

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

**CODE OF VIRGINIA
§ 45.1-361.26**

VIRGINIA:

BEFORE THE GAS AND OIL BOARD

APPLICANTS:

CNX Gas Company LLC on behalf of Buckhorn Coal Company and certain heirs of the Jacob Fuller Heirs in a portion of Tract 1b ; Buckhorn Coal Company and certain heirs of the (Columbus) Earl Whited Heris in Tracts 2 and 3.

DOCKET NO.

01-0821-0909-01

RELIEF SOUGHT:

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
Action: Amending Prior Orders Affecting Drilling **AW-109**,
A portion of Tract 1B and Tracts 2 and 3.
(Referenced herein as "the Subject Drilling Unit")

Location: Russell County, Virginia

Action Details:

- (1) This recording supersedes the prior disbursement correcting Table 1 and Exhibits E and EE; removing Marvin Fuller from Tract 1B.
- (2) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit **AW-109** by Tract Subaccounts;
- (3) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (4) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's Escrow Subaccount for **VGOB Tract(s) identified in Table 1.**

REPORT OF THE BOARD

FINDINGS AND ORDER

- 1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on June 16, 2009 at the Russell County Government Center in Lebanon, VA.
- 2. **Appearances:** , Mark A. Swartz, Esq. SWARTS Law Offices PLLC appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
- 3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract sub accounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract sub accounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and authority to disburse funds from the Escrow Account** provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. (a) On August 21, 2001 the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Russell County on January 10, 2002, Deed Book 544, Page 421 Instrument Number 0000169. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk of the Circuit Court of Russell County on February 19, 2003, Deed Book 575, Page 893 Instrument Number 0000801.
- 4.2. To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Buckhorn Coal Company ; and the gas ownership interests of certain of the Jacob Fuller Heirs in Tract 1b, Buckhorn Coal Company and certain heirship of the (Columbus) Earl Whited Heris in Tracts 2 and 3. in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3. The Unit Operator's Miscellaneous Petition regarding a portion of Tract 1b and Tracts 2 and 3. a copy of which is attached to and made a part hereof, states under oath that Buckhorn Coal Company and the Applicants have entered into an agreement with regards to a portion of Tract 1b and Tracts 2 and 3 and that by the terms of the agreements, Buckhorn Coal Company has entered into a split agreement regarding these tracts and escrow regarding these individual conflicting claims detailed herein, is no longer required for these parties.
- 4.4. The Unit Operator gave notice to Buckhorn Coal Company and the applicants that the Board would consider its disbursement authorization at its hearing on June 16, 2009 and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to a portion of Tract 1b and Tracts 2 and 3 identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 1b and Tracts 2 and 3 relative to the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.
- 4.5. The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

- (1) Buckhorn Coal Company and certain individuals of the Jacob Fuller heirship property in Tract 1a; Buckhorn Coal Company and certain individuals of the (Columbus) Earl Whited Heirs in Tract 2 and Tract 3, are the owners of the coal and gas acreage estate underlying a portion of VGOB Tract 1a and VGOB Tracts 2 and 3 of the Subject Drilling Unit;

