

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**RELIEF SOUGHT:** An Order for Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

**JURISDICTION:** Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq) AND § 45.1-361.22:2

**UNIT/WELL NAME:** T37

**TRACT(S):** A portion of 1A, 1B

**LOCATION:** BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-98-0421-0650-07

**APPLICANTS:** CNX Gas Company LLC on behalf of Barbara Joyce Harmon, Brenda Sue Justice, Charles M Osborne, Curtis McCoy Osborne, Darlene B Osborne, Hurt-McGuire Land Trust, James R Osborne, Joyce Lineberry Mays, Kenneth R Osborne, Margaret Dye, Marilyn Taylor, Martha Williams, Mary Jane Keen, Mitchell Counts, Nellie Maynard, Patsy Moore, Paul Junior Osborne, Phyllis W Osborne, Richard Osborne, Sandra Fern Dowdy, Shirley Keen, Sidney Smith, Tammy Boyd Street

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
March 21, 2017

**APPEARANCES:** Mark A. Swartz on behalf of CNX Gas Company LLC

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 06/10/1998, Recorded on 06/16/1998, Deed Book/Instrument No. 477, Page 603.
2. Supplemental Order Executed 03/05/1999, Recorded on 03/08/1999, Deed Book/Instrument No. 489, Page 60.
3. Modification Order -01 Executed 01/06/2000, Recorded on 01/13/2000, Deed Book/Instrument No. 500, Page 562.

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4. Supplemental Order -01 Executed 03/13/2000, Recorded on 03/17/2000, Deed Book/Instrument No. 503, Page 513.
5. Modification Order -02 Executed 03/29/2004, Recorded on 04/02/2004, Deed Book/Instrument No. 589, Page 554.
6. Disbursement Order -03 Executed 09/19/2006, Recorded on 09/26/2006, Deed Book/Instrument No. 060003141.
7. Supplemental Order -02, Recorded on 09/26/2006, Deed Book/Instrument No. 060003148.
8. Disbursement Order -06 Executed 03/08/2013, Recorded on 03/19/2013, Deed Book/Instrument No. 130000481.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the March 21, 2017 hearing and considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) A portion of 1A, 1B identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 1A, 1B relative to the interests of the Applicants identified in the attached petition.
- (3) Continue the escrow account under this docket number.

**FINDINGS:** Code of Virginia § 45.1-361.22 AND § 45.1-361.22:2

Applicant has certified and represented to the Board that:

Hurt McGuire Land Trust & Patsy Moore, Brenda Justice, James R. Osborne, Phyllis W. Osborne, Charles M. Osborne, Richard M. Osborne, Joyce Lineberry Mae and Darlene Osborne have entered into royalty split agreement (s). The annexed table, further, specifies how said royalties are to be divided and paid.

Sidney Smith, Kenneth Osborne, Martha Guilliams, Mary Jane Keen, Shirley Keen, Margaret Dye, Nelie Maynard, Tammy Boyd Street, Paul Junior Osborne, Curtis McCoy Osborne, Barbara Joyce Hamman & Marilyn Taylor are entitled to 100% of the CBM royalties awarded under Case No. 027CL0000819-00 (10), Opinion dated November 9, 2015. Mitchell Counts is entitled to 100% of the CBM royalties awarded under Case No. 12-262 as of August 31, 2011. Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto and the annexed table, further, specifies how said royalties are to be paid.

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VGOB Disbursement  
Unit T37

