

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 including Jean Sanders Fletcher, Chester Sanders, Dave Sanders and Norman Sanders.

DOCKET NO.**04-0120-1250-01****RELIEF SOUGHT:**

Issuance: A Supplemental Order for Disbursement of Escrowed Funds

Action: Amending Prior Orders Affecting Drilling **Unit AZ-99, Tract 1B** (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-99** 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 (a) On January 20, 2004, 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 September 23, 2004, in Deed Book 0503, Pages 0176 to 0191 Instrument 040003138. The Supplemental Order was executed and recorded in with the Clerk of the Circuit Court Buchanan County on March 14, 2005; Instrument 050000772.
- 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 Jean Sanders Fletcher, Chester Sanders, Dave Sanders and Norman Sanders in tract 1B, 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 tract 1B, a copy of which is attached to and made a part hereof, states under oath that Harrison Wyatt, LLC, certain heirs of Fielden Sanders have entered into an agreement with regard to Tracts 1B.
- 4.4 The Unit Operator gave notice to Harrison Wyatt LLC and certain heirs of Fielden 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 tract 1B 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 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 1B and heirs of Fielden Sanders including Jean Sanders Fletcher, Chester Sanders, Dave Sanders and Norman Sanders in tract 1B, are owners of gas acreage estate underlying tract 1B of the Subject Drilling Unit AZ-99;

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

VGOB Approved Disbursement

VGOB 04-0120-1150-01 Approved Disbursement
AZ-99

			Frac Interest	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
Table 1							
Disbursement Table							
Item No	Tract	Tract 1B					
Totals						20.9711	
James M. McGuire Trust - Coal			Tract 1B Total				
1	1B	Harrison Wyatt, L.L.C., P. O. Box 11000, Danville, VA 24543 (coal)	25.53	13.3729	50.0%	6.686	31.8841%
1	1B	Jean Sanders Fletcher / P. O. Box 691 / Marion, VA 24354	1/42	0.6079	50.0%	0.304	1.4493%
2	1B	Chester Sanders / 408 Dartmouth Avenue / Melbourne, FL 32901	1/6	4.2550	50.0%	2.128	10.1449%
3	1B	Dave Sanders, Rt. 2, Box 546, Bluefield, VA 24605	1/6	4.2550	50.0%	2.128	10.1449%
4	1B	Norman Sanders, 2013 Otterdale Road, Midlothian, VA 23112	1/6	4.2550	50.0%	2.128	10.1449%

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.

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 24 day of May, 2010 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 24 day of May, 2010 by an Order of this Board.

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

COMMONWEALTH OF VIRGINIA)
COUNTY OF RUSSELL)

Acknowledged on this 24th day of May, 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
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 ¹²⁵⁹
DOCKET NO: VGOB 04-0120-1259-01 ¹²⁵⁹

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

HEARING DATE: April 20, 2010

DRILLING UNIT: AZ-99

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) 1B 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, Chester Sanders, Dave Sanders and Norman Sanders

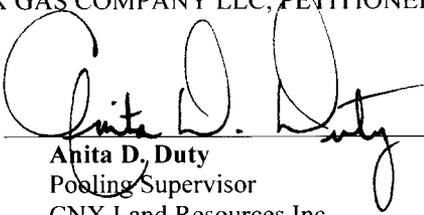
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

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

5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and Jean Sanders Fletcher, Chester Sanders, Dave Sanders and Norman Sanders have entered into royalty agreement(s). Said royalty split 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

PROPERTY LINES SHOWN WERE TAKEN FROM BOOK 0614 PAGE 0070 BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED. BOOK 0614 PAGE 0070 3 PAGE 0187