(2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

VGOB Approved Disbursement
 VGOB-01-0821-0909-01
 AW-109

		Frac Interest	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
Table 1						
A portion of Tract 1B and Tracts 2 and 3.						
Tract	Disbursement Table					
	Totals				35.0988	
	Buckhorn Coal Co. - Coal		17.45			
1B	Buckhorn Coal Co./ PO box 187 Tazewell, VA 24651	0.228261	3.9832	50.0%	1.992	5.6742%
1B	Arlene Compton (additional interest from Nelson Compton)/ Rt 2 Box 190 Honaker, VA	0.001852	0.0323	50.0%	0.016	0.0460%
1B	Mary Keen / 703 Baker Street / Mt. Gilead, OH 43335	0.018519	0.3232	50.0%	0.162	0.4604%
1B	EE & E Fletcher Enterprises / c/o Eddie Fletcher / 3652 Garden Creek Rd / Rowe Va 246	0.111111	1.9389	50.0%	0.969	2.7620%
1B	Patty Chambers / Rt. 1 Box 82 / Raven, VA 24639	0.044444	0.7756	50.0%	0.388	1.1048%
1B	Goldie Hess / 1557 Miller Creek Road / Rowe, VA 24646	0.013889	0.2424	50.0%	0.121	0.3453%
1B	Corene Perkins / 221 Arch Barrett Drive / Rosedale, VA 24280	0.013889	0.2424	50.0%	0.121	0.3453%
1B	Arelene Compton / Rt 2 Box 190 Honaker, VA 24260	0.013889	0.2424	50.0%	0.121	0.3453%
1B	Tolvy "Tracy" Perkins / 763 Bridge Drive / Pasadena, MD 21122	0.005334	0.0931	50.0%	0.047	0.1326%
1B	Ester Newton / 2621 Veda Drive / Bristol VA 24201	0.005334	0.0931	50.0%	0.047	0.1326%
	Buckhorn Coal Co. - Coal		16.7900	50.0%	8.395	23.9182%
2	Buckhorn Coal Co./ PO box 187 Tazewell, VA 24651					
	(Columbus) Earl Whited Heirs - O & G		16.79			
2	Ralph Sneed Administrator CTA / Estate of (Columbus) Earl Whited / PO Box 399 / Lebanon VA 24266		16.7900	50.0%	8.3950	23.9182%
	Buckhorn Coal Co. - Coal		2.8100	50.0%	1.405	4.0030%
3	Buckhorn Coal Co./ PO box 187 Tazewell, VA 24651					
	(Columbus) Earl Whited Heirs - O & G		2.81			
3	Ralph Sneed Administrator CTA / Estate of (Columbus) Earl Whited / PO Box 399 / Lebanon VA 24266		2.8100	50.0%	1.4050	4.0030%

6. Relief Granted:

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, **and**, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. Conclusion:

Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

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DONE AND EXECUTED this 19 day of October, 2009, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 19 day of October, 2009, by Order of the Board.

David E. Asbury, Jr.
David E. Asbury, Jr.
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 19th day of October, 2009, 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 Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury, Jr. being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane J. Davis
Diane J. Davis, Notary
174394

My commission expires: September 30, 2013



VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 11-18, 2010. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 4:02 o'clock P.M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: VA Gas+Oil