VGOB-98-0421-0650-07

Table 1

Tracts: A portion of 1A, 1B

Item	Tract	Disbursement Table	Fractional Ownership		Net Acreage		Royalty		Escrowed		Percent of		Adjustment
			in Tract	in Tract	Ownership	in Tract	Split	Acres	Escrowed Funds	Disbursed	Disbursed	Amount	
		Total acreage in escrow before disbursement							2.72840				
		1A Tract 1A (total acreage)											
1	1A	Hurt-McGuire Land Trust\PO Box 1067 Bluefield VA 24605	4/55	0.1222	50.00%	0.0611	2.2391%						
2	1A	Sidney Smith\1911 McVitty Rd Salem VA 24153	1/30	0.0560	100.00%	0.0560	2.0525%						
3	1A	Kenneth R Osborne\848 Peyton St Roanoke VA 24019	1/30	0.0560	100.00%	0.0560	2.0525%						
4	1A	Martha Guilliams\1911 McVitty Rd Salem VA 24153	1/30	0.0560	100.00%	0.0560	2.0525%						
5	1A	Mary Jane Keen\1077 Longwall Ln Raven VA 24639	1/110	0.0153	100.00%	0.0153	0.5598%						
6	1A	Shirley Keen\1685 Honaker Branch Rd Raven VA 24639	1/110	0.0153	100.00%	0.0153	0.5598%						
7	1A	Patsy Moore\6985 Horn Mtn Rd Raven VA 24639	1/110	0.0153	50.00%	0.0076	0.2799%						
8	1A	Brenda Sue Justice\1101 Longwall Ln Raven VA 24639	1/110	0.0153	50.00%	0.0076	0.2799%						
9	1A	James R Osborne\PO Box 484 Keen Mtn VA 24624	1/110	0.0153	50.00%	0.0076	0.2799%						
10	1A	Phyllis W Osborne\1109 Moore Rd Raven VA 24639	1/110	0.0153	50.00%	0.0076	0.2799%						
11	1A	Charles M Osborne\216 Plantation Dr Richlands VA 24641	1/110	0.0153	50.00%	0.0076	0.2799%						
12	1A	Richard Osborne\1062 Canterbury Rd Oakwood VA 24631	1/110	0.0153	50.00%	0.0076	0.2799%						
13	1A	Joyce Lineberry Mays\c/o Rose Mays PO Box 764 Cooleeemee, NC 27014	1/110	0.0153	50.00%	0.0076	0.2799%						
14	1A	Darlene B Osborne\1055 Mapleleaf Hollow Raven VA 24639	1/110	0.0153	50.00%	0.0076	0.2799%						
15	1A	Margaret Dye\784 Big Creek Rd Richlands VA 24639	2/277	0.0121	100.00%	0.0121	0.4446%						
16	1A	Nellie Maynard\Box 296 Raven VA 24639	2/277	0.0121	100.00%	0.0121	0.4446%						
17	1A	Tammy Boyd Street\195 Taylor Circle Raven VA 24639	2/277	0.0121	100.00%	0.0121	0.4446%						
18	1A	Paul Junior Osborne\2869 Sharon Pl Grand Junction CO 81503	1/30	0.0560	100.00%	0.0560	2.0525%						
19	1A	Curtis McCoy Osborne\PO Box 31 Raven VA 24639	1/30	0.0560	100.00%	0.0560	2.0525%						
20	1A	Barbara Joyce Harmon\PO Box 174 N. Tazewell VA 24630	1/30	0.0560	100.00%	0.0560	2.0525%						
21	1A	Marilyn Taylor\4336 Wardell Dr Pounding Mill VA 24637	1/10	0.1680	100.00%	0.1680	6.1575%						

1B	Tract 1B (total acreage)			2.0200								
1	1B	Mitchell Counts\4231 Osborne Mtn Rd Raven VA 24639			2.0200	100.00%	2.0200	74.0361%				\$12,185.98

**Adjustment Comments: Minus one time payment to his ex wife**

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1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.
2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

**CONCLUSION:**

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

**APPEALS:**

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

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DONE AND EXECUTED this 22 day of March, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 22 day of March, 2017 by Order of the Virginia Gas and Oil Board.



Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 22<sup>nd</sup> day of March, 2017, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



Sarah Jessee Gilmer, Notary Public  
262946

My Commission expires: July 31, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 98-0421-0650-07

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 1A, 1B (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: February 21, 2017

DRILLING UNIT: T37

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, PO Box 570, Pounding Mill, VA 24637, (276)596-5075. Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 122 Capital Street, Suite 201, Charleston, WV 25301.

2. Relief Sought

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to a portion of Tracts 1A & 1B, as depicted upon the annexed table. (Royalties currently being paid under Buchanan No.1 SGU2, VGOB 08-1118-2367).

3. Legal Authority

Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of Well(s)

Coalbed Methane

5. Factual basis for relief requested

Hurt McGuire Land Trust & Patsy Moore, Brenda Justice, James R. Osborne, Phyllis W. Osborne, Charles M. Osborne, Richard M. Osborne, Joyce Lineberry Mae and Darlene Osborne have entered into royalty split agreement(s). The annexed table, further, specifies how said royalties are to be divided and paid.

