

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 on behalf of Harrison Wyatt, LLC and heirs of Fielden Sanders in a portion of Tract 1A and Rosa Sanders and Margaret Bowles in Tract 1F.

**DOCKET NO.****03-0415-1139-01****RELIEF SOUGHT:**

Issuance: A Supplemental Order for Disbursement of Escrowed Funds

Action: Amending Prior Orders Affecting Drilling Unit AZ-100, Tracts 1A and 1F. (Referenced herein as "the Subject Drilling Unit")

Location: Buchanan County, Virginia

**Action Details:**

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit AZ-100 by Tract Sub-accounts;
- (2) 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.
- (3) 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 April 20, 2010, at the Russell County Conference Center, Lebanon, Virginia.
2. **Appearances:** Mark A. Swartz of Swartz Law Offices appeared for the Applicant; and Sharon M.B. Pigeon, Sr. 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 subaccounts, 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 subaccounts. 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 On April 15, 2003, 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 Buchanan County on May 29, 2003, in Deed Book 0570, Pages 731 to 748 Instrument 030002069. The Supplemental Order was executed and recorded in with the Clerk of the Circuit Court Buchanan County on November 17, 2003; in Deed Book 0581 Pages 0425 to 0438.
- 4.1.1 An Amended Supplemental Order regarding VGOB 03-0415-1139 has been submitted for recordation indicating a portion of Tract 1F is to be escrowed in addition to parties in Tract 1A. Certain other revisions were also made reflecting updates of title and fractional acreage ownership for heirs within certain unit tracts. The Amended Supplemental Order will be recorded just prior to the pending disbursement order.
- 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 Harrison Wyatt, LLC and the gas ownerships of the heirs of Fielden Sanders including Betty Sue Sanders Fletcher, Adrine Sanders Horn, Chester Sanders, Dave Sanders and Norman Sanders in Tract 1A, plus Heirs of Rosa Sanders including Dianna L. Boothe and Herbert Sampson in Tract 1F 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 Tracts 1A and 1F, a copy of which is attached to and made a part hereof, states under oath that Harrison Wyatt, LLC, certain heirs of Fielden Sanders and Rosa Sanders have entered into an agreement with regard to the Tracts.
- 4.4 The Unit Operator gave notice to Harrison Wyatt LLC and certain heirs of Fielden Sanders and Rosa Sanders that the Board would consider this disbursement authorization at its hearing on April 20, 2010 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 Tracts 1A and 1F identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tracts 1A and 1F 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 in other tracts under this order subject to continued payment 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) Harrison Wyatt, LLC is the owner of coal in Tracts 1A and 1F and heirs of Fielden Sanders including Betty Sue Sanders Fletcher, Adrine Sanders Horn, Chester Sanders, and Norman Sanders in Tract 1A, plus Heirs of Rosa Sanders including Dianna L. Boothe and Herbert Sampson in Tract 1F, are owners of gas acreage estate underlying a portion of Tracts 1A and 1F of the Subject Drilling Unit **AZ-100**;

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

**VGOB Approved Disbursement**  
**VGOB-03-0415-1139-01 Disbursement**  
**AZ-100**

Item No	Tract		Frac Interest	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
						<b>8.34381</b>	
	1A	Harrison-Wyatt, LLC	9.190000				
1	1A	Harrison-Wyatt, LLC, P. O. Box 11000, Danville, VA 24543 (coal)		4.8138	50.0%	2.407	28.8466%
2	1A	Betty Sue Sanders Fletcher / PO Box 691 / Marion, VA 24354	1/42	0.2188	50.0%	0.109	1.3112%
3	1A	Adrine Sanders Horn / c/o Mary Ilene Stanley / P.O. Box 324 / Richlands, VA 24641	1/84		<b>Not disbursed. Awaiting W9 Tax Form</b>		
4	1A	Chester Sanders / 408 Dartmouth Avenue / Melbourne, FL 32901	1/6	1.5317	50.0%	0.766	9.1785%
5	1A	Dave Sanders / 590 Bailey Switch Rd. / Bluefield VA 24605	1/6	1.5317	50.0%	0.766	9.1785%
6	1A	Norman Sanders / 2013 Otterdale Rd / Midlothian VA. 23112	1/6	1.5317	50.0%	0.766	9.1785%
	1F	Harrison-Wyatt, LLC	3.500000				
1	1F	Harrison-Wyatt, LLC, P. O. Box 11000, Danville, VA 24543 (coal)		0.4667	50.0%	0.233	2.7965%
2	1F	Dianna L. Boothe / 2165 E Osceola Road / Geneva, FL 3272	1/15	0.2333	50.0%	0.117	1.3982%
3	1F	Herbert Sampson / c/o Dianna L. Boothe, POA / 2187 Osceola Fish Camp Road / Geneva, FL	1/15	0.2333	50.0%	0.117	1.3982%