TESTE: ANN S. McREYNOLDS, CLERK
BY: *Jennifer Rudnick* D. CLERK

Tract-by-Tract Escrow Calculation
Account Balances as of 10/31/09

Unit AW-109
VGOB 01-0821-0909-01
Acres Escrowed: 35.09879

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Owners' Percent of Escrow (50%)	Amount Due Owners \$88,063.51					
Buckhorn Coal Co. - Coal	1b	15.46879			44.15762%	22.0788%	\$4,956.36					
Jacob Fuller Heirs - O&G		17.45										
Arlene Compton (Additional interest from Nelson Compton)			0.0323	0.111111				0.0460%	\$40.55			
Mary Keen			0.3232	0.018519				0.4604%	\$405.40			
EE & E Fletcher Enterprises			1.9389	0.111111				2.7620%	\$2,432.35			
Patty Chambers			0.7755	0.044444				1.1048%	\$972.93			
Goldie Hess			0.2424	0.013889				0.3453%	\$304.05			
Corene Perkins			0.2424	0.013889				0.3453%	\$304.05			
Arlene Compton			0.2424	0.013889				0.3453%	\$304.05			
Tolvy "Tracy" Perkins			0.0931	0.005334				0.1326%	\$116.77			
Ester Newton			0.0931	0.005334				0.1326%	\$116.77			
Buckhorn Coal Co. - Coal	2	16.79000			47.83641%	23.9182%	\$21,063.21					
(Columbus) Earl Whited Heirs - O&G												
Michael Whited				1.6790				10%	2.3918%	\$2,106.32		
Ferrell Whited				3.0222				18%	4.3053%	\$3,791.38		
Herald Whited				3.0222				18%	4.3053%	\$3,791.38		
Marty Whited				3.0222				18%	4.3053%	\$3,791.38		
Cathy Darlene Ward				3.0222				18%	4.3053%	\$3,791.38		
Melissa Skeens				3.0222				18%	4.3053%	\$3,791.38		
<i>Escrow disbursements for 6 Whited heirs named immediately above to be paid to Ralph Sneed, Administrator for the Estate of (Columbus) Earl Whited</i>								\$21,063.21				
Buckhorn Coal Co. - Coal			3	2.81000						8.00597%	4.0030%	\$3,525.17
(Columbus) Earl Whited Heirs - O&G												
Michael Whited		0.2810			10%	0.4003%	\$352.52					
Ferrell Whited		0.5058			18%	0.7205%	\$634.53					
Herald Whited		0.5058			18%	0.7205%	\$634.53					
Marty Whited		0.5058			18%	0.7205%	\$634.53					
Cathy Darlene Ward		0.5058			18%	0.7205%	\$634.53					
Melissa Skeens		0.5058			18%	0.7205%	\$634.53					
<i>Escrow disbursements for 6 Whited heirs named immediately above to be paid to Ralph Sneed, Administrator for the Estate of (Columbus) Earl Whited</i>							\$3,525.17					

**Exhibit E
Unit AW-109
Docket #VGOB 01-0821-0909
List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Interest in Unit
<u>Tract #1B, 17.45 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	17.45 acres	29.7274%
<u>OIL & GAS OWNERSHIP</u>		
<i>Jacob Fuller Heirs, Devisees, Successors or Assigns</i>	17.45 acres	29.7274%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(a) Claude and Luran Compton Heirs		
(a.1) Genevia Cotsmire 215 Kanawha Avenue Dunbar, WV 25064	0.0808 acres 1/216 of 17.45 acres	0.1376%
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.0808 acres 1/216 of 17.45 acres	0.1376%
(a.3) Margaret Kleffman 5112 Kingsport Highway Gray, TN 37615	0.0808 acres 1/216 of 17.45 acres	0.1376%
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.0808 acres 1/216 of 17.45 acres	0.1376%
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.3232 acres 1/54 of 17.45 acres	0.5505%
(c) Brady Massie Heirs, Devisees, Successors or Assigns		
(c.1) James Massie P.O. Box 682 Honaker, VA 24260	0.0646 acres 1/270 of 17.45 acres	0.1101%
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.0646 acres 1/270 of 17.45 acres	0.1101%
(c.3) Ruby & Leroy Lester 503 Twin Oak Circle Lebanon, VA 24266	0.0646 acres 1/270 of 17.45 acres	0.1101%
(c.4) Gladys Puckett 405 W. Bagwell Rd Liberty, SC 29657	0.0646 acres 1/270 of 17.45 acres	0.1101%