Sidney Smith, Kenneth Osborne, Martha Guilliams, Mary Jane Keen, Shirley Keen, Margaret Dye, Nellie Maynard, Tammy Boyd Street, Paul Junior Osborne, Curtis McCoy Osborne, Barbara Joyce Harman & Marilyn Taylor are entitled to 100% of the CBM royalties awarded under Case No. 027CL0000819-00 (10), Opinion dated November 9, 2015. Mitchell Counts is entitled to 100% of the CBM royalties awarded under Case No. 12-262 as of August 31, 2011. Said decision allows the Applicant and Designated Operator to pay royalties directly to the person(s) identified in Exhibit EE annexed hereto and the annexed table, further, specifies how said royalties are to be paid.

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6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

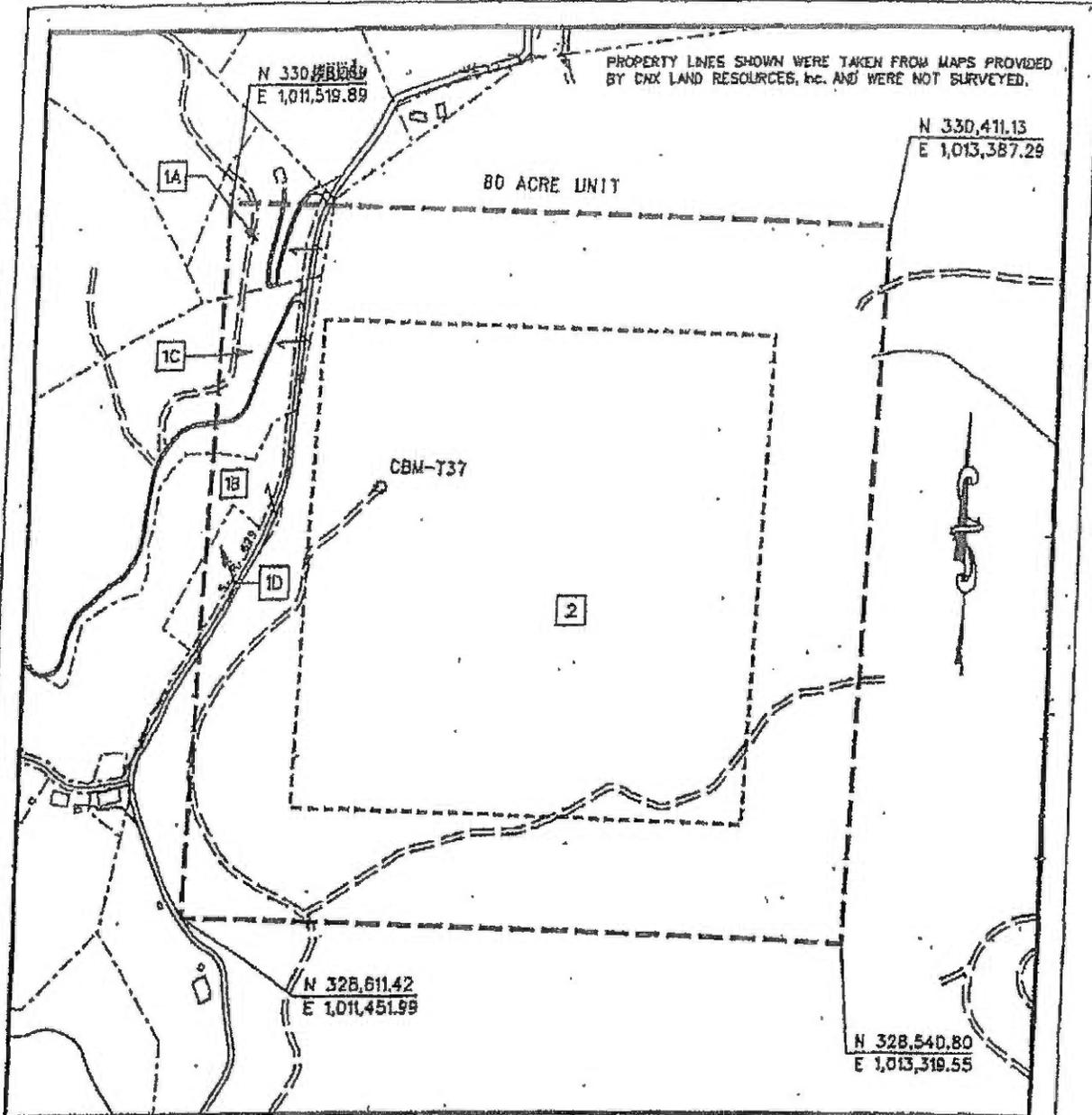


EXHIBIT A  
 OAKWOOD FIELD UNIT T-37  
 FORCE POOLING  
 VG0B-98-0421-0650-02

Company CNX Gas Company, LLC. Well Name and Number CBM-T37  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle North Mountain  
 County Buchanan District Garden Scale: 1" = 400' Date 11/13/03  
 This plat is a new plat  ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GD-7  
 Rev. 9/91  
Charles D. May (Affiliated Seal)  
 Licensed Professional Engineer or Licensed Land Surveyor  
 Page Number 5

**CNX Gas Company LLC**  
**UNIT T-37**  
 Tract Identification

- 1A.       Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
 Consolidation Coal Company - Below Drainage Coal Leased  
 A. T. Massey - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Linkous Horn Heire - All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased(10%)  
 Willard Osborne - Surface  
 1.68 acres                   2.1000%
- 1B.       Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
 Consolidation Coal Company - Below Drainage Coal Leased  
 A. T. Massey - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Mitchell Courts, et al - Surface and All Minerals except Coal  
 2.02 acres                   2.5250%
- 1C.       Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
 Consolidation Coal Company - Below Drainage Coal Leased  
 A. T. Massey - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Albert Ball Heirs - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 1.70 acres                   2.1250%
- 1D.       Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
 Consolidation Coal Company - Below Drainage Coal Leased  
 A. T. Massey - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Rodney D. Taylor, et ux - Surface and All Minerals except Coal  
