

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 06-0117-1559

ELECTIONS: UNIT AY-123  
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on March 8, 2006 which was recorded at Deed Book 649, Page 166 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on March 13, 2006, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AY-123;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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

DONE AND EXECUTED this 26 day of August, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 26<sup>th</sup> day of August, 2011, by Order of the Board.

Rick Cooper  
Rick Cooper  
(Acting) Principal Executive to the Staff, Virginia Gas and Oil Board

STATE OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 26<sup>th</sup> day of August, 2011, 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 Rick Cooper, 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 Davis  
Diane Davis, Notary Public  
174394

My commission expires: September 30, 2013



1102298

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 9-13- 2011. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 8:52 o'clock PM, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: ANN S. McREYNOLDS, CLERK  
BY: Michelle Coad D. CLERK

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit AY-123  
VGOB 06-0117-1559 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A Designated Operator) REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on March 8, 2006, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on March 13, 2006;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of March 13, 2006;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

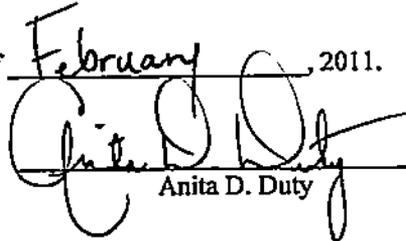
Carl Eugene Lawson, Keith Alvin Lawson, Jackie Dale Slate, Sarah Boyd Tankersley

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

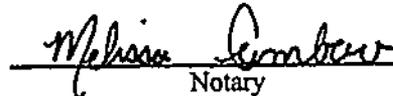
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 24<sup>th</sup> day of February, 2011.

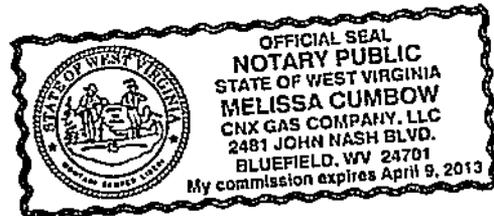
  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 24<sup>th</sup> day of February, 2011.

  
Notary

My commission expires: April 9, 2013.