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	Acres in Unit	Interest in Unit
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.0646 acres 1/270 of 17.45 acres	0.1101%
(f) Lacy Richardson Heirs, Devisees, Successors or Assigns		
(f.1) William Earl Richardson 565 Skylark Dr. Seabring, FL 33975	0.0404 acres 1/432 of 17.45 acres	0.0688%
(f.2) Nelson Richardson 9961 Swan LN Seabring, FL 33975	0.0404 acres 1/432 of 17.45 acres	0.0688%
(f.3) Fred Richardson Rt. 1 Box 341 Swords Creek, VA 24649	0.0404 acres 1/432 of 17.45 acres	0.0688%
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.0404 acres 1/432 of 17.45 acres	0.0688%
(f.5) Alice Marie Musick 7981 N. 875 W Indianapolis, IN 46259	0.0404 acres 1/432 of 17.45 acres	0.0688%
(f.6) Betty Doty 875 W. 6779 Lambert Street Indianapolis, IN 46241	0.0404 acres 1/432 of 17.45 acres	0.0688%
(f.7) Linda Cook PO Box 3203 Mooresville, NC 28115	0.0404 acres 1/432 of 17.45 acres	0.0688%
(f.8) Violet Dunn Heirs, Devisees, Successors or Assigns		
(f.8.1) Ronald W. Dunn <i>Address Unknown</i>	0.0135 acres 1/1296 of 17.45 acres	0.0229%
(f.8.2) Tammy Alice Munas 5537 Millhouse Road Indianapolis, IN 46221	0.0090 acres 1/1944 of 17.45 acres	0.0153%
(f.8.3) Harvey E. Adair, Jr. 207 Southeast Street Plainfield, IN 46168	0.0090 acres 1/1944 of 17.45 acres	0.0153%
(f.8.4) Teresa Hodge 1390 Parks Drive Spencer, IN 47460	0.0090 acres 1/1944 of 17.45 acres	0.0153%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		

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List of Conflicting Owners/Claimants that require escrow

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	Acres in Unit	Interest in Unit
(a.1) Virgie Correll Address Unknown	1.9389 acres 1/9 of 17.45 acres	3.3030%
(4) William T. Fuller Heirs, Devisees Successors or Assigns		
(a) Marvin Fuller Heirs, Devisees, Successors or Assigns	<i>*Bought by Mike & James Rasnake</i>	
(5) Laura Fuller Rasnake Heirs, Devisees Successors or Assigns		
(a) Fred Rasnake Heirs, Devisees, Successors or Assigns		
(a.2) Jackie Rasnake, Widow 565 49th Street SW Canton, OH 44706	<i>*Bought by Mike & James Rasnake</i>	
(b) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(b.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260	<i>*Bought by Mike & James Rasnake</i>	
(b.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.1616 acres 1/108 of 17.45 acres	0.2753%
(d) Ralph Rasnake Heirs, Devisees, Successors or Assigns		
(d.1) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260	<i>*Bought by Mike & James Rasnake</i>	
(e) James Earl Rasnake Heirs, Devisees, Successors or Assigns		
(e.1) Louella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740	<i>*Bought by Mike & James Rasnake</i>	
(f) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	1.8581 acres 23/216 of 17.45 acres	3.1654%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns		
(a.1) Betty Nuckles, Widow PO Box 607 Blg Stone Gap, VA 24219	0.1293 acres 1/135 of 17.45 acres	0.2202%

Exhibit E

Unit AW-109

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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(a.2) Carolyn Carty 1614 River Creek Drive Suffolk, VA 23434	0.1293 acres 1/135 of 17.45 acres	0.2202%
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.1293 acres 1/135 of 17.45 acres	0.2202%
(c) Ruth Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Nellie Coleman <i>Address Unknown</i>	0.1939 acres 1/90 of 17.45 acres	0.3303%
(c.2) Michael Coleman 168 Reagen St. Pounding Mill, VA 24637	0.1939 acres 1/90 of 17.45 acres	0.3303%
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		
(d.1) Debbie Penaly <i>Address Unknown</i>	0.3878 acres 1/45 of 17.45 acres	0.6606%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(a) Earl Whited Heirs, Devisees, Successors or Assigns		
(a.1) Michael Whited PO Box 297 Swords Creek, VA 24649	0.0242 acres 1/720 of 17.45 acres	0.0413%
(a.2) Ferrel Whited PO Box 1471 Honaker, VA 24260	0.0436 acres 1/400 of 17.45 acres	0.0743%
(a.3) Marty Whited PO Box 881 Lebanon, VA 24266	0.0436 acres 1/400 of 17.45 acres	0.0743%
(a.4) Cathy Darlene Ward 2014 Miller Creek Rd. Swords Creek, VA 24649	0.0436 acres 1/400 of 17.45 acres	0.0743%
(a.5) Herald Whited PO Box 315 Swords Creek, VA 24649	0.0436 acres 1/400 of 17.45 acres	0.0743%
(a.6) Melissa Skeens 120 Clifton Farm Road Honaker, VA 24260	0.0436 acres 1/400 of 17.45 acres	0.0743%
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.2424 acres 1/72 of 17.45 acres	0.4129%

