

767

VIRGINIA:

BOOK 596 PAGE 0891

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 02-0820-1057

ELECTIONS: UNIT FF-35  
(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 July 11, 2003 which was recorded at Deed Book 587, Page 298 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 FF-35;

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.

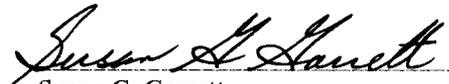
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 7<sup>th</sup> day of November, 2003, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

STATE OF VIRGINIA  
COUNTY OF WISE

Acknowledged on this 7<sup>th</sup> day of November, 2003, 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: 7-31-06.

DONE AND PERFORMED THIS 14<sup>th</sup> day of November, 2003, by Order of the Board.

  
B. R. Wilson,  
Principal Executive to the Board

STATE OF VIRGINIA  
COUNTY OF WASHINGTON

Acknowledged on this 14<sup>th</sup> day of November, 2003, 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 45.1-361.23

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 FF-35  
VGOB 02-0820-1057 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 county 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 added and/or dismissed as respondents; the Operator requests that the following persons be added and/or dismissed as Respondents:

Lida J. Holzgreffe, Francis Cregar, Charles E. Wilson, Anita Lane, Mildred J. Wilson, Jammie E. Lester, Jeannie L. Sparks, Lonnie Richardson and Barbara Huesman

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 Tazewell, Virginia, this 28<sup>th</sup> day of October, 2003

  
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 28 day of October, 2003.

  
Notary

My commission expires: 11/30/05

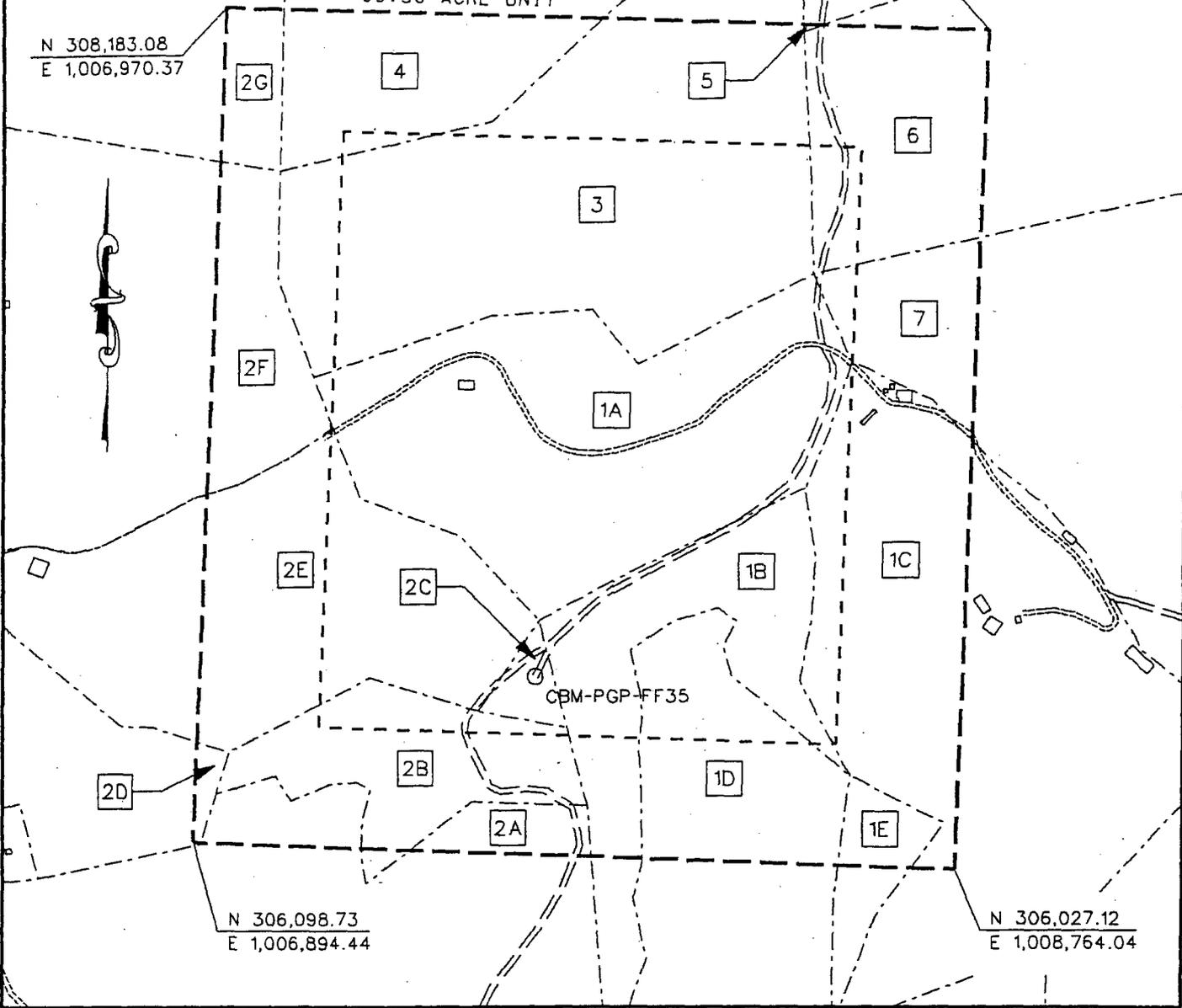
PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