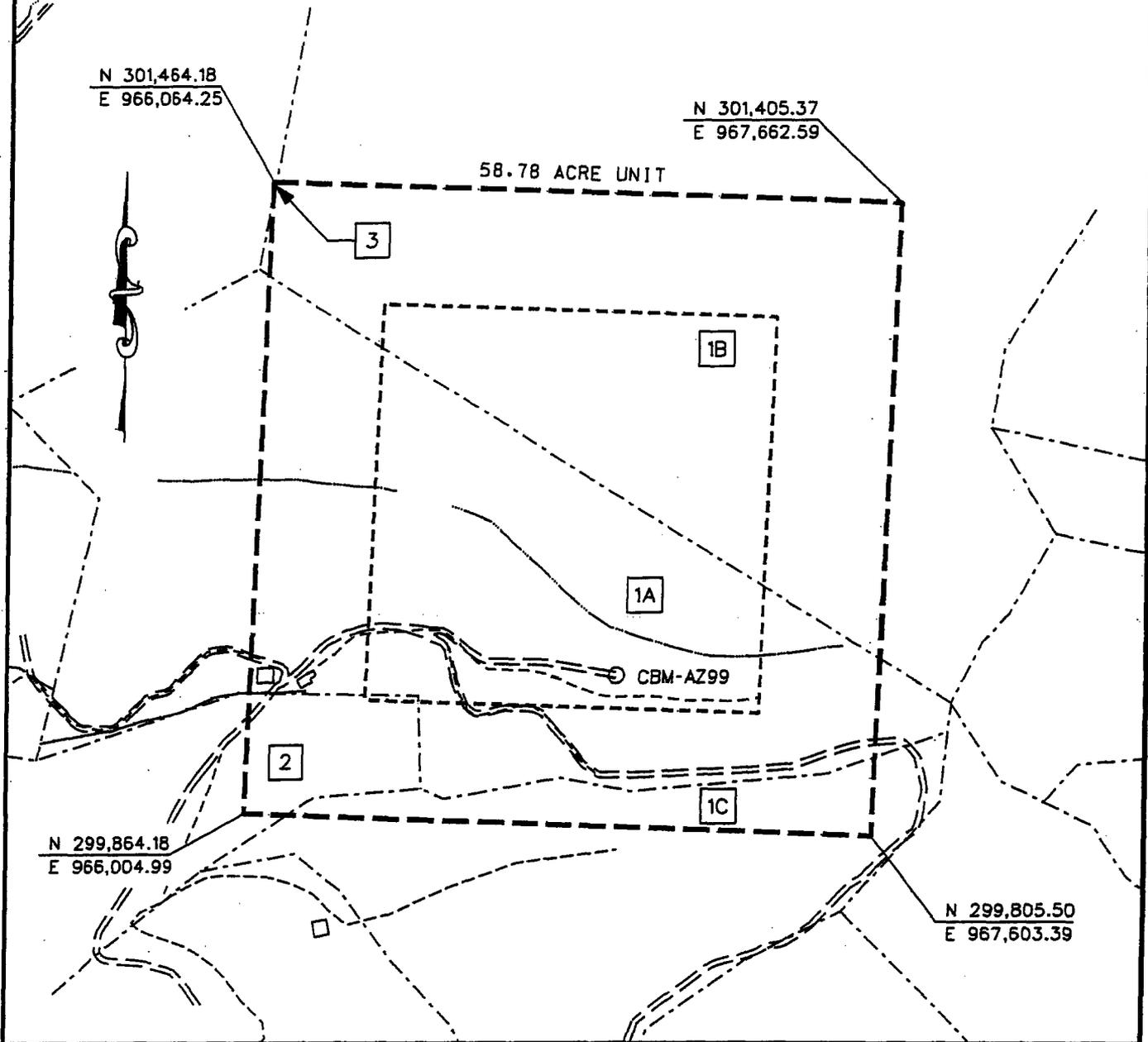
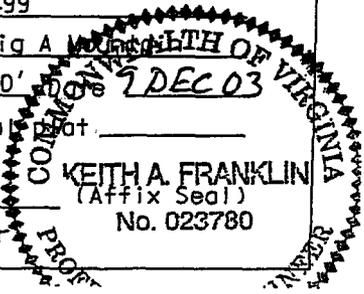