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	Acres in Unit	Interest in Unit
(e) Mason Whited 1945 Clarks Valley Rd. Swords Creek, VA 24649	0.2424 acres 1/72 of 17.45 acres	0.4129%
(f) Eugene Whited 7468 Briarcliff Pkwy Middlesburg Heights, OH 44130	0.2424 acres 1/72 of 17.45 acres	0.4129%
(h) Leona Shope 170 Arch Barrett Dr. Rosedale, VA 24280	0.2424 acres 1/72 of 17.45 acres	0.4129%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.4847 acres 1/36 of 17.45 acres	0.8258%
(b) Ollie Fuller <i>Address Unknown</i>	0.4847 acres 1/36 of 17.45 acres	0.8258%
(c) Dora Webb Heirs, Devisees, Successors or Assigns		
(c.1) Frank S. Webb Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.4847 acres 1/36 of 17.45 acres	0.8258%
(d) Leona Beavers <i>Address Unknown</i>	0.4847 acres 1/36 of 17.45 acres	0.8258%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(a) Goldine Lilly Heirs, Devisees, Successors or Assigns 303 Wolfe Creek Rd. Spanishburg, WV 25922	0.0692 acres 1/252 of 17.45 acres	0.1180%
(b) Richard E. Rose, Heirs, Devisees, Successors or Assigns		
(b.1) Polly Rose 1406 S. Avenue Princeton, WV 24740	0.0692 acres 1/252 of 17.45 acres	0.1180%
(c) Arcel Rose Heirs, Devisees, Successors or Assigns 303 Wolfe Creek Rd. Spanishburg, WV 25922	0.0692 acres 1/252 of 17.45 acres	0.1180%
(d) Luther Abshire, Jr. Heirs, Devisees, Successors or Assigns		
(d.1) Cathy Tisdale 108 Shady Oaks Lane Staunton, VA 24401	0.0069 acres 1/2520 of 17.45 acres	0.0118%

Exhibit E
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	Acres in Unit	Interest in Unit
(d.2) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.0069 acres 1/2520 of 17.45 acres	0.0118%
(e) Hassel Raymond Abshire 10743 Beckley Road Camp Creek, WV 25820	0.0138 acres 1/1260 of 17.45 acres	0.0236%
(f) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.0138 acres 1/1260 of 17.45 acres	0.0236%
(g) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0138 acres 1/1260 of 17.45 acres	0.0236%
(h) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.0138 acres 1/1260 of 17.45 acres	0.0236%
(l) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(l.1) Mitzi Helbert 45 Pace Drive Bristol, VA 24201	0.0692 acres 1/252 of 17.45 acres	0.1180%
(l.2) Michael Whitt <i>Address Unknown</i>	0.0692 acres 1/252 of 17.45 acres	0.1180%
(m) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.1385 acres 1/126 of 17.45 acres	0.2359%
(n) Tivis Brown 4991 Lynn Springs Rd. Swords Creek, VA 24649	0.1385 acres 1/126 of 17.45 acres	0.2359%
(o) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.1385 acres 1/126 of 17.45 acres	0.2359%
(p) Judy Farmer PO Box 146 Vansant, VA 24656	0.0346 acres 1/504 of 17.45 acres	0.0590%
(q) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.0346 acres 1/504 of 17.45 acres	0.0590%
(r) Clarence Whited 16299 Worthing Way Abingdon, VA 24210	0.0346 acres 1/504 of 17.45 acres	0.0590%
(s) Bobby Whited PO Box 92 Swords Creek, VA 24649	0.0346 acres 1/504 of 17.45 acres	0.0590%