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

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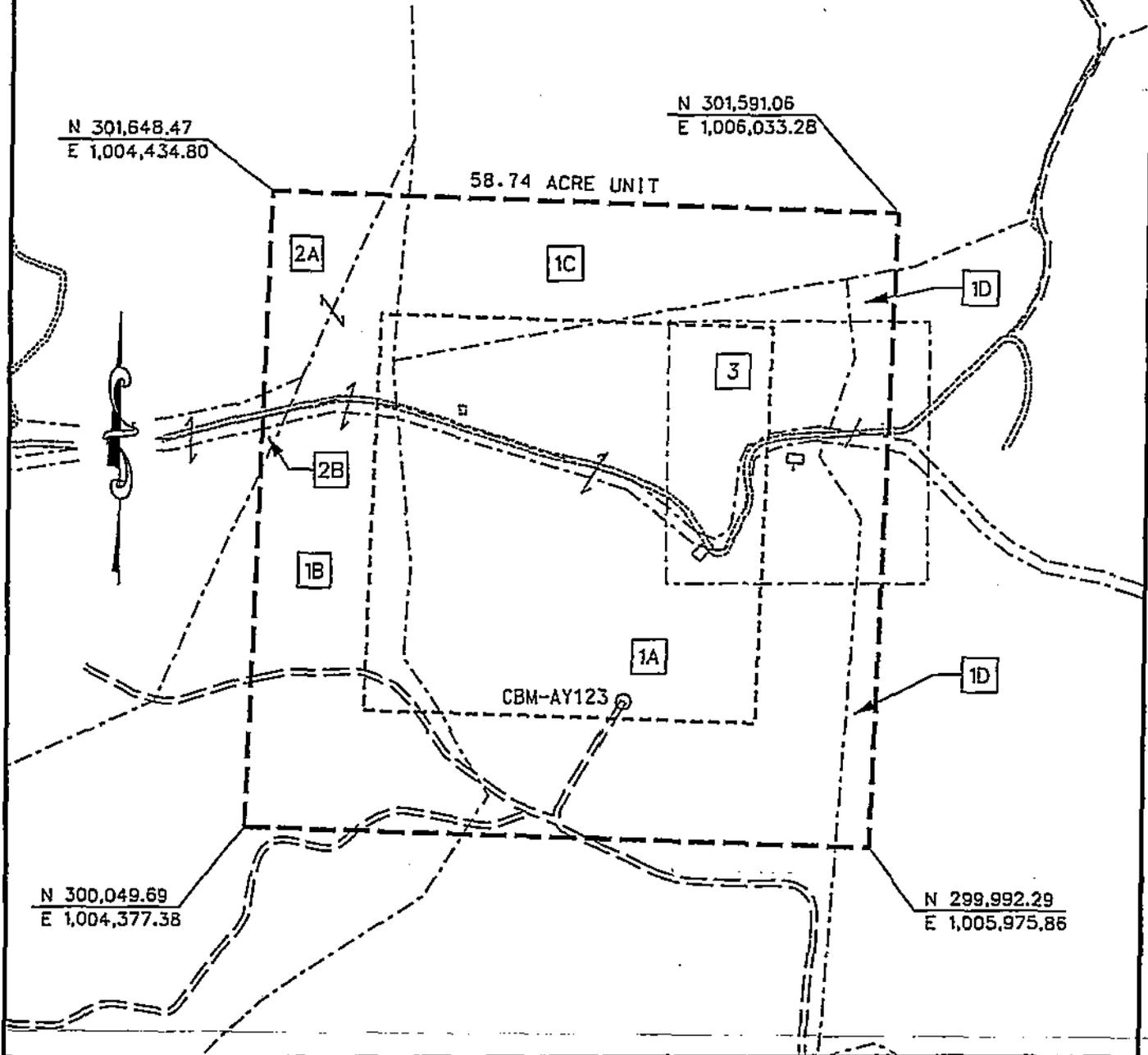
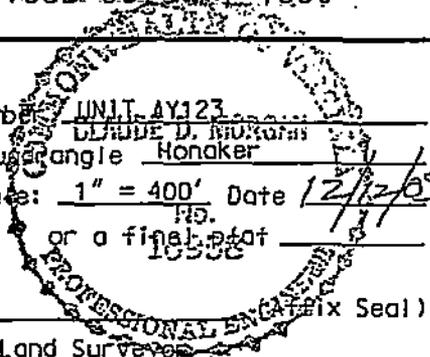


EXHIBIT A  
 MIDDLE RIDGE 1 FIELD  
 UNIT AY-123  
 FORCE POOLING  
 VGOB-06-0117-1559

Company CNX Gas Company LLC Well Name and Number UNIT AY123  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quarter angle Honaker  
 County Russell District New Garden Scale: 1" = 400' Date 12/12/05  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
 Rev. 9/91

Charles D. Moore  
 Licensed Professional Engineer or Licensed Land Surveyor



u

**CNX Gas Company LLC**  
**Unit AY-123**  
**Tract Identifications**  
**(58.74 Acre Unit)**

- 1A. **Swords Creek Land Partnership Tr. 21 - Coal**  
 Reserve Coal Properties Company - Below Tiller Coal Leased  
 Knox Creek Coal Company - Tiller and Above Coal Leased  
 CNX Gas Company LLC- CBM Leased  
 Charles Robinson, et al - Surface and All Minerals except Coal  
 CNX Gas Company LLC- Oil, Gas and CBM Leased  
 25.71 acres                      43.7692%
  
- 1B. **Swords Creek Land Partnership Tr. 21 - Coal**  
 Reserve Coal Properties Company - Below Tiller Coal Leased  
 Knox Creek Coal Company - Tiller and Above Coal Leased  
 CNX Gas Company LLC- CBM Leased  
 Kenneth Miller, et ux - Surface and All Minerals except Coal  
 CNX Gas Company LLC- Oil, Gas and CBM Leased  
 12.70 acres                      21.6207%
  
- 1C. **Swords Creek Land Partnership Tr. 21 - Coal**  
 Reserve Coal Properties Company - Below Tiller Seam Leased  
 Knox Creek Coal Corporation - Tiller and Above Coal Leased  
 CNX Gas Company LLC- CBM Gas Leased  
 Jo Ann Richardson - Surface and All Minerals except Coal  
 CNX Gas Company LLC- Oil, Gas and CBM Leased  
 8.05 acres                      13.7045%
  
