller Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Commonwealth of Virginia – Surface, Oil & Gas
1.24 acres 2.1110%
- 4C. Swords Creek Land Partnership Tr. 55 – Coal
Consolidation Coal Company - Below Tiller Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Adrain Breedlove, et ux – Surface, Oil & Gas
3.02 acres 5.1413%
-
- 4D. Swords Creek Land Partnership Tr. 55 – Coal
Consolidation Coal Company - Below Tiller Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Maggie Dye – Surface, Oil & Gas
0.54 acres 0.9193%
- 4E. Swords Creek Land Partnership Tr. 55 – Coal
Consolidation Coal Company - Below Tiller Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Sallie I. Breedlove – Surface, Oil & Gas
0.56 acres 0.9534%
- 4F. Swords Creek Land Partnership Tr. 55 – Coal
Consolidation Coal Company - Below Tiller Coal Leased
Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Mollie Elizabeth Miller – Surface, Oil & Gas
0.20 acres 0.3405%

POCAHONTAS GAS PARTNERSHIP**CBM-PGP-AZ-118****Tract Identifications****(58.74 Acres)**

- 4G. Swords Creek Land Partnership Tr. 55 – Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Randy L. Dye, et ux – Surface, Oil & Gas
 3.03 acres 5.1583%
-
- 4H. Swords Creek Land Partnership Tr. 55 – Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Isaac L. Wilson, et ux – Surface, Oil & Gas
 0.58 acres 0.9874%
- 4I. Swords Creek Land Partnership Tr. 55 – Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Leslie w. Peck, et ux – Surface, Oil & Gas
 0.15 acres 0.2554%
-
- 4J. Swords Creek Land Partnership Tr. 55 – Coal
 Consolidation Coal Company - Below Tiller Coal Leased
 Sandy Ridge Energy Corp. - Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Shirley Ann Meadows Grizzle – Surface, Oil & Gas
 0.44 acres 0.7491%

Exhibit B-2 (Revision #2)
Unit AZ-118
Docket #VGOB 02-0716-1040
List of Respondents to be Dismissed
(58.74 Acre Unit)

BOOK 629 PAGE 683

	Acres in Unit	Interest in Unit	Reason for Dismissal
II. <u>OIL & GAS FEE OWNERSHIP</u>			
<u>Tract #4D, 0.54 acres</u>			
(1) Maggie Dye P.O. Box 271 Swords Creek, VA 24649	0.54 acres	0.9193%	Leased

Exhibit B-3
Unit AZ-118
Docket #VGOB 02-0716-1040
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 629 PAGE 684

	Acres in Unit	Interest in Unit
II. <u>OIL & GAS FEE OWNERSHIP</u>		
<u>Tract #1E, 2.63 acres</u>		
(1) Mollie Elizabeth Miller RR1 Box 235 Swords Creek, VA 24649	2.63 acres	4.4774%
<u>Tract #4A, 0.74 acres</u>		
(1) Agnes Breedlove Perkins RR1 Box 238 Swords Creek, VA 24649	0.74 acres	1.2598%
<u>Tract #4B, 1.24 acres</u>		
(1) Commonwealth of Virginia Dept. of Highways P.O. Box 1768 Bristol, VA 24203	1.24 acres	2.1110%
<u>Tract #4C, 3.02 acres</u>		
(1) Adrian Breedlove, et ux. P.O. Box 136 Swords Creek, VA 24649	3.02 acres	5.1413%
<u>Tract #4F, 0.20 acres</u>		
(1) Mollie Elizabeth Miller RR1 Box 235 Swords Creek, VA 24649	0.20 acres	0.3405%
<u>Tract #4G, 3.03 acres</u>		
(1) Randy L. Dye, et ux. RR1 Box 236 Swords Creek, VA 24649	3.03 acres	5.1583%
<u>Tract #4J, 0.44 acres</u>		
(1) Shirley Ann Meadows Grizzle RR1 Box 66 Swords Creek, VA 24649	0.44 acres	0.7491%