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N 308,111.46  
E 1,008,839.79

N 308,183.08  
E 1,006,970.37

89.58 ACRE UNIT



N 306,098.73  
E 1,006,894.44

N 306,027.12  
E 1,008,764.04

EXHIBIT A  
 OAKWOOD FIELD UNIT FF-35  
 FORCE POOLING  
 VGOB-02-0820-1057

Company Pocahontas Gas Partnership Well Name and Number UNIT FF35  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Keen Mountain  
 County Russell District New Garden Scale: 1" = 400' Date: 7/17/02  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

*Charles D. Noy*  
 Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

**POCAHONTAS GAS PARTNERSHIP****UNIT FF-35****Tract Identifications  
(89.58 Acre Unit)**

1. William R. McCall, et al (McCall-Horton Tract) – Coal, Oil and Gas  
Pocahontas Gas Partnership – CBM Leased  
35.80 acres 39.9643%
- 1A. Nellie J. Stillwell – Surface
- 1B. John A. Richardson, et ux – Surface
- 1C. William H. Byrd, et al – Surface
- 1D. Melvin J. Stillwell – Surface
- 1E. Melvin J. Stillwell – Surface
- 2A. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Seam Leased  
Sandy Ridge Energy Company - Tiller and Above Coal Leased  
Pocahontas Gas Partnership - CBM Gas Leased  
Mary Richardson, et al - Surface, Oil and Gas  
Pocahontas Gas Partnership - Oil, Gas and CBM Leased  
2.37 acres 2.6457%
- 2B. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Seam Leased  
Sandy Ridge Energy Company - Tiller and Above Coal Leased  
Pocahontas Gas Partnership - CBM Gas Leased  
Albert Richardson, et ux – Surface, Oil and Gas  
Pocahontas Gas Partnership – Oil, Gas and CBM Leased  
4.81 acres 5.3695%
- 2C. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Seam Leased  
Sandy Ridge Energy Company - Tiller and Above Coal Leased  
Pocahontas Gas Partnership - CBM Gas Leased  
Pocahontas Gas Partnership - Surface, Oil and Gas  
0.64 acres 0.7144%
- 2D. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Seam Leased  
Sandy Ridge Energy Company - Tiller and Above Coal Leased  
Pocahontas Gas Partnership - CBM Gas Leased  
Harold Wilson, et ux - Surface, Oil and Gas  
0.28 acres 0.3126%

## POCAHONTAS GAS PARTNERSHIP

## UNIT FF-35

Tract Identifications  
(89.58 Acre Unit)