- 1D. **Swords Creek Land Partnership Tr. 21 - Coal**  
 Reserve Coal Properties Company - Below Tiller Coal Leased  
 Knox Creek Coal Company - Tiller and Above Coal Leased  
 CNX Gas Company LLC- CBM Leased  
 Ralph J. Childress, et al - Surface and All Minerals except Coal  
 CNX Gas Company LLC- Oil, Gas and CBM Leased (25%)  
 1.42 acres                      2.4174%

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- 2A. **Swords Creek Land Partnership Tr. 22 - Coal**  
 Reserve Coal Properties Company - Below Tiller Coal Leased  
 Knox Creek Coal Corporation - Tiller and Above Coal Leased  
 CNX Gas Company LLC- CBM Leased  
 Kenneth C. Miller, Jr., et ux - Surface and All Minerals except Coal  
 CNX Gas Company LLC- Oil, Gas and CBM Leased  
 2.20 acres                      3.7453%

**CNX Gas Company LLC**  
**Unit AY-123**  
**Tract Identifications**  
**(58.74 Acre Unit)**

- 2B. Swords Creek Land Partnership Tr. 22 – Coal  
Reserve Coal Properties Company – Below Tiller Coal Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC– CBM Leased  
Kenneth C. Miller, Jr., et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC– Oil, Gas and CBM Leased  
0.21 acres                      0.3575%
3. Heirs of Bessie Lawson, et al - Coal  
Charles Robinson, et al – Surface and All Minerals except Coal  
CNX Gas Company LLC– Oil, Gas and CBM Leased  
8.45 acres                      14.3854%

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Exhibit B-2  
Unit AY-123  
Docket #VGOB 06-0117-1559  
List of Respondents to be Dismissed  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Reason for Dismissal
<b>I. COAL OWNERSHIP</b>			
<u>Tract #3, 8.45 acres</u>			
Bessie Lawson Heirs, Devisees, Successors or Assigns, et al. (Elizabeth & CC Richardson Heirs) (10 Acre Tract)	8.45 acres	14.3854%	
(2) Bessie Lawson Heirs, Devisees, Successors or Assigns			
(a) Leo Eugene Lawson Heirs, Devisees, Successors or Assigns			
(a.3) Carl Eugene Lawson PO Box 531 Cedar Bluff, VA 24609	0.313 acres 1/27 of 8.45 acres	0.5328%	Leased
(c) Quentin Hampton Lawson Heirs, Devisees, Successors or Assigns			
(c.5) Keith Alvin Lawson P.O. Box 13493 Roanoke, VA 24034-3493	0.039 acres 1/216 of 8.45 acres	0.0666%	Leased
(3) Tora Richardson Vance Heirs, Devisees, Successors or Assigns			
(a) Ada Keen Lawson Heirs, Devisees, Successors or Assigns			
(a.5) Victoria Slate Heirs, Devisees, Successors or Assigns			
(a.5.4) Jackie Dale Slate 84229 Reedy Ck. Bristol, VA 24201	0.016 acres 1/540 of 8.45 acres	0.0266%	Leased
<b>II. OIL &amp; GAS OWNERSHIP</b>			
<u>Tract #1D, 1.42 acres</u>			
Ralph J. Childress, et al. (a.k.a. - Arnold Keen Heirs, Devisees, Successors or Assigns, et al.) (81 Acre Tract)	1.42 acres	2.4174%	
(2) Robert L. Keen Heirs, Devisees, Successors or Assigns			
(m) Allie Gray Eichelberger Heirs, Devisees, Successors or Assigns			
(m.3) Sarah Boyd Tankersley 1761 Arborwood Drive Florence, KY 41042	0.005 acres 1/312 of 1.42 acres	0.0077%	Leased