EXHIBIT A
NORA FIELD
UNIT AZ-99
FORCE POOLING
VGOB-04-0120-1250 ✓

Company CNX Gas Company LLC Well Name and Number UNIT AZ99
 Tract No. _____ Elevation _____ Quadrangle Big A
 County Buchanan District Hurricane Scale: 1" = 400'
 This plot is a new plot X ; on updated plat _____ ; or a final plat _____

Form DGO-GO-7
Rev. 9/91

Keith A. Franklin
Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC**UNIT AZ-99****Tract Identifications****(58.78 Acre Unit)**

- 1A. Harrison-Wyatt, L.L.C. (Big Axe Tr. 4) - Coal
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Gregory D. Austin, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
27.08 acres 46.0701%
- 1B. Harrison-Wyatt, L.L.C. (Big Axe Tr. 4) - Coal
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Fielden Sanders Heirs, et al. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (85%)
25.53 acres 43.4331%
- 1C. Harrison-Wyatt, L.L.C. (Big Axe Tr. 4) - Coal
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - CBM Leased
Dallis James, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
3.40 acres 5.7843%
2. Harrison-Wyatt, L.L.C. (Big Axe Tr. 8) - All Minerals
Jewell Smokeless Coal Corp. - Coal in Tiller and Above Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
Chester McGlothlin - et ux
2.76 acres 4.6955%
3. Harrison-Wyatt, L.L.C. (Big Axe Tr. 2) - All Minerals
Jewell Smokeless Coal Corp. - Coal Above Jawbone Seam Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
Unknown Surface Owner
0.01 acres 0.0170%

Exhibit E
Unit AZ-99
Docket #VGOB 04-0120-1150-01
List of Conflicting Owners/Claimants that require escrow
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
<u>Tract #1B - 25.53 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	25.53 acres	43.4331%
<u>OIL & GAS OWNERSHIP</u>		
Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	25.53 acres	43.4331%
(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	0.6079 1/42 of 25.53 acres	1.0341%
(a.2) Edward Tiller Rt.2 Box 245 Honaker, VA 24260	0.6079 1/42 of 25.53 acres	1.0341%
(b) Leafy Sanders Tiller HC4 Box 563 Council, VA 24260	1.2157 1/21 of 25.53 acres	2.0682%
(c) Lena Sanders Sutarka 751 Forest Hill Road Gordenville, VA 22942	1.2157 1/21 of 25.53 acres	2.0682%
(d) Dan Sanders P.O. Box 18 Thaxton, VA 24174	1.2157 1/21 of 25.53 acres	2.0682%
(e) Julia Sanders O'Quinn 1232 Green-Cook Road Sunbury, OH 43074	1.2157 1/21 of 25.53 acres	2.0682%
(f) Ellis Sanders Heirs, Devisees, Successors or Assigns		
(f.1) Janie Sanders Rife 8661 Point of Woods Drive Manassas, VA 20110	0.6079 1/42 of 25.53 acres	1.0341%
(g) Walter Sanders Heirs, Devisees, Successors or Assigns		
(g.4) Terry Sanders 271 Pleasant Ridge Road Franklinville, NC 27248	0.3039 1/84 of 25.53 acres	0.5171%
(2) Fielden Sanders Heirs, Devisees, Successors or Assigns		
(d) Estil Sanders Heirs, Devisees, Successors or Assigns (1/6)		

Exhibit E
Unit AZ-99
Docket #VGOB 04-0120-1150-01
List of Conflicting Owners/Claimants that require escrow
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit
(d.4) Harley Sanders 172 Vantage Drive Tazewell, VA 24651	0.4052 1/63 of 25.53 acres	0.6894%
(d.5) Jerry C. Sanders 110 Roydon St. Pounding Mill, VA 24637-4122	0.4052 1/63 of 25.53 acres	0.6894%
(d.7) Allen Sanders P.O. Box 2254 Lebanon, VA 24266	0.4052 1/63 of 25.53 acres	0.6894%