**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:**

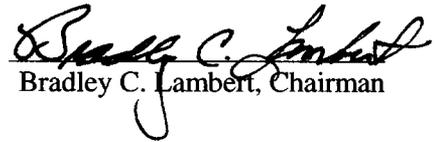
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED**.

8. **Appeals:**

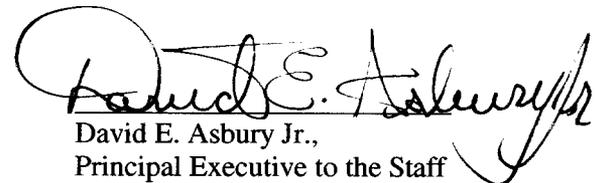
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated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

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

DONE AND EXECUTED this 23 day of August, 2010, by a majority of the Virginia Gas and Oil Board.

  
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 23 day of August, 2010, by an Order of this Board.

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

COMMONWEALTH OF VIRGINIA )  
COUNTY OF RUSSELL

Acknowledged on this 23<sup>rd</sup> day of August 2010, 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 **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public #174394

My commission expires: 09/30/2013

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 03-0415-1139-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM  
ESCROW REGARDING a portion of TRACT(S) 1A and 1F  
(2) AND AUTHORIZATION FOR DIRECT  
PAYMENT OF ROYALTIES

HEARING DATE: April 20, 2010

DRILLING UNIT: AZ-100

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 1A and 1F as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty agreement between Harrison-Wyatt, LLC and Jean Sanders Fletcher, Adrine Sanders Horn, Chester Sanders, Dave Sanders and Norman Sanders; Harrison-Wyatt, LLC and Dianna L. Boothe, Herbert Sampson

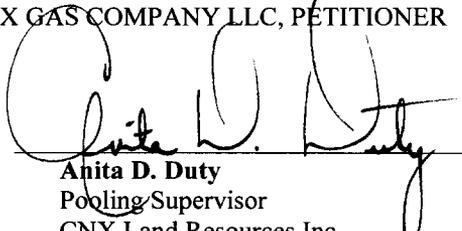
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and Jean Sanders Fletcher, Adrine Sanders Horn, Chester Sanders, Dave Sanders and Norman Sanders; Harrison-Wyatt, LLC and Dianna L. Boothe, Herbert Sampson have entered into royalty split agreement(s). Said royalty agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

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

CNX GAS COMPANY LLC  
BY ITS PROFESSIONAL MANAGER  
CNX GAS COMPANY LLC, PETITIONER

By: 

Anita D. Duty  
Pooling Supervisor  
CNX Land Resources Inc.  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701