- 2E. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Seam Leased  
Sandy Ridge Energy Company - Tiller and Above Coal Leased  
Pocahontas Gas Partnership - CBM Gas Leased  
Nellie J. Stillwell- Surface, Oil and Gas  
Pocahontas Gas Partnership – Oil, Gas and CBM Leased  
9.29 acres 10.3706%
- 2F. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Seam Leased  
Sandy Ridge Energy Company - Tiller and Above Coal Leased  
Pocahontas Gas Partnership - CBM Gas Leased  
Ruby B. Lawson - Surface, Oil and Gas  
3.58 acres 3.9964%
- 2G. Swords Creek Land Partnership Tr. 21 - Coal  
Reserve Coal Properties Company - Below Tiller Seam Leased  
Sandy Ridge Energy Company - Tiller and Above Coal Leased  
Pocahontas Gas Partnership - CBM Gas Leased  
Paul E. Richardson, et al - Surface, Oil and Gas  
1.31 acres 1.4624%
3. Lida J. Holzgreffe - Fee  
18.36 acres 20.4956%
4. Beulah Hale, et al – Coal, Oil and Gas  
Reserve Coal Properties Company – Coal In and Below Tiller Seam Leased  
Pocahontas Gas Partnership – CBM Leased  
Paul E. Richardson, et al – Surface  
4.81 acres 5.3695%
5. Avis Belle Plaster, et al – Fee  
Pocahontas Gas Partnership – CBM Leased (100%)  
0.01 acres 0.0112%
6. William R. McCall – Fee  
Pocahontas Gas Partnership – CBM Leased  
5.58 acres 6.2291%
7. William R. McCall, et al (McCall-Wilson 25 Acre Tract)– Coal, Oil and Gas  
Pocahontas Gas Partnership – CBM Leased  
William H. Byrd, et al – Surface  
2.74 acres 3.0587%

Exhibit B-2  
Unit FF-35  
Docket #VGOB 02-0820-1057  
List of Respondents to be Dismissed  
(89.58 Acre Unit)

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|   | Acres in Unit                     | Interest in Unit | Reason for Dismissal |
|---|-----------------------------------|------------------|----------------------|
| <b>I. COAL FEE OWNERSHIP</b>  |                                   |                  |                      |
| <b><u>Tract #3, 18.36 acres</u></b>   |                                   |                  |                      |
| (1) Lida J. Holzgrefe<br>5005 Saddlebrook Drive<br>Fayetteville, NY 13066-9787                    | 18.36 acres                       | 20.4956%         | Leased               |
| <b><u>Tract #7, 2.74 acres</u></b>  |                                   |                  |                      |
| (1) William R. McCall, et al.<br>(McCall-Wilson Tract #2, 25 acres)                               | 2.74 acres                        | 3.0587%          |                      |
| (k) Francis Wilson Cregar<br>755 Aylor Road<br>Stephens City, VA 22655                            | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          | Leased               |
| (m) Charles E. Wilson<br>1589 Holletts Corner Road<br>Clayton, DE 19938                           | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          | Leased               |
| (o) Anita Lane<br>563 Foxfire Court<br>Miboro, TN 37129   | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          | Leased               |
| (p) Mildred J. Wilson<br>294 Bottom Road<br>Raven, VA 24639                                       | 0.11 acres<br>5/128 of 2.74 acres | 0.1195%          | Leased               |
| <b>II. OIL &amp; GAS FEE OWNERSHIP</b>  |                                   |                  |                      |
| <b><u>Tract #2A, 2.37 acres</u></b>   |                                   |                  |                      |
| (1) Mary Richardson, et al.   | 2.37 acres                        | 2.6457%          |                      |
| (b) Jammie E. Lester (prev. listed as Jamie Richardson)<br>Rt.2 Box 7925<br>Cedar Bluff, VA 24609 | 0.790 acres<br>1/3 of 2.37 acres  | 0.8819%          | Leased               |
| (c) Jeannie L. Sparks<br>P.O. Box 212<br>Cedar Bluff, VA 24609                                    | 0.790 acres<br>1/3 of 2.37 acres  | 0.8819%          | Leased               |
| <b><u>Tract #2G, 1.31 acres</u></b>   |                                   |                  |                      |
| (1) Paul E. Richardson, et al.  | 1.31 acres                        | 1.4624%          |                      |
| (b) Ludy Richardson Heirs, Devisees,<br>Successors or Assigns                                     |                                   |                  |                      |
| (b.3) Lonnie Richardson<br>6169 Turner Drive<br>Clayton, IN 46118                                 | 0.097 acres<br>2/27 of 1.31 acres | 0.1083%          | Not an owner         |