Exhibit E
Unit AZ-118

BOOK 629 PAGE 685

Docket #VGOB 02-0716-1040
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1E, 2.63 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	2.63 acres	4.4774%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Mollie Elizabeth Miller RR1 Box 235 Swords Creek, VA 24649	2.63 acres	4.4774%
<u>Tract #1F, 0.33 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	0.33 acres	0.5618%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Monnie R. Coleman, et ux. P.O. Box 41 Rowe, VA 24646	0.33 acres	0.5618%
<u>Tract #4A, 0.74 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.74 acres	1.2598%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Agnes Breedlove Perkins RR1 Box 238 Swords Creek, VA 24649	0.74 acres	1.2598%
<u>Tract #4B, 1.24 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	1.24 acres	2.1110%

Exhibit E
Unit AZ-118
Docket #VGOB 02-0716-1040
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 629 PAGE 686

	Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Commonwealth of Virginia Dept. of Highways P.O. Box 1768 Bristol, VA 24203	1.24 acres	2.1110%
<u>Tract #4C, 3.02 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	3.02 acres	5.1413%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Adrian Breedlove, et ux. P.O. Box 136 Swords Creek, VA 24649	3.02 acres	5.1413%
<u>Tract #4D, 0.54 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.54 acres	0.9193%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Maggie Dye P.O. Box 271 Swords Creek, VA 24649	0.54 acres	0.9193%
<u>Tract #4F, 0.20 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.20 acres	0.3405%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Mollie Elizabeth Miller RR1 Box 235 Swords Creek, VA 24649	0.20 acres	0.3405%

Exhibit E
Unit AZ-118
Docket #VGOB 02-0716-1040
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 629 PAGE 687

	Acres in Unit	Interest in Unit
<u>Tract #4G, 3.03 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	3.03 acres	5.1583%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Randy L. Dye, et ux. RR1 Box 236 Swords Creek, VA 24649	3.03 acres	5.1583%
<u>Tract #4H, 0.58 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.58 acres	0.9874%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Isaac L. Wilson, et ux. Rt.1 Box 299 Swords Creek, VA 24649	0.58 acres	0.9874%
<u>Tract #4J, 0.44 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.44 acres	0.7491%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Shirley Ann Meadows Grizzle RR1 Box 66 Swords Creek, VA 24649	0.44 acres	0.7491%

Docket #VGOB 02-0716-1040
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1A, 11.13 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	11.13 acres	18.9479%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. Rt.1 Box 233 Swords Creek, VA 24649	11.13 acres	18.9479%
<u>Tract #1B, 6.40 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	6.40 acres	10.8955%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. Rt.1 Box 233 Swords Creek, VA 24649	6.40 acres	10.8955%
<u>Tract #1C, 0.41 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	0.41 acres	0.6980%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. Rt.1 Box 233 Swords Creek, VA 24649	0.41 acres	0.6980%
<u>Tract #1D, 1.22 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	1.22 acres	2.0769%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Charlie W. Brown, et ux. Rt.1 Box 233 Swords Creek, VA 24649	1.22 acres	2.0769%

Docket #VGOB 02-0716-1040
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1G, 8.89 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	8.89 acres	15.1345%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Larry Miller, et ux. P.O. Box 1491 Honaker, VA 24260	8.89 acres	15.1345%
<u>Tract #1H, 0.75 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	0.75 acres	1.2768%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. Rt.1 Box 233 Swords Creek, VA 24649	0.75 acres	1.2768%
<u>Tract #1J, 0.43 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	0.43 acres	0.7320%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. Rt.1 Box 233 Swords Creek, VA 24649	0.43 acres	0.7320%
<u>Tract #1I, 14.58 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	14.58 acres	24.8212%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Cleo Hubbard Rt.1 Box 239 Swords Creek, VA 24649	14.58 acres	24.8212%

Exhibit EE
 Unit AZ-118
 Docket #VGOB 02-0716-1040
 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 #1J, 0.43 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.15 P.O. Box 29 Tazewell, VA 24651	0.43 acres	0.7320%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. Rt.1 Box 233 Swords Creek, VA 24649	0.43 acres	0.7320%
<u>Tract #4E, 0.56 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.56 acres	0.9534%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Sallie I. Breedlove P.O. Box 136 Swords Creek, VA 24649	0.56 acres	0.9534%
<u>Tract #4I, 0.15 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.15 acres	0.2554%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. Rt.1 Box 233 Swords Creek, VA 24649	0.15 acres	0.2554%

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VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 4-20, 2005. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 3:41 o'clock P.M, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Ariane Davis

TESTE: DOLLIE M. COMPTON, CLERK
 BY: Dollie M. Compton CLERK