MAR 2010

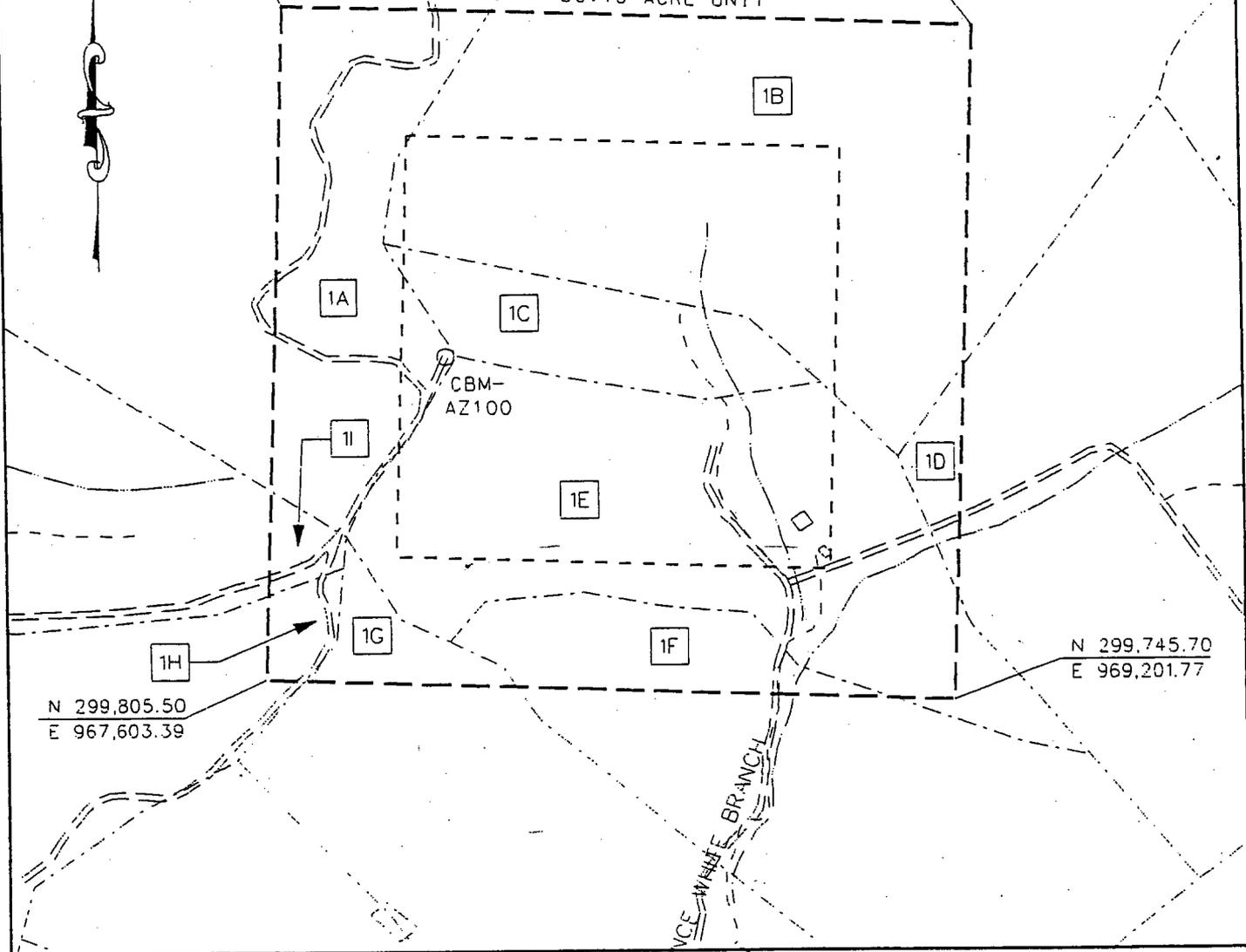
PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

BOOK 058 PAGE 0429

N 301,405.37  
E 967,662.59

N 301,345.41  
E 969,260.95

58.78 ACRE UNIT



N 299,745.70  
E 969,201.77

N 299,805.50  
E 967,603.39

EXHIBIT A  
NCRA FIELD UNIT AZ-100  
FORCE POOLING  
VGDB-03-0415-1139

Company CONSOL Energy Inc. Well Name and Number UNIT AZ100

Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Big A Mountain

County Buchanan District Hurricane Scale: 1" = 400' Date 3/2/03

This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DDU-00-7 \_\_\_\_\_ (Attix Seal)  
Rev. 9/91. Charles A. May  
Licensed Professional Engineer or Licensed Land Surveyor