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Exhibit B-3  
Unit AY-123  
Docket #VGOB 06-0117-1559  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<b>I. COAL OWNERSHIP</b>		
<u>Tract #3, 8.45 acres</u>		
Bessie Lawson Heirs, Devisees, Successors or Assigns, et al. (Elizabeth & CC Richardson Heirs) (10 Acre Tract)	8.45 acres	14.3854%
(1) Dora Richardson Heirs, Devisees, Successors or Assigns		
(e) Leonard Owens 409 Furman Road Greenville, SC 29609	0.217 acres 1/39 of 8.45 acres	0.3689%
(f) Darlene Owens 11 Fairview Avenue London, OH 43140	0.217 acres 1/39 of 8.45 acres	0.3689%
(i) Flora Whited Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.217 acres 1/39 of 8.45 acres	0.3689%
(j) Floyd Owens Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.217 acres 1/39 of 8.45 acres	0.3689%
(k) Howard Owens Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.217 acres 1/39 of 8.45 acres	0.3689%
(l) Cleo Cox Ocie Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.217 acres 1/39 of 8.45 acres	0.3689%
(m) Jerry Owens Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.217 acres 1/39 of 8.45 acres	0.3689%
(2) Bessie Lawson Heirs, Devisees, Successors or Assigns		
(b) Cecil Columbus Lawson Heirs, Devisees, Successors or Assigns		
(b.2) Wanda Carol Lawson 18 Belmont Road Newport News, VA 23601	0.078 acres 1/108 of 8.45 acres	0.1332%
(c) Quentin Hampton Lawson Heirs, Devisees, Successors or Assigns		
(c.4) Randall Lee Lawson Box 62 Maple Drive Verona, VA 24482	0.039 acres 1/216 of 8.45 acres	0.0666%
(3) Tora Richardson Vance Heirs, Devisees, Successors or Assigns		
(c) Queen Jackson P.O. Box 94 Jewell Ridge, VA 24622	0.313 acres 1/27 of 8.45 acres	0.5328%
(d) Trevert Vance Rt.1 Box 376 Swords Creek, VA 24649	0.313 acres 1/27 of 8.45 acres	0.5328%

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Exhibit B-3  
 Unit AY-123  
 Docket #VGOB 06-0117-1559  
 List of all Unleased Owners/Claimants  
 (58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(e) Carvel Jack Vance Heirs, Devisees, Successors or Assigns		
(e.1) Lorraine Vanca 66005 Thames Road Pinellas Park, FL 33782	0.063 acres 1/135 of 8.45 acres	0.1066%
(e.2) Harvey Vance Rt.5 Box 318E Charleston, WV 25312	0.063 acres 1/135 of 8.45 acres	0.1066%
(e.3) Kenneth Vance 33 Jeanette Drive Poca, WV 25159	0.063 acres 1/135 of 8.45 acres	0.1066%
(e.4) Daniel Vance Rt.6 Box 251A Charleston, WV 25311	0.063 acres 1/135 of 8.45 acres	0.1066%
(e.5) Leslie Vance P.O. Box 72 Falling Rock, WV 25079	0.063 acres 1/135 of 8.45 acres	0.1066%
(f) Truedale (Paul) Ringstaff 230 Bland Street North Tazewell, VA 24630	0.313 acres 1/27 of 8.45 acres	0.5328%
(g) Ershell Vance Heirs, Devisees, Successors or Assigns		
(g.1) Dorothy Vance P.O. Box 86 Jewell Ridge, VA 24622	0.313 acres 1/27 of 8.45 acres	0.5328%
(h) Clell Vance Heirs, Devisees, Successors or Assigns		
(h.1) Nella Vance <i>Address Unknown</i>	0.313 acres 1/27 of 8.45 acres	0.5328%
(i) Elizabeth Christian Heirs, Devisees, Successors or Assigns		
(i.2) Neely William Christian 5293 Wittens Mill Road North Tazewell, VA 24630	0.078 acres 1/108 of 8.45 acres	0.1332%
(i.3) Joyce C. Jarrett 415 Beidleman Road Bristol, TN 37620	0.078 acres 1/108 of 8.45 acres	0.1332%
(i.4) Sue C. Tibbs 534 Carter Hill Road North Tazewell, VA 24630	0.078 acres 1/108 of 8.45 acres	0.1332%

II. OIL & GAS OWNERSHIP

Tract #1D, 1.42 acres

Ralph J. Childress, et al. (a.k.a. - Arnold Keen Heirs, Devisees, Successors or Assigns, et al.) (81 Acre Tract)	1.42 acres	2.4174%
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(2) Robert L. Keen Heirs, Devisees, Successors or Assigns