 0.56 acres                   0.7000%
2.         Coal Mountain Mining Company LLP, Tr. 26 - Fee  
 Consolidation Coal Company - Below Drainage Coal Leased  
 A. T. Massey - Above Drainage Coal Leased  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 74.04 acres                 32.5500%

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Exhibit E  
Unit T-37  
Docket # VGOB-98-0421-0650-07  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			8-Right 16.41221%	9-Right 9.16031%
<u>Tract #1A, 1.68 acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.68 acres	2.1000%	0.34466%	0.19237%
<u>OIL &amp; GAS OWNERSHIP</u>				
Linkous Horn Heirs, Devisees, Successors or Assigns	1.68 acres	2.1000%	0.34466%	0.19237%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
<i>Royalty Split Agreement remains in dispute</i>				
(2.7) Ronnie Osborne Box 12 Oakwood, VA 24631	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%
	<b>Total tract acres</b>	<b>0.01527</b>		
	<b>Total tract percent</b>	<b>0.0191%</b>		

List of Conflicting Owners/Claimants with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			8-Right 16.41221%	9-Right 9.16031%	
<b><u>Tract #1A, 1.68 acres</u></b>					
<b><u>COAL OWNERSHIP</u></b>					
(1) Hurl McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.68 acres	2.1000%	0.34466%	0.19237%	2.2391% - 50% (Royalty Split)
<b><u>OIL &amp; GAS OWNERSHIP</u></b>					
Linkous Horn Heirs, Devisees, Successors or Assigns	1.68 acres	2.1000%	0.34466%	0.19237%	
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns					
(1.1) Sidney Smith 1911 McVitty Road Salem, VA 24153	0.0560 acres 1/30 of 1.68 acres	0.0700%	0.01149%	0.00641%	2.0525% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(1.2) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.0560 acres 1/30 of 1.68 acres	0.0700%	0.01149%	0.00641%	2.0525% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(1.3) Martha Guilliams 1911 McVitty Road Salem, VA 24153	0.0560 acres 1/30 of 1.68 acres	0.0700%	0.01149%	0.00641%	2.0525% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns					
(2.1) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.5598% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(2.2) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.5598% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(2.3) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(2.4) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(2.5) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(2.6) Clifford Osborne Heirs, Devisees, Successors or Assigns					