Exhibit EE
Unit AZ-99
Docket #VGOB 04-0120-1150-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.78 Acre Unit)

	Acres in Unit	Percent of Unit	Percent of Escrow
			21.578929
<u>Tract #1A - 27.08 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	27.08 acres	46.0701%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Gregory D. Austin, et ux. 4654 Old Grissom Honaker, VA 24260	27.08 acres	46.0701%	n/a
<u>Tract #1B - 25.53 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	25.53 acres	43.4331%	
<u>OIL & GAS OWNERSHIP</u>			
Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	25.53 acres	43.4331%	
(1) Ora Sanders Heirs, Devisees, Successors or Assigns			
(f) Ellis Sanders Heirs, Devisees, Successors or Assigns			
(f.2) Jean Sanders Fletcher P.O. Box 691 Marion, VA 24354	0.6079 1/42 of 25.53 acres	1.0341%	1.40845%
(g) Walter Sanders Heirs, Devisees, Successors or Assigns			
(g.1) Nadine Sanders Hurley 1219 Swords Creek Road Honaker, VA 24656	0.3039 1/84 of 25.53 acres	0.5171%	n/a
(g.2) Adrine Sanders Horn c/o Mary Ilene Stanley PO Box 324 Richlands, VA 24641	0.3039 1/84 of 25.53 acres	0.5171%	n/a
(g.3) Roger Sanders P.O. Box 82 Pilgrims Knob, VA 24634	0.3039 1/84 of 25.53 acres	0.5171%	n/a
(2) Fielden Sanders Heirs, Devisees, Successors or Assigns			
(a) Chester Sanders 408W Dartmouth Avenue Melbourne, FL 32901	4.2550 1/6 of 25.53 acres	7.2389%	9.85915%
(b) Dave Sanders Rt.2 Box 546 Bluefield, VA 24605	4.2550 1/6 of 25.53 acres	7.2389%	9.85915%

Exhibit EE
Unit AZ-99
Docket #VGOB 04-0120-1150-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.78 Acre Unit)

	Acres In Unit	Percent of Unit	Percent of Escrow
			21.578929
(c) Norman Sanders 2013 Otterdale Road Midlothian, VA 23112	4.2550 1/6 of 25.53 acres	7.2389%	9.85915%
(d) Estil Sanders Heirs, Devisees, Successors or Assigns (1/6)			
(d.1) Goldie Sanders Heirs, Devisees, Successors or Assigns (1/18)			
<i>*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.</i>			
(d.2) James E. Sanders 96 1st Street Cleveland, VA 24225	0.6079 1/42 of 25.53 acres	1.0341%	n/a
(d.3) Judy Sanders Israel 5136 Drill Road Honaker, VA 24656	0.6079 1/42 of 25.53 acres	1.0341%	n/a
(d.4) Harley Sanders * 172 Vantage Drive Tazewell, VA 24651	0.2026 1/126 of 25.53 acres	0.3447%	n/a
(d.5) Jerry C. Sanders * 110 Roydon St. Pounding Mill, VA 24637-4122	0.2026 1/126 of 25.53 acres	0.3447%	n/a
(d.6) Larry Sanders P.O. Box 996 Honaker, VA 24260	0.6079 1/42 of 25.53 acres	1.0341%	n/a
(d.7) Allen Sanders * P.O. Box 2254 Lebanon, VA 24266	0.2026 1/126 of 25.53 acres	0.3447%	n/a
(d.8) Evelyn Sanders Nash 19 Heritage Drive Honaker, VA 24260-9740	0.6079 1/42 of 25.53 acres	1.0341%	n/a