**Exhibit B-2**  
**Unit FF-35**  
**Docket #VGOB 02-0820-1057**  
**List of Respondents to be Dismissed**  
**(89.58 Acre Unit)**

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|  | Acres in Unit                     | Interest in Unit | Reason for Dismissal |
|--|-----------------------------------|------------------|----------------------|
| (b.4) Barbara Huesman<br>111 Woodlawn Avenue<br>Aurora, IN 47001               | 0.097 acres<br>2/27 of 1.31 acres | 0.1083%          | Not an owner         |
| <b><u>Tract #3, 18.36 acres</u></b>  |                                   |                  |                      |
| (1) Lida J. Holzgrefe<br>5005 Saddlebrook Drive<br>Fayetteville, NY 13066-9787 | 18.36 acres                       | 20.4956%         | Leased               |
| <b><u>Tract #7, 2.74 acres</u></b>   |                                   |                  |                      |
| (1) William R. McCall, et al.<br>(McCall-Wison Tract #2, 25 acres)             | 2.74 acres                        | 3.0587%          |                      |
| (k) Francis Wilson Cregar<br>755 Aylor Road<br>Stephens City, VA 22655         | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          | Leased               |
| (m) Charles E. Wilson<br>1589 Holletts Corner Road<br>Clayton, DE 19938        | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          | Leased               |
| (o) Anita Lane<br>563 Foxfire Court<br>Miboro, TN 37129                        | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          | Leased               |
| (p) Mildred J. Wilson<br>294 Bottom Road<br>Raven, VA 24639                    | 0.11 acres<br>5/128 of 2.74 acres | 0.1195%          | Leased               |

Exhibit B-3  
Unit FF-35  
Docket #VGOB 02-0820-1057  
List of Unleased Owners/Claimants  
(89.58 Acre Unit)

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|  | Acres in Unit                     | Interest in Unit |
|--|-----------------------------------|------------------|
| <b>I. COAL FEE OWNERSHIP</b>   |                                   |                  |
| <b><u>Tract #4, 4.81 acres</u></b>   |                                   |                  |
| (1) Beulah Hale, et al.  | 4.81 acres                        | 5.3695%          |
| (a) Beulah Hale<br>7218 Red Cedar Circle<br>Roanoke, VA 24019              | 1.069 acres<br>2/9 of 4.81 acres  | 1.1932%          |
| (b) Truladane Scott<br>102 St.Clair Lane<br>Richlands, VA 24641            | 1.069 acres<br>2/9 of 4.81 acres  | 1.1932%          |
| (c) Delores H. England<br>4934 Shadow Lane NW<br>Roanoke, VA 24019         | 1.069 acres<br>2/9 of 4.81 acres  | 1.1932%          |
| (d) Lisa H. Shelton<br>7218 Red Cedar Circle<br>Roanoke, VA 24019          | 1.603 acres<br>1/3 of 4.81 acres  | 1.7898%          |
| <b><u>Tract #7, 2.74 acres</u></b>   |                                   |                  |
| (1) William R. McCall, et al.<br>(McCall-Wilson Tract #2, 25 acres)        | 2.74 acres                        | 3.0587%          |
| (j) Pearl Wilson Barker<br>1369 Gillespie Drive N<br>Palm Harbor, FL 34683 | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          |
| (l) George E. Wilson<br>5432 Trailwood Drive<br>Charleston, SC 29418       | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          |
| (n) Robert Wilson<br>Rt.1 Box 239B<br>Raven, VA 24639                      | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          |
| (q) David T. Wilson<br>Rt.1 Box 100D<br>Prockit, VA 24323                  | 0.05 acres<br>3/160 of 2.74 acres | 0.0574%          |
| (t) Myrtle W. Hooker<br>5236 Rosecliff Avenue<br>Roanoke, VA 24018         | 0.05 acres<br>3/160 of 2.74 acres | 0.0574%          |
| <b>II. OIL &amp; GAS FEE OWNERSHIP</b>                                     |                                   |                  |
| <b><u>Tract #2F, 3.58 acres</u></b>  |                                   |                  |
| (1) Ruby Ball Lawson<br>RR1 Box 277A<br>Raven, VA 24639                    | 3.58 acres                        | 3.9964%          |