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Exhibit B-3  
 Unit AY-123  
 Docket #VGOB 06-0117-1559  
 List of all Unleased Owners/Claimants  
 (58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(d) Vernie Lewis Keen 972 Pigeon Ridge Road Crossville, TN 38555	0.014 acres 1/104 of 1.42 acres	0.0232%
(m) Allie Gray Eichelberger Heirs, Devisees, Successors or Assigns		
(m.1) Ben Davis Eichelberger, II 213 Hickok St Christiansburg, VA 24073-3517	0.005 acres 1/312 of 1.42 acres	0.0077%
(m.2) John Preston Eichelberger 6178 Wesley Chapel Road Free Union, VA 22940-1709	0.005 acres 1/312 of 1.42 acres	0.0077%
(3) Bascom Keen Heirs, Devisees, Successors or Assigns		
(4) Lydia Miller Heirs, Devisees, Successors or Assigns		
(d) Hubert D. Miller 785 Odessa Rd. Middletown, DE 19708	0.036 acres 1/40 of 1.42 acres	0.0604%
(5) Peter Parson Keen Heirs, Devisees, Successors or Assigns		
(c) Chester Wiley Keen P.O. Box 23 Montvale, VA 24014	0.016 acres 1/88 of 1.42 acres	0.0275%
(e) Carrie Dell Keen 1510 Carlisle Avenue Roanoke, VA 24014	0.016 acres 1/88 of 1.42 acres	0.0275%
(f) Melinda Mayzell Sykes 1125 Wasena Ave. S.W. Roanoke, VA 24015-5311	0.016 acres 1/88 of 1.42 acres	0.0275%
(g) Sylvia Loretta Withrow 359 Hiawatha Drive Ferrum, VA 24088	0.016 acres 1/88 of 1.42 acres	0.0275%
(h) Donny Sherman Keen 1959 Alleghany Spring Road Shawsville, VA 24162	0.016 acres 1/88 of 1.42 acres	0.0275%
(i) Shirley Ellen Arrington 1125 Wasena Ave S.W. Roanoke, VA 24015-5311	0.016 acres 1/88 of 1.42 acres	0.0275%
(j) Wilma Doretta Keen P.O. Box 1127 Bunnell, FL 32110	0.016 acres 1/88 of 1.42 acres	0.0275%
(k) Parson Junior Keen P.O. Box 23 Montvale, VA 24122	0.016 acres 1/88 of 1.42 acres	0.0275%
(6) Charlie A. Keen Heirs, Devisees, Successors or Assigns		
(d) Mitchell Keene P.O. Box 610 Oceana, WV 24870	0.036 acres 1/40 of 1.42 acres	0.0604%

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Exhibit E  
Unit AY-123  
Docket #VGOB 06-0117-1559  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1D, 1.42 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	1.42 acres	2.4174%
<u>OIL &amp; GAS OWNERSHIP</u>		
Ralph J. Childress, et al. (a.k.a. - Arnold Keen Heirs, Devisees, Successors or Assigns, et al.) (81 Acre Tract)	1.42 acres	2.4174%
(2) Robert L. Keen Heirs, Devisees, Successors or Assigns		
(b) Nell Fern Stallard PO Box 3298 Lebanon, VA 24266	0.014 acres 1/104 of 1.42 acres	0.0232%
(d) Vernia Lewis Keen 972 Pigeon Ridge Road Crossville, TN 38555	0.014 acres 1/104 of 1.42 acres	0.0232%
(l) Ella Mae Vandyke 544 Linkous Drive Lebanon, VA 24266	0.014 acres 1/104 of 1.42 acres	0.0232%
(m) Allie Gray Eichelberger Heirs, Devisees, Successors or Assigns		
(m.1) Ben Davis Eichelberger, II 213 Hickok St. Christiansburg, VA 24073-3517	0.005 acres 1/312 of 1.42 acres	0.0077%
(m.2) John Preston Eichelberger 6178 Wesley Chapel Road Free Union, VA 22940-1709	0.005 acres 1/312 of 1.42 acres	0.0077%
(m.3) Sarah Boyd Tankersley 1761 Arborwood Drive Florence, KY 41042	0.005 acres 1/312 of 1.42 acres	0.0077%
(3) Bascom Keen Heirs, Devisees, Successors or Assigns		
(d) Danny Keen 48 Daisy Lane Swords Creek, VA 24649	0.036 acres 1/40 of 1.42 acres	0.0604%
(e) Victoria Slate Heirs, Devisees, Successors or Assigns		
(e.1) Raymond Slate, Jr. 1829 Lynn Springs Rd. Swords Creek, VA 24649	0.009 acres 1/160 of 1.42 acres	0.0151%
(4) Lydia Miller Heirs, Devisees, Successors or Assigns		
(a) Annis Roten 270 Bethel Road Oxford, PA 19363	0.036 acres 1/40 of 1.42 acres	0.0604%