Exhibit E
Unit AW-109

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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(t) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.0346 acres 1/504 of 17.45 acres	0.0590%
(u) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.0346 acres 1/504 of 17.45 acres	0.0590%
(v) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.0346 acres 1/504 of 17.45 acres	0.0590%
(w) Carolyn Whited 16298 Chase LN Abingdon, VA 24210	0.0346 acres 1/504 of 17.45 acres	0.0590%
(x) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.0308 acres 1/567 of 17.45 acres	0.0524%
(y) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.0308 acres 1/567 of 17.45 acres	0.0524%
(z) Garland Brown Heirs, Devisees, Successors or Assigns P.O. Box 215 Rosedale, VA 24280	0.0308 acres 1/567 of 17.45 acres	0.0524%
(aa) Pauline Brown Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.0308 acres 1/567 of 17.45 acres	0.0524%
(ab) Carl Brown 12077 Salem Church Road King George, VA 22485	0.0308 acres 1/567 of 17.45 acres	0.0524%
(ac) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.0308 acres 1/567 of 17.45 acres	0.0524%
(ad) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.0308 acres 1/567 of 17.45 acres	0.0524%
(ae) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.0308 acres 1/567 of 17.45 acres	0.0524%
(af) Virgil K. Street 199 Meadowcrest Dr. Bristol, VA 24201	0.0308 acres 1/567 of 17.45 acres	0.0524%
(ag) Dexter Perkins Heirs, Devisees, Successors or Assigns		
(ag.1) Lennie E. Perkins Heirs, Devisees, Successors or Assigns		

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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(ag.1.1) Nila Myers 3804 Ludgate Dr. Chesapeake, VA 23321	0.0087 acres 1/2016 of 17.45 acres	0.0147%
(ag.1.2) Janice Cassidy 613 Clay Street Franklin, VA 23851	0.0087 acres 1/2016 of 17.45 acres	0.0147%
(ag.1.3) Gary Perkins 23027 Sundown Drive Carrolton, VA 23314	0.0087 acres 1/2016 of 17.45 acres	0.0147%
(ag.1.4) Delmer Perkins 292 Deck Rd. Jewell Ridge, VA 24622	0.0087 acres 1/2016 of 17.45 acres	0.0147%
(ah) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0346 acres 1/504 of 17.45 acres	0.0590%
(ai) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.0346 acres 1/504 of 17.45 acres	0.0590%
(aj) Audry Blankenship Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.0346 acres 1/504 of 17.45 acres	0.0590%
(ak) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.0346 acres 1/504 of 17.45 acres	0.0590%
(al) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.0346 acres 1/504 of 17.45 acres	0.0590%
(am) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.0346 acres 1/504 of 17.45 acres	0.0590%
(an) Frankie Ratliff Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.0346 acres 1/504 of 17.45 acres	0.0590%

List of Conflicting Owners/Claimants with Royalty Split Agreements

Disbursement Order Pending

	Acres in Unit	Interest in Unit
<u>Tract #1B, 17.45 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	17.45 acres	29.7274%
<u>OIL & GAS OWNERSHIP</u>		
Jacob Fuller Heirs, Devisees, Successors or Assigns	17.45 acres	29.7274%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(d) Nelson Compton Heirs, Devisees, Successors or Assigns		
(d.1) Arlene Compton Rt. 2 Box 190 Honaker, VA 24260	0.323 acres 1/54 of 17.45 acres	0.5505%
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.323 acres 1/54 of 1.75 acres	0.5505%
(2) Myrtle Rowe Heirs, Devisees, Successors or Assigns		
(a) EE & E Fletcher Enterprises 3652 Garden Creek Road Rowe, VA 24646	1.939 acres 1/9 of 1.75 acres	3.3030%
(5) Laura Fuller Rasnake Heirs, Devisees, Successors or Assigns		
(a) Michael Rasnake, et ux. 73 Miller Creek Road Honaker, VA 24260	1.858 acres 23/216 of 1.75 acres	3.1654%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(b) Hestor Anwood & Marie Blankenship Heirs, Devisees, Successors or Assigns		
(b.1) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.776 acres 2/45 of 1.75 acres	1.3212%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(c) Goldie Hess 1557 Miller Creek Road Rowe, VA 24646	0.242 acres 1/72 of 1.75 acres	0.4129%