Exhibit EE  
Unit T-37

Docket # VGOB-98-0421-0650-07

## List of Conflicting Owners/Claimants with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			8-Right 16.41221%	9-Right 9.16031%	
(2.6.1) Phyllis W. Osborne 1109 Moore Rd. Raven, VA 24639	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(2.8) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(2.9) Richard Osborne 1062 Canterbury Rd. Oakwood, VA 24631	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(2.10) William Osborne Heirs, Devisees, Successors or Assigns					
(2.10.1) Ruth Keen	<i>(Deed of Gift to Joyce Lineberry Mae 3/16/03)</i>				
(2.10.1.1) Joyce Lineberry Mays c/o Rose Mays P.O. Box 764 Cooleemee, NC 27014	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(2.11) John David Osborne Heirs, Devisees, Successors or Assigns					
(2.11.1) Darlene B. Osborne 1055 Mapleaf Hollow Raven, VA 24639	0.0153 acres 1/110 of 1.68 acres	0.0191%	0.00313%	0.00175%	0.2799% - 50% (Royalty Split)
(3) Henry Horn Heirs, Devisees, Successors or Assigns					
(3.1) Perry W. Horn Heirs, Devisees, Successors or Assigns					
<i>Represented by WF Mason via Perry Horn</i>					
(3.1.1) Margaret Dye 784 Big Creek Rd Richlands, VA 24641	0.0121 acres 2/277 of 1.68 acres	0.0152%	0.00249%	0.00139%	0.4446% HB 2058
<i>Represented by WF Mason via Perry Horn</i>					
(3.1.2) Nelle Maynard Box 296 Raven, VA 24639	0.0121 acres 2/277 of 1.68 acres	0.0152%	0.00249%	0.00139%	0.4446% HB 2058
<i>Represented by WF Mason via Perry Horn</i>					
(3.1.3) Tammy Boyd Street 195 Taylor Cir Raven, VA 24639	0.0121 acres 2/277 of 1.68 acres	0.0152%	0.00249%	0.00139%	0.4446% HB 2058
(3.2) Larry M. Horn Heirs, Devisees, Successors or Assigns	<i>No issue - Interest goes to siblings</i>				
(3.3) Ivory Horn Heirs, Devisees, Successors or Assigns					
(3.3.1) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0345 acres 17/900 of 1.68 acres	0.0432%	0.00708%	0.00395%	n/a
(3.3.2) Nelle A. Maynard P.O. Box 296 Raven, VA 24639	0.0345 acres 17/900 of 1.68 acres	0.0432%	0.00708%	0.00395%	n/a
(3.3.3) Tammy D. Boyd Street 195 Taylor Circle Raven, VA 24639	0.0345 acres 17/900 of 1.68 acres	0.0432%	0.00708%	0.00395%	n/a

**Exhibit EE**  
**Unit T-37**  
**Docket # VGOB-98-0421-0650-07**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements/Court Orders/HB2058**

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			8-Right 16.41221%	9-Right 9.16031%	
(3.3.4) Patricia D. Horton 200 Birch Street Raven, VA 24639	0.0093 acres 1/180 of 1.68 acres	0.0117%	0.00191%	0.00107%	n/a
(3.3.5) Danny W. Elder P.O. Box 748 Raven, VA 24639	0.0093 acres 1/180 of 1.68 acres	0.0117%	0.00191%	0.00107%	n/a
(3.3.6) Robert G. Elder 229 Horton Crest Drive #15 Richlands, VA 24641	0.0093 acres 1/180 of 1.68 acres	0.0117%	0.00191%	0.00107%	n/a
(4) Thelma H. Osborne Heirs, Devlees, Successors or Assigns					
(4.1) Paul Junior Osborne 2869 Sharon Place Grand Junction, CO 81503	0.0560 acres 1/30 of 1.68 acres	0.0700%	0.01149%	0.00641%	2.0525% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(4.2) Curtis McCoy Osborne P.O. Box 31 Raven, VA 24639	0.0560 acres 1/30 of 1.68 acres	0.0700%	0.01149%	0.00641%	2.0525% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(4.3) Barbara Joyce Harmon P.O. Box 174 North Tazewell, VA 24630	0.0560 acres 1/30 of 1.68 acres	0.0700%	0.01149%	0.00641%	2.0525% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
(5) Joseph P. Home 492 Gray Branch Road Cedar Bluff, VA 24609	0.1680 acres 1/10 of 1.68 acres	0.2100%	0.03447%	0.01924%	n/a
(6) Nancy H. Stillwell 140 Rasnake Road North Tazewell, VA 24630	0.1680 acres 1/10 of 1.68 acres	0.2100%	0.03447%	0.01924%	n/a
(7) Earnest Horn Heirs, Devisees, Successors or Assigns					
(7.1) Dorothy Horn Heirs, Devisees, Successors or Assigns					
(7.1.1) Wesley D. Perkins 305 Bane Bottom Avenue Cedar Bluff, VA 24609	0.0840 acres 1/20 of 1.68 acres	0.1050%	0.01723%	0.00962%	n/a
<i>Entitled to 1/2 of Royalties by Deed of Gift</i>					
(7.1.2) Tania Yvonne Hess 195 Anglewood Lane Cedar Bluff, VA 24609	0.0840 acres 1/20 of 1.68 acres	0.1050%	0.01723%	0.00962%	n/a
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.1680 acres 1/10 of 1.68 acres	0.2100%	0.03447%	0.01924%	n/a
(9) Sarah K. Day 905 Valleyview Drive Pearisburg, VA 24134	0.1680 acres 1/10 of 1.68 acres	0.2100%	0.03447%	0.01924%	n/a
(10) Carl Horn Heirs, Devisees, Successors or Assigns					