Exhibit E  
Unit AY-123  
Docket #VGQB 06-0117-1559  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(b) Arvil C. Miller 2420 Baltimore Pike Oxford, PA 19363	0.036 acres 1/40 of 1.42 acres	0.0604%
(c) Helen Myers 2758 Augustine Herman Hwy. Chesapeake, MD 21915	0.036 acres 1/40 of 1.42 acres	0.0604%
(d) Hubert D. Miller 785 Odessa Rd. Middletown, DE 19708	0.036 acres 1/40 of 1.42 acres	0.0604%
(5) Peter Parson Keen Heirs, Devisees, Successors or Assigns		
(b) Paul Keen P.O. Box 72 Swords Creek, VA 24849	0.016 acres 1/88 of 1.42 acres	0.0275%
(c) Chester Wiley Keen P.O. Box 23 Montvale, VA 24014	0.016 acres 1/88 of 1.42 acres	0.0275%
(e) Carrie Dell Keen 1510 Carlisle Avenue Roanoke, VA 24014	0.016 acres 1/88 of 1.42 acres	0.0275%
(f) Melinda Mayzell Sykes 1125 Wasena Ave. S.W. Roanoke, VA 24015-5311	0.016 acres 1/88 of 1.42 acres	0.0275%
(g) Sylvia Loretta Withrow 359 Hiawatha Drive Ferrum, VA 24088	0.016 acres 1/88 of 1.42 acres	0.0275%
(h) Donny Sherman Keen 1959 Alleghany Spring Road Shawsville, VA 24162	0.016 acres 1/88 of 1.42 acres	0.0275%
(i) Shirley Ellen Arrington 1125 Wasena Ave S.W. Roanoke, VA 24015-5311	0.016 acres 1/88 of 1.42 acres	0.0275%
(j) Wilma Doretta Keen P.O. Box 1127 Bunnell, FL 32110	0.016 acres 1/88 of 1.42 acres	0.0275%
(k) Parson Junior Keen P.O. Box 23 Montvale, VA 24122	0.016 acres 1/88 of 1.42 acres	0.0275%
(6) Charlie A. Keen Heirs, Devisees, Successors or Assigns		
(d) Mitchell Keena P.O. Box 610 Oceana, WV 24870	0.036 acres 1/40 of 1.42 acres	0.0604%
(e) James Keena P.O. Box 63 Fairdale, WV 25939	0.036 acres 1/40 of 1.42 acres	0.0604%
(7) John T. Keen Heirs, Devisees, Successors or Assigns		
(e) Lydia Jane Honaker P.O. Box 64 Swords Creek, VA 24849	0.036 acres 1/40 of 1.42 acres	0.0604%

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Exhibit E  
 Unit AY-123  
 Docket #VGOB 06-0117-1559  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #3, 8.45 acres</u>		
<u>COAL OWNERSHIP</u>		
Bessie Lawson Heirs, Devisees, Successors or Assigns, et al. <i>(Elizabeth &amp; CC Richardson Heirs)</i> <i>(10 Acre Tract)</i>	8.45 acres	14.3854%
(1) Dora Richardson Heirs, Devisees, Successors or Assigns		
(a) Grady Owens P.O. Box 351 Swords Creek, VA 24649	0.217 acres 1/39 of 8.45 acres	0.3689%
(b) Charlotte Whited 74 High Street N.E. London, OH 43140	0.217 acres 1/39 of 8.45 acres	0.3689%
(c) Eugene Owens 11 Fairview Avenue London, OH 43140	0.217 acres 1/39 of 8.45 acres	0.3689%
(d) Gracie Feeley 313 North View Drive London, OH 43140	0.217 acres 1/39 of 8.45 acres	0.3689%
(e) Leonard Owens 409 Furman Road Greenville, SC 29609	0.217 acres 1/39 of 8.45 acres	0.3689%
(f) Darlene Owens 11 Fairview Avenue London, OH 43140	0.217 acres 1/39 of 8.45 acres	0.3689%
(g) Oma Smith 177 South Oak Street London, OH 43140	0.217 acres 1/39 of 8.45 acres	0.3689%
(h) Herman Owens 238 Park Avenue East London, OH 43140	0.217 acres 1/39 of 8.45 acres	0.3689%
(i) Flora Whited Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.217 acres 1/39 of 8.45 acres	0.3689%
(j) Floyd Owens Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.217 acres 1/39 of 8.45 acres	0.3689%
(k) Howard Owens Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.217 acres 1/39 of 8.45 acres	0.3689%
(l) Cleo Cox Ocie Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.217 acres 1/39 of 8.45 acres	0.3689%
(m) Jerry Owens Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.217 acres 1/39 of 8.45 acres	0.3689%
(2) Bessie Lawson Heirs, Devisees, Successors or Assigns		