List of Conflicting Owners/Claimants with Royalty Split Agreements

Disbursement Order Pending

	Acres in Unit	Interest in Unit
(d) Corene Perkins 221 Arch Barrett Drive Rosedale, VA 24280	0.242 acres 1/72 of 1.75 acres	0.4129%
(g) Arlene Compton Rt.2 Box 190 Honaker, VA 24260	0.242 acres 1/72 of 1.75 acres	0.4129%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(j) Anna Nuckles 568 Donald C. Moore Drive Lebanon, VA 24266	0.093 acres 2/375 of 1.75 acres	0.1586%
(k) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.093 acres 2/375 of 1.75 acres	0.1586%
(l) Ester Newton c/o Grand Court One Liberty Place Bristol, VA 24201	0.093 acres 2/375 of 1.75 acres	0.1586%

Tract #2, 16.79 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	16.79 acres	28.6031%
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OIL & GAS OWNERSHIP

(1) (Columbus) Earl Whited Heirs, Devisees, Successors or Assigns	16.79 acres	28.6031%
(a) Michael Whited PO Box 297 Swords Creek, VA 24696	1.68 acres 10% of 16.79 acres	2.8603%
(b) Ferrell Whited PO Box 1471 Honaker, VA 24260-1471	3.02 acres 18% of 16.79 acres	5.1486%
(c) Herald Whited PO Box 517 Rosedale, VA 24280	3.02 acres 18% of 16.79 acres	5.1486%
(d) Marty Whited PO Box 0881 Lebanon, VA 24266-0881	3.02 acres 18% of 16.79 acres	5.1486%
(e) Cathy Darlene Ward 2014 Miller Creek Rd Swords Creek, VA 24649	3.02 acres 18% of 16.79 acres	5.1486%

Exhibit EE
Unit AW109

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List of Conflicting Owners/Claimants with Royalty Split Agreements

Disbursement Order Pending

	Acres in Unit	Interest in Unit
(f) Melissa Skeens 120 Clifton Farm Rd Honaker, VA 24260	3.02 acres 18% of 16.79 acres	5.1486%

Tract #3, 2.81 acres

COAL OWNERSHIP

(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	2.81 acres	4.7871%
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OIL & GAS OWNERSHIP

(1) (Columbus) Earl Whited Heirs, Devisees, Successors or Assigns	2.81 acres	4.7871%
(a) Michael Whited PO Box 297 Swords Creek, VA 24696	0.28 acres 10% of 2.81 acres	0.4787%
(b) Ferrell Whited PO Box 1471 Honaker, VA 24260-1471	0.51 acres 18% of 2.81 acres	0.8617%
(c) Herald Whited PO Box 517 Rosedale, VA 24280	0.51 acres 18% of 2.81 acres	0.8617%
(d) Marty Whited PO Box 0881 Lebanon, VA 24266-0881	0.51 acres 18% of 2.81 acres	0.8617%
(e) Cathy Darlene Ward 2014 Miller Creek Rd Swords Creek, VA 24649	0.51 acres 18% of 2.81 acres	0.8617%
(f) Melissa Skeens 120 Clifton Farm Rd Honaker, VA 24260	0.51 acres 18% of 2.81 acres	0.8617%