Tract #1C - 3.40 acres

COAL OWNERSHIP

(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	3.40 acres	5.7843%	n/a
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OIL & GAS OWNERSHIP

(1) Dallas James, et ux. 4565 Old Grissom Creek Rd. Honaker, VA 24260	3.40 acres	5.7843%	n/a
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Exhibit A
Tract-by-Tract Escrow Calculation
Account Balances as of 2/28/10

Unit AZ99
VGOB 04-0120-1150-01
Acres Escrowed: 21.578929

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Owners' Percent of Escrow (50%)	Amount Due Owners
Harrison-Wyatt, L.L.C. - Coal	1B	21.578929			100.0000%	30.98592%	\$12,387.84
Fielden Sanders Heirs, et al. - Oil & Gas		25.53					
Jean Sanders Fletcher			0.6079	1/42		1.40845%	\$563.08
Chester Sanders			4.2550	1/6		9.85915%	\$3,941.58
Dave Sanders			4.2550	1/6		9.85915%	\$3,941.58
Norman Sanders			4.2550	1/6		9.85915%	\$3,941.58

Wells contributing to the escrow account:

AZ99

INSTRUMENT #100001527
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JUNE 10, 2010 AT 01:55PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB

Exhibit E
Unit AZ-99
Docket #VGOB 04-0120-1150-01
List of Conflicting Owners/Claimants that require escrow
(58.78 Acre Unit)

JWC
 work copy
 7/7/10

	Acres in Unit	Percent of Unit
<u>Tract #1B - 25.53 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C. (Big Axe Tr.4) P.O. Box 11000 Danville, VA 24543	25.53 acres	43.4331%
<u>OIL & GAS OWNERSHIP</u>		
Fielden Sanders Heirs, Devisees, Successors or Assigns, et al.	25.53 acres	43.4331%
(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	1 / 0.6079 1/42 of 25.53 acres	1.0341%
(a.2) Edward Tiller Rt.2 Box 245 Honaker, VA 24260	2 / 0.6079 1/42 of 25.53 acres	1.0341%
(b) Leafy Sanders Tiller HC4 Box 563 Council, VA 24260	3 / 1.2157 1/21 of 25.53 acres	2.0682%
(c) Lena Sanders Sutarka 751 Forest Hill Road Gordenville, VA 22942	4 / 1.2157 1/21 of 25.53 acres	2.0682%
(d) Dan Sanders P.O. Box 18 Thaxton, VA 24174	5 / 1.2157 1/21 of 25.53 acres	2.0682%
(e) Julia Sanders O'Quinn 1232 Green-Cook Road Sunbury, OH 43074	6 / 1.2157 1/21 of 25.53 acres	2.0682%
(f) Ellis Sanders Heirs, Devisees, Successors or Assigns		
(f.1) Janie Sanders Rife 8661 Point of Woods Drive Manassas, VA 20110	7 / 0.6079 1/42 of 25.53 acres	1.0341%
(g) Walter Sanders Heirs, Devisees, Successors or Assigns		
(g.4) Terry Sanders 271 Pleasant Ridge Road Franklinville, NC 27248	8 / 0.3039 1/84 of 25.53 acres	0.5171%
(2) Fielden Sanders Heirs, Devisees, Successors or Assigns		
(d) Estil Sanders Heirs, Devisees, Successors or Assigns (1/6)		

Exhibit E
Unit AZ-99
Docket #VGOB 04-0120-1150-01
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(58.78 Acre Unit)

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(d.5) Jerry C. Sanders 110 Roydon St. Pounding Mill, VA 24637-4122	10 0.4052 1/63 of 25.53 acres	0.6894%
(d.7) Allen Sanders P.O. Box 2254 Lebanon, VA 24266	11 0.4052 1/63 of 25.53 acres	0.6894%
<hr style="width: 10%; margin: 10px auto;"/>		
8.2060		