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Exhibit E  
 Unit AY-123  
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 (58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<b>(a) Leo Eugene Lawson Heirs, Devisees, Successors or Assigns</b>		
(a.1) Roma Gayle Elkins P.O. Box 38 Raven, VA 24639	0.313 acres 1/27 of 8.45 acres	0.5328%
<b>(a.2) Charles David Lawson Heirs, Devisees, Successors or Assigns</b>		
(a.2.1) Charlie F. Lawson 415 Suffolk Avenue Richlands, VA 24641	0.156 acres 1/54 of 8.45 acres	0.2664%
(a.2.2) John C. Lawson P.O. Box 407 Pounding Mill, VA 24637	0.156 acres 1/54 of 8.45 acres	0.2664%
(a.3) Carl Eugene Lawson PO Box 531 Cedar Bluff, VA 24609	0.313 acres 1/27 of 8.45 acres	0.5328%
<b>(b) Cecil Columbus Lawson Heirs, Devisees, Successors or Assigns</b>		
(b.1) Edna R. Lawson 151 Kirby Road Raven, VA 24639	0.704 acres 1/12 of 8.45 acres	1.1988%
(b.2) Wanda Carol Lawson 18 Belmont Road Newport News, VA 23601	0.078 acres 1/108 of 8.45 acres	0.1332%
(b.3) Donna Elaine Lawson 151 Kirby Road Raven, VA 24639	0.078 acres 1/108 of 8.45 acres	0.1332%
(b.4) Cecil C. Lawson, Jr. 319 Tazewell Avenue Richlands, VA 24641	0.078 acres 1/108 of 8.45 acres	0.1332%
<b>(c) Quentin Hampton Lawson Heirs, Devisees, Successors or Assigns</b>		
(c.1) Arthur Larry Lawson Rt 1 Box 622 Swords Creek, VA 24649	0.039 acres 1/216 of 8.45 acres	0.0666%
(c.2) Dennis Wayne Lawson Rt 1 Box 621 Swords Creek, VA 24649	0.039 acres 1/216 of 8.45 acres	0.0666%
(c.3) Kenneth Allen Lawson P.O. Box 155 Raven, VA 24639	0.039 acres 1/216 of 8.45 acres	0.0666%
(c.4) Randall Lee Lawson Box 62 Maple Drive Verona, VA 24482	0.039 acres 1/216 of 8.45 acres	0.0666%
(c.5) Keith Alvin Lawson P.O. Box 13493 Roanoke, VA 24034-3493	0.039 acres 1/216 of 8.45 acres	0.0666%
(c.6) Linda Sue Lawson Barrett P.O. Box 837 Raven, VA 24639	0.743 acres 19/216 of 8.45 acres	1.2654%

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	Acres in Unit	Interest in Unit
<b>(3) Tora Richardson Vance Heirs, Devisees, Successors or Assigns</b>		
<b>(a) Ada Keen Lawson Heirs, Devisees, Successors or Assigns</b>		
(a.1) Virginia Spiva 328 Martin Court SE Marietta, GA 30060	0.063 acres 1/135 of 8.45 acres	0.1066%
(a.2) Alice Albert 152 Westfield Avenue Rockingham, NC 28379	0.063 acres 1/135 of 8.45 acres	0.1066%
(a.3) Ada Ruth Byrd P.O. Box 714 Doran, VA 24612	0.063 acres 1/135 of 8.45 acres	0.1066%
(a.4) Daniel L. Keen Rt.1 Box 68 Swords Creek, VA 24649	0.063 acres 1/135 of 8.45 acres	0.1066%
<b>(a.5) Victoria Slate Heirs, Devisees, Successors or Assigns</b>		
(a.5.1) Raymond Slate, Jr. 1829 Lynn Springs Rd. Swords Creek, VA 24649	0.016 acres 1/540 of 8.45 acres	0.0266%
(a.5.2) Jeffery Wayne Slate 454 Pina Creek Rd. Swords Creek, VA 24649	0.016 acres 1/540 of 8.45 acres	0.0266%
(a.5.3) Sheila Gail Slate Lofton HC89 Box 1828 Sulphur Springs, WV 24986	0.016 acres 1/540 of 8.45 acres	0.0266%
(a.5.4) Jackie Dale Slate 84229 Reedy Ck. Bristol, VA 24201	0.016 acres 1/540 of 8.45 acres	0.0266%
(b) Dorothy Vance Childress Rt.1 Box 295 Swords Creek, VA 24649	0.313 acres 1/27 of 8.45 acres	0.5328%
(c) Queen Jackson P.O. Box 94 Jewell Ridge, VA 24622	0.313 acres 1/27 of 8.45 acres	0.5328%
(d) Trevert Vance Rt.1 Box 376 Swords Creek, VA 24649	0.313 acres 1/27 of 8.45 acres	0.5328%
<b>(e) Carvel Jack Vance Heirs, Devisees, Successors or Assigns</b>		
(e.1) Lorraine Vance 66005 Thames Road Pinellas Park, FL 33782	0.063 acres 1/135 of 8.45 acres	0.1066%
(e.2) Harvey Vance Rt.5 Box 318E Charleston, WV 25312	0.063 acres 1/135 of 8.45 acres	0.1066%
(e.3) Kenneth Vance 33 Jeanette Drive Poca, WV 25159	0.063 acres 1/135 of 8.45 acres	0.1066%

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	Acres in Unit	Interest in Unit
(e.4) Daniel Vance Rt.6 Box 251A Charleston, WV 25311	0.063 acres 1/135 of 8.45 acres	0.1066%
(e.5) Leslie Vanca P.O. Box 72 Falling Rock, WV 25079	0.063 acres 1/135 of 8.45 acres	0.1066%
(f) Truedale (Paul) Ringstaff 230 Bland Street North Tazewell, VA 24630	0.313 acres 1/27 of 8.45 acres	0.5328%
(g) Ershell Vance Heirs, Devisees, Successors or Assigns		
(g.1) Dorothy Vance P.O. Box 86 Jewell Ridge, VA 24622	0.313 acres 1/27 of 8.45 acres	0.5328%
(h) Cfell Vance Heirs, Devisees, Successors or Assigns		
(h.1) Nella Vance Address Unknown	0.313 acres 1/27 of 8.45 acres	0.5328%
(i) Elizabeth Christian Heirs, Devisees, Successors or Assigns		
(i.1) James Michael Christian 103 Beverly Hills North Tazewell, VA 24630	0.078 acres 1/108 of 8.45 acres	0.1332%
(i.2) Neely William Christian 5293 Wittens Mill Road North Tazewell, VA 24630	0.078 acres 1/108 of 8.45 acres	0.1332%
(i.3) Joyce C. Jarrett 415 Beidleman Road Bristol, TN 37620	0.078 acres 1/108 of 8.45 acres	0.1332%
(i.4) Sue C. Tibbs 534 Carter Hill Road North Tazewell, VA 24630	0.078 acres 1/108 of 8.45 acres	0.1332%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Charles E. Robinson, et al.	8.45 acres	14.3854%
(a) Charles E. Robinson 1209 Bay Ridge Drive Benton, LA 71006	2.817 acres 1/3 of 8.45 acres	4.7951%
(b) Steven W. Robinson 13127 Conifer Rd. Houston, TX 77079-7207	2.817 acres 1/3 of 8.45 acres	4.7951%
(c) Mark S. Robinson 1209 Bay Ridge Drive