## CONSOL ENERGY INC.

## UNIT AZ-100

## Tract Identifications

(58.78 Acre Unit)

- 1A. Harrison-Wyatt, LLC (Big Axe Tr. 4) - Coal  
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased  
 Buchanan Production Co. - CBM Leased  
 Fielden Sanders Heirs, et al. - Surface and All Minerals except Coal  
 Buchanan Production Company - Oil, Gas and CBM Leased (85%)  
 9.19 acres 15.6346%
- 1B. Harrison - Wyatt, LLC (Big Axe Tr. 4) - Coal  
 Buchanan Production Company - CBM Leased  
 Lee Martin - Surface and All Minerals except Coal  
 Buchanan Production Company - Oil, Gas and CBM Leased  
 21.32 acres 36.2708%
- 1C. Harrison - Wyatt, LLC (Big Axe Tr. 4) - Coal  
 Buchanan Production Company - CBM Leased  
 Lee Martin - Surface and All Minerals except Coal  
 Buchanan Production Company - Oil, Gas and CBM Leased  
 4.28 acres 7.2814%
- 1D. Harrison - Wyatt, LLC (Big Axe Tr. 4) - Coal  
 Buchanan Production Company - CBM Leased  
 Gent Enterprises - All Minerals except Coal  
 Buchanan Production Company - Oil, Gas and CBM Leased  
 Ricky Brown, et ux - Surface  
 0.92 acres 1.5652%
- 1E. Harrison - Wyatt, LLC (Big Axe Tr. 4) - Coal  
 Buchanan Production Company - CBM Leased  
 Kenneth E. Harris - Surface and All Minerals except Coal  
 Buchanan Production Company - Oil, Gas and CBM Leased  
 16.59 acres 28.2239%
- 1F. Harrison - Wyatt, LLC (Big Axe Tr. 4) - Coal  
 Buchanan Production Company - CBM Leased  
 Rosa Sanders Heirs - Surface and All Minerals except Coal  
 Buchanan Production Company - Oil, Gas and CBM Leased (93%)  
 3.50 acres 5.9544%
- 1G. Harrison-Wyatt, LLC (Big Axe Tr. 4) - Coal  
 Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased  
 Buchanan Production Co. - CBM Leased  
 Ruben Harris, et ux - Surface and All Minerals except Coal  
 Buchanan Production Company - Oil, Gas and CBM Leased  
 1.48 acres 2.5179%

**CONSOL ENERGY INC.**

**UNIT AZ-100**

Tract Identifications

(58.78 Acre Unit)

- 1H. Harrison-Wyatt, LLC (Big Axe Tr. 4) - Coal  
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased  
Buchanan Production Co. - CBM Leased  
Dallis James, et ux - Surface and All Minerals except Coal  
Buchanan Production Company - Oil, Gas and CBM Leased  
0.83 acres                      1.4120%
- 1I. Harrison-Wyatt, LLC (Big Axe Tr. 4) - Coal  
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased  
Buchanan Production Co. - CBM Leased  
Gregory D. Austin, et ux - Surface and All Minerals except Coal  
Buchanan Production Company - Oil, Gas and CBM Leased  
0.67 acres                      1.1398%

**Exhibit E**  
**Unit AZ-100**  
**Docket #VGOB 03-0415-1139-01**  
**List of Conflicting Owners/Claimants that require escrow**  
**(58.78 Acre Unit)**