Exhibit B-3  
Unit FF-35  
Docket #VGOB 02-0820-1057  
List of Unleased Owners/Claimants  
(89.58 Acre Unit)

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|  | Acres in Unit                     | Interest in Unit |
|--|-----------------------------------|------------------|
| <b><u>Tract #2G, 1.31 acres</u></b>  |                                   |                  |
| (1) Paul E. Richardson, et al.   | 1.31 acres                        | 1.4624%          |
| (a) Paul E. Richardson<br>8444 S. County Rd. 350W<br>Stilesville, IN 46180     | 0.437 acres<br>1/3 of 1.31 acres  | 0.4875%          |
| (b) Laudy Richardson Heirs, Devises, Successors or Assigns                     |                                   |                  |
| (b.1) Shelby Ruth Richardson, widow<br>1669 Turner Street<br>Clayton, IN 46118 | 0.437 acres<br>1/3 of 1.31 acres  | 0.4875%          |
| (c) Leonard Richardson<br>502 S. Holt Road<br>Indianapolis, IN 46241           | 0.437 acres<br>1/3 of 1.31 acres  | 0.4875%          |
| <b><u>Tract #4, 4.81 acres</u></b>   |                                   |                  |
| (1) Beulah Hale, et al.  | 4.81 acres                        | 5.3695%          |
| (a) Beulah Hale<br>7218 Red Cedar Circle<br>Roanoke, VA 24019                  | 1.069 acres<br>2/9 of 4.81 acres  | 1.1932%          |
| (b) Truladane Scott<br>102 St. Clair Lane<br>Richlands, VA 24641               | 1.069 acres<br>2/9 of 4.81 acres  | 1.1932%          |
| (c) Delores H. England<br>4934 Shadow Lane NW<br>Roanoke, VA 24019             | 1.069 acres<br>2/9 of 4.81 acres  | 1.1932%          |
| (d) Lisa H. Shelton<br>7218 Red Cedar Circle<br>Roanoke, VA 24019              | 1.603 acres<br>1/3 of 4.81 acres  | 1.7898%          |
| <b><u>Tract #7, 2.74 acres</u></b>   |                                   |                  |
| (1) William R. McCall, et al.<br>(McCall-Wison Tract #2, 25 acres)             | 2.74 acres                        | 3.0587%          |
| (j) Pearl Wilson Barker<br>1369 Gillespie Drive N<br>Palm Harbor, FL 34683     | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          |
| (l) George E. Wilson<br>5432 Trailwood Drive<br>Charleston, SC 29418           | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          |
| (n) Robert Wilson<br>Rt.1 Box 239B<br>Raven, VA 24639                          | 0.04 acres<br>5/384 of 2.74 acres | 0.0398%          |

Exhibit B-3  
Unit FF-35  
Docket #VGOB 02-0820-1057  
List of Unleased Owners/Claimants  
(89.58 Acre Unit)

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|  | Acres in Unit                     | Interest in Unit |
|--|-----------------------------------|------------------|
| (q) David T. Wilson<br>Rt. 1 Box 100D<br>Prockit, VA 24323         | 0.05 acres<br>3/160 of 2.74 acres | 0.0574%          |
| (t) Myrtle W. Hooker<br>5236 Rosecliff Avenue<br>Roanoke, VA 24018 | 0.05 acres<br>3/160 of 2.74 acres | 0.0574%          |

Exhibit E  
Unit FF-35  
Docket #VGOB 02-0820-1057  
List of Conflicting Owners/Claimants that require escrow  
(89.58 Acre Unit)

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|  | Acres in Unit                    | Interest in Unit |
|--|----------------------------------|------------------|
| <b><u>Tract #2A, 2.37 acres</u></b>  |                                  |                  |
| <b><u>COAL FEE OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 2.37 acres                       | 2.6457%          |
| <b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>                                      |                                  |                  |
| (1) Mary Richardson, et al.  | 2.37 acres                       | 2.6457%          |
| (a) Mary Richardson<br>Rt.1 Box 320<br>Raven, VA 24639                         | 0.790 acres<br>1/3 of 2.37 acres | 0.8819%          |
| <b><u>Tract #2B, 4.81 acres</u></b>  |                                  |                  |
| <b><u>COAL FEE OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 4.81 acres                       | 5.3695%          |
| <b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>                                      |                                  |                  |
| (1) (John) Albert Richardson, et ux.<br>416 Mill Creek Road<br>Raven, VA 24639 | 4.81 acres                       | 5.3695%          |
| <b><u>Tract #2D, 0.28 acres</u></b>  |                                  |                  |
| <b><u>COAL FEE OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 0.28 acres                       | 0.3126%          |
| <b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>                                      |                                  |                  |
| (1) Harold Wilson, et ux.<br>RR1 Box 369B<br>Cedar Bluff, VA 24609             | 0.28 acres                       | 0.3126%          |
| <b><u>Tract #2E, 9.29 acres</u></b>  |                                  |                  |
| <b><u>COAL FEE OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 9.29 acres                       | 10.3706%         |

Docket #VGOB 02-0820-1057  
List of Conflicting Owners/Claimants that require escrow  
(89.58 Acre Unit)

|  | Acres in Unit                    | Interest in Unit |
|--|----------------------------------|------------------|
| <b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>                                      |                                  |                  |
| (1) Nellie J. Stilwell<br>RR1 Box 321<br>Raven, VA 24639                       | 9.29 acres                       | 10.3706%         |
| <b><u>Tract #2F, 3.58 acres</u></b>  |                                  |                  |
| <b><u>COAL FEE OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 3.58 acres                       | 3.9964%          |
| <b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>                                      |                                  |                  |
| (1) Ruby Ball Lawson<br>RR1 Box 277A<br>Raven, VA 24639                        | 3.58 acres                       | 3.9964%          |
| <b><u>Tract #2G, 1.31 acres</u></b>  |                                  |                  |
| <b><u>COAL FEE OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 1.31 acres                       | 1.4624%          |
| <b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>                                      |                                  |                  |
| (1) Paul E. Richardson, et al.   | 1.31 acres                       | 1.4624%          |
| (a) Paul E. Richardson<br>8444 S. County Rd. 350W<br>Stilesville, IN 46180     | 0.437 acres<br>1/3 of 1.31 acres | 0.4875%          |
| (b) Laudy Richardson Heirs, Devisees,<br>Successors or Assigns                 |                                  |                  |
| (b.1) Shelby Ruth Richardson, widow<br>1669 Turner Street<br>Clayton, IN 46118 | 0.437 acres<br>1/3 of 1.31 acres | 0.4875%          |
| (c) Leonard Richardson<br>502 S. Holt Road<br>Indianapolis, IN 46241           | 0.437 acres<br>1/3 of 1.31 acres | 0.4875%          |

Exhibit EE  
 Unit FF-35  
 Docket #VGOB 02-0820-1057  
 List of Conflicting Owners/Claimants with Royalty Split Agreements  
 (89.58 Acre Unit)

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|  | Acres in Unit                    | Interest in Unit |
|--|----------------------------------|------------------|
| <b><u>Tract #2A, 2.37 acres</u></b>  |                                  |                  |
| <b><u>COAL FEE OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 2.37 acres                       | 2.6457%          |
| <b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>                                      |                                  |                  |
| (1) Mary Richardson, et al.  | 2.37 acres                       | 2.6457%          |
| (b) Jammie E. Lester<br>Rt.2 Box 7925<br>Cedar Bluff, VA 24609                 | 0.790 acres<br>1/3 of 2.37 acres | 0.8819%          |
| (c) Jeannie L. Sparks<br>P.O. Box 212<br>Cedar Bluff, VA 24609                 | 0.790 acres<br>1/3 of 2.37 acres | 0.8819%          |

**Tract #2C, 0.64 acres**

**COAL FEE OWNERSHIP**

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 187<br>Tazewell, VA 24651 | 0.64 acres | 0.7144% |
|--|------------|---------|

**OIL & GAS FEE OWNERSHIP**

|  |            |         |
|--|------------|---------|
| (1) CNX Gas Company LLC<br>P.O. Box 947<br>Bluefield, VA 24605 | 0.64 acres | 0.7144% |
|--|------------|---------|

0005010

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 11-17, 2003. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 4:06 o'clock P.M, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: DOLLIE M. COMPTON, CLERK  
 BY: Jennifer Kendrick D. CLERK