Exhibit EE  
Unit T-37

Docket # VGOB-98-0421-0650-07

List of Conflicting Owners/Claimants with Royalty Split Agreements/Court Orders/HB2058

	Acres In Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			8-Right 16.41221%	9-Right 9.16031%	
(10.1) Marilyn Taylor 4336 Wandell Dr Pounding Mill, VA 24637	0.1680 acres 1/10 of 1.68 acres	0.2100%	0.03447%	0.01924%	6.1575% Court Order
<i>Prevailing plaintiff under Case No. 027CL0000819-00 (10). Awarded 100% of the CBM royalty.</i>					
Total tract acres		1.6647			
Total tract percent		2.0809%			

Tract #1B, 2.02 acres

COAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.02 acres	2.5250%	0.41441%	0.23130%	
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OIL & GAS OWNERSHIP

(1) Mitchell Counts, et al.	2.02 acres	2.5250%	0.41441%	0.23130%	
(a) Mitchell Counts 4231 Osborne Mt. Rd. Raven, VA 24639	2.02 acres	2.5250%	0.41441%	0.23130%	74.0361% Court Order
(b) Sandra Fern Dowdy	<i>Sandra granted all her interest to Mitchell Counts 8/30/2011 by Instr. 110002224</i>				

*Case No. 12-262 - Represented by T. Shea Cook*

Total tract acres 2.0200  
Total tract percent 2.5250%

Tract #1C, 1.70 acres

COAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.70 acres	2.1250%	0.34876%	0.19466%	n/a
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OIL & GAS OWNERSHIP

A.E. Shreve, et al <i>(aka Albert Ball Heirs, et al.)</i>	1.70 acres	2.1250%	0.34876%	0.19466%	
(1) Albert Ball Heirs, Devisees, Successors or Assigns (1/2)					
(a) Donald E. Ball Heirs, Devisees, Successors or Assigns (1/6)					
(a.1) Myrtle McGlothlin Ball Heirs, Devisees, Successors or Assigns					
(a.1.1) Gary Blane Ball 116 Fox Hill Drive Raven, VA 24639	0.142 acres 1/12 of 1.70 acres	0.1771%	0.02906%	0.01622%	n/a
(a.1.2) Elizabeth Josephine Ball 116 Fox Hill Drive Raven, VA 24639	0.142 acres 1/12 of 1.70 acres	0.1771%	0.02906%	0.01622%	n/a
(b) Lawrence E. Ball Heirs, Devisees, Successors or Assigns (1/6)					
(b.1) Sharon K. Ball 2413 Crocketts Cove Rd Wytheville, VA	0.094 acres 1/18 of 9.64 acres	0.1181%	0.01938%	0.01081%	n/a