	Acres in Unit	Percent of Unit
<b><u>Tract #1A - 9.19 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	9.19 acres	15.6346%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	9.19 acres	15.6346%
(1) Ora Sanders Heirs, Devisees, Successors or Assigns		
(a) Oma Sanders Tiller Heirs, Devisees, Successors or Assigns		
(a.1) Loeita Austin Rt.2 Box 245 Honaker, VA 24260	0.2188 1/42 of 9.19 acres	0.3723%
(a.2) Edward Tiller Rt.2 Box 245 Honaker, VA 24260	0.2188 1/42 of 9.19 acres	0.3723%
(b) Leafy Sanders Tiller HC4 Box 563 Council, VA 24260	0.4376 1/21 of 9.19 acres	0.7445%
(c) Lena Sanders Sutarka 751 Forest Hill Road Gordenville, VA 22942	0.4376 1/21 of 9.19 acres	0.7445%
(d) Dan Sanders P.O. Box 18 Thaxton, VA 24174	0.4376 1/21 of 9.19 acres	0.7445%
(e) Julia Sanders O'Quinn 1232 Green-Cook Road Sunbury, OH 43074	0.4376 1/21 of 9.19 acres	0.7445%
(f) Ellis Sanders Heirs, Devisees, Successors or Assigns		
(f.1) Janie Sanders Rife 8661 Point of Woods Drive Manassas, VA 20110	0.2188 1/42 of 9.19 acres	0.3723%
(g) Walter Sanders Heirs, Devisees, Successors or Assigns		
(g.4) Terry Sanders 271 Pleasant Ridge Road Franklinville, NC 27248	0.1094 1/84 of 9.19 acres	0.1861%
(2) Fielden Sanders Heirs, Devisees, Successors or Assigns		
(d) Estil Sanders Heirs, Devisees, Successors or Assigns (1/6)		

**Exhibit E**  
**Unit AZ-100**  
**Docket #VGOB 03-0415-1139-01**  
**List of Conflicting Owners/Claimants that require escrow**  
**(58.78 Acre Unit)**

	<b>Acres in Unit</b>	<b>Percent of Unit</b>
(d.4) Harley Sanders 172 Vantage Drive Tazewell, VA 24651	0.1459 1/63 of 9.19 acres	0.2482%
(d.5) Jerry C. Sanders 110 Roydon St. Pounding Mill, VA 24637-4122	0.1459 1/63 of 9.19 acres	0.2482%
(d.7) Allen Sanders P.O. Box 2254 Lebanon, VA 24266	0.1459 1/63 of 9.19 acres	0.2482%

Exhibit EE  
Unit AZ-100  
Docket #VGOB 03-0415-1139-01  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(58.78 Acre Unit)

Needs Disbursed - Hearing April 20, 2010

Needs Disbursed	Acres in Unit	Percent of Unit	Percent of Escrow
			8.343810

**Tract #1A - 9.19 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	9.19 acres	15.6346%	
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**OIL & GAS OWNERSHIP**

(1) Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	9.19 acres	15.6346%	
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(1) Ora Sanders Heirs, Devisees, Successors or Assigns			
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(f) Ellis Sanders Heirs, Devisees, Successors or Assigns			
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(f.2) Betty Sue Sanders Fletcher P.O. Box 691 Marion, VA 24354	0.2188 1/42 of 9.19 acres	0.3723%	1.31121%
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(g) Walter Sanders Heirs, Devisees, Successors or Assigns			
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(g.1) Nadine Sanders Hurley 1219 Swords Creek Road Honaker, VA 24656	0.1094 1/84 of 9.19 acres	0.1861%	n/a
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(g.2) Adrina Sanders Horn c/o Mary Ilene Stanley PO Box 324 Richlands, VA 24641	0.1094 1/84 of 9.19 acres	0.1861%	0.65560%
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(g.3) Roger Sanders P.O. Box 82 Pilgrims Knob, VA 24634	0.1094 1/84 of 9.19 acres	0.1861%	n/a
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(2) Fielden Sanders Heirs, Devisees, Successors or Assigns			
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(a) Chester Sanders 408 Dartmouth Avenue Melbourne, FL 32901	1.5317 1/6 of 9.19 acres	2.6058%	9.17846%
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(b) Dave Sanders 590 Bailey Switch Rd. Bluefield, VA 24605	1.5317 1/6 of 9.19 acres	2.6058%	9.17846%
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(c) Norman Sanders 2013 Otterdale Road Midlothian, VA 23112	1.5317 1/6 of 9.19 acres	2.6058%	9.17846%
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(d) Estil Sanders Heirs, Devisees, Successors or Assigns (1/6)			
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(d.1) Goldie Sanders Heirs, Devisees, Successors or Assigns (1/18)			
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*\*Note: 1/18 interest divided among heirs listed below - Heir will be paid for Goldie's portion because she had a Royalty Split agreement, but their original 1/63 interest will remain escrowed.*

Exhibit EE  
Unit AZ-100  
Docket #VGOB 03-0415-1139-01  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(58.78 Acre Unit)

Needs Disbursed - Hearing April 20, 2010

	Acres in Unit	Percent of Unit	Percent of Escrow
			<b>8.343810</b>
(d.2) James E. Sanders 96 1st Street Cleveland, VA 24225	0.2188 1/42 of 9.19 acres	0.3723%	n/a
(d.3) Judy Sanders Israel 5136 Drill Road Honaker, VA 24656	0.2188 1/42 of 9.19 acres	0.3723%	n/a
(d.4) Harley Sanders 172 Vantage Drive Tazewell, VA 24651	0.0729 1/126 of 9.19 acres	0.1241%	n/a
(d.5) Jerry C. Sanders 110 Roydon St. Pounding Mill, VA 24637-4122	0.0729 1/126 of 9.19 acres	0.1241%	n/a
(d.6) Larry Sanders P.O. Box 996 Honaker, VA 24260	0.2188 1/42 of 9.19 acres	0.3723%	n/a
(d.7) Allen Sanders P.O. Box 2254 Lebanon, VA 24266	0.0729 1/126 of 9.19 acres	0.1241%	n/a
(d.8) Evelyn Sanders Nash 19 Heritage Drive Honaker, VA 24260-9740	0.2188 1/42 of 9.19 acres	0.3723%	n/a

**Tract #1B - 21.32 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	21.32 acres	36.2708%	n/a
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**OIL & GAS OWNERSHIP**

(1) Verdie Martin 66 Kents Ridge Road Honaker, VA 24260	21.32 acres	36.2708%	n/a
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**Tract #1C - 4.28 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	4.28 acres	7.2814%	n/a
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**OIL & GAS OWNERSHIP**

(1) Verdie Martin 66 Kents Ridge Road Honaker, VA 24260	4.28 acres	7.2814%	n/a
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**Tract #1D - 0.92 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	0.92 acres	1.5652%	n/a
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Exhibit EE  
Unit AZ-100  
Docket #VGOB 03-0415-1139-01  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(58.78 Acre Unit)

Needs Disbursed - Hearing April 20, 2010

	Acres in Unit	Percent of Unit	Percent of Escrow
			<b>8.343810</b>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Gent Enterprises, LLP P.O. Box 330 Honaker, VA 24260	0.92 acres	1.5652%	n/a
<b><u>Tract #1E - 16.59 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	16.59 acres	28.2239%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Kenneth E. Harris 2775 Bandy Road Cedar Bluff, VA 24609	16.59 acres	28.2239%	n/a
<b><u>Tract #1F - 3.50 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	3.50 acres	5.9544%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Rosa Sanders Heirs, Devisees, Successors or Assigns	3.50 acres	5.9544%	
(a) Foster E. Ball Heirs, Devisees, Successors or Assigns			
(a.1) Judy Faye Ball 54 Lumber Lane Honaker, VA 24260	0.7000 1/5 of 3.50 acres	1.1909%	n/a
(b) Sarah Jane Cook 1255 Dixie Lane Honaker, VA 24260	0.7000 1/5 of 3.50 acres	1.1909%	n/a
(c) Betty Marsh 425 Manhattan Drive Orlando, FL 32839	0.7000 1/5 of 3.50 acres	1.1909%	n/a
(d) Chester A. McGlothlin 4613 Old Grissom Creek Road Honaker, VA 24260	0.7000 1/5 of 3.50 acres	1.1909%	n/a
(e) Margaret Bowles Heirs, Devisees, Successors or Assigns			
(e.1) Karen Ludwigsen 213 Baxter Lane Mayock, NC 27958	0.2333 1/15 of 3.50 acres	0.3970%	n/a
(e.2) Dianna L. Boothe 2165 E. Osceola Road Geneva, FL 32732	0.2333 1/15 of 3.50 acres	0.3970%	1.39824%

Exhibit EE  
Unit AZ-100  
Docket #VGOB 03-0415-1139-01  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(58.78 Acre Unit)

Needs Disbursed - Hearing April 20, 2010

Needs Disbursed	Acres in Unit	Percent of Unit	Percent of Escrow
(e.3) Herbert Sampson c/o Dianne L. Boothe, POA 2187 Osceola Fish Camp Road Geneva, FL 32732	0.2333 1/15 of 3.50 acres	0.3970%	8.343810 1.39824%

**Tract #1G - 1.48 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	1.48 acres	2.5179%	n/a
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**OIL & GAS OWNERSHIP**

(1) Ruth Harris Heirs, Devisees, Successors or Assigns	1.48 acres	2.5179%	
(a) Elizabeth McGlothlin 7060 Finnie Road Honaker, VA 24260	1.48 acres	2.5179%	n/a

**Tract #1H - 0.83 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	0.83 acres	1.4120%	n/a
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**OIL & GAS OWNERSHIP**

(1) Dallas James, et ux. 4565 Old Grissom Creek Road Honaker, VA 24260	0.83 acres	1.4120%	n/a
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**Tract #1I - 0.67 acres**

**COAL OWNERSHIP**

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	0.67 acres	1.1398%	n/a
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**OIL & GAS OWNERSHIP**

(1) Gregory D. Austin, et ux. 4654 Old Grissom Creek Road Honaker, VA 24260	0.67 acres	1.1398%	n/a
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**Exhibit A**  
**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 2/28/10**

Unit AZ100  
 VGOB 03-0415-1139-01  
 Acres Escrowed: 8.343810

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Total Owners' Percent of Escrow (50%)	Total Amount Due Owners
Harrison-Wyatt, L.L.C. - Coal	1A	7.877143	0.2188	1/42	94.4070%	28.84659%	\$13,016.16
Fielden Sanders Heirs, et al. - Oil & Gas		9.19					
Jean Sanders Fletcher							
Adrine Sanders Horn						1.31121%	\$591.64
Chester Sanders			1.5317	1/6		9.17846%	\$4,141.50
Dave Sanders			1.5317	1/6		9.17846%	\$4,141.50
Norman Sanders			1.5317	1/6		9.17846%	\$4,141.50
Harrison-Wyatt, L.L.C. - Coal	1F	3.46667	0.2333	1/15	5.5930%	2.79648%	\$1,261.83
Rosa Sanders Heirs - Oil & Gas		3.50					
Dianna L. Boothe							
Herbert Sampson			0.2333	1/15		1.39824%	\$630.91
						1.39824%	\$630.91

W9 not received

**Wells contributing to the escrow account:**

AZ100

29

**Exhibit A**  
**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 2/28/10**

Unit AZ100  
 VGOB 03-0415-1139-01  
 Acres Escrowed: 8.343810

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	
Harrison-Wyatt, L.L.C. - Coal	1A	7.877143			94.4070%	\$13,016.16
Fielden Sanders Heirs, et al. - Oil & Gas		9.19				
Jean Sanders Fletcher			0.2188	1/42	1.31121%	\$591.64
Adrine Sanders Horn						
Chester Sanders			1.5317	1/6	9.17846%	\$4,141.50
Dave Sanders			1.5317	1/6	9.17846%	\$4,141.50
Norman Sanders			1.5317	1/6	9.17846%	\$4,141.50
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Harrison-Wyatt, L.L.C. - Coal	1F	0.466667			5.5930%	\$1,261.83
Rosa Sanders Heirs - Oil & Gas		3.50				
Dianna L. Boothe			0.2333	1/15	1.39824%	\$630.91
Herbert Sampson			0.2333	1/15	1.39824%	\$630.91

W9 not received

AZ100

*Wells contributing to the escrow account:*

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