Exhibit EE  
Unit T-37

Docket # VGOB-98-0421-0650-07

## List of Conflicting Owners/Claimants with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			8-Right 16.41221%	9-Right 9.16031%	
(b.2) Bobby Ball 120 Flamingo Rd. Raven, VA 24639	0.142 acres 1/12 of 9.64 acres	0.1771%	0.02906%	0.01622%	n/a
(b.3) Tommy Gerald Ball Heirs, Devisees, Successors or Assigns					
(b.3.1) Mark Anthony Ball 104 Lee St. Richlands, VA 24641	0.012 acres 1/144 of 9.64 acres	0.0148%	0.00242%	0.00135%	n/a
(b.3.2) Kimberly Dawn Dunford 2875 Crocketts Cove Rd. Wytheville, VA 24382-4892	0.012 acres 1/144 of 9.64 acres	0.0148%	0.00242%	0.00135%	n/a
(b.3.3) Chadwick Ervin Ball 2552 Crocketts Cove Rd. Wytheville, VA 24382-4892	0.012 acres 1/144 of 9.64 acres	0.0148%	0.00242%	0.00135%	n/a
(b.3.4) Todd Edward Ball 1803 Hollowbrook Dr. Holt, MI 48842	0.012 acres 1/144 of 9.64 acres	0.0148%	0.00242%	0.00135%	n/a
(c) James Ball Heirs, Devisees, Successors or Assigns (1/6)					
(c.1) Melissa R. Lawson P. O. Box 155 Raven, VA 24639	0.094 acres 1/18 of 9.64 acres	0.1181%	0.01938%	0.01081%	n/a
(c.2) Steve R. Ball 23040 Kastreel Dr. Bristol, VA 24202	0.094 acres 1/18 of 9.64 acres	0.1181%	0.01938%	0.01081%	n/a
(c.3) Danny R. Ball 3488 Road Ridge Turnpike Raven, VA 24639	0.094 acres 1/18 of 9.64 acres	0.1181%	0.01938%	0.01081%	n/a
(2) A. E. Shreve Heirs, Devisees, Successors or Assigns (1/4)					
(a) Wilma R. Hale P. O. Box 447 Doran, VA 24612	0.085 acres 1/20 of 9.64 acres	0.1063%	0.01744%	0.00973%	n/a
(b) Elsie Mutter 304 Ratcliff Lane Cedar Bluff, VA 24609	0.085 acres 1/20 of 9.64 acres	0.1063%	0.01744%	0.00973%	n/a
(c) Peggy E. Shook P.O. Box 520 Doran, VA 24612	0.085 acres 1/20 of 9.64 acres	0.1063%	0.01744%	0.00973%	n/a
(d) Linda Johnson P.O. Box 36 Doran, VA 24612	0.085 acres 1/20 of 9.64 acres	0.1063%	0.01744%	0.00973%	n/a
(e) Naomi L. Keen Heirs, Devisees, Successors or Assigns					
(e.1) Teresa Church P.O. Box 8 Doran, VA 24612	0.028 acres 1/60 of 9.64 acres	0.0354%	0.00581%	0.00324%	n/a
(e.2) Sandra S. Vance P.O. Box 2017 Cedar Bluff, VA 24609	0.028 acres 1/60 of 9.64 acres	0.0354%	0.00581%	0.00324%	n/a
(e.3) Bailey E. Whited P.O. Box 1862 Richlands, VA 24614	0.028 acres 1/60 of 9.64 acres	0.0354%	0.00581%	0.00324%	n/a

170000705

Exhibit EE  
Unit T-37  
Docket # VGOB-98-0421-0650-07  
List of Conflicting Owners/Claimants with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			8-Right 16.41221%	9-Right 9.16031%	
(3) Reece W. Shreve Heirs, Devisees, Successors or Assigns (1/4)					
(a) D. Faye Lowe 2616 Brown Street Richlands, VA 24641	0.213 acres 1/8 of 9.64 acres	0.2656%	0.04359%	0.02433%	n/a
(b) Nancy Young Heirs, Devisees, Successors or Assigns					
(b.1) Candace Gladden 330 Homeplace Drive Salem, VA 24153	0.106 acres 1/16 of 9.64 acres	0.1328%	0.02180%	0.01217%	n/a
(b.2) Carl Young, Jr. 5101 Pointe Water Court Raleigh, NC 27603	0.106 acres 1/16 of 9.64 acres	0.1328%	0.02180%	0.01217%	n/a
<b>Total tract acres</b>	<b>1.7000</b>				
<b>Total tract percent</b>	<b>2.1250%</b>				

Tract #1D, 0.56 acres

COAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24805	0.56 acres	0.7000%	0.11489%	0.06412%	n/a
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OIL & GAS OWNERSHIP

(1) Rodney D. Taylor, et ux 144 Rose Moss Lane Bandy, VA 24602	0.56 acres	0.7000%	0.11489%	0.06412%	n/a
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**Total tract acres 0.5600**  
**Total tract percent 0.7000%**

TOTAL CONFLICTS RESOLVED:

**Total tract acres 5.9447**  
**Total tract percent 7.4309%**

INSTRUMENT #170000705  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
APRIL 12, 2017 AT 09:32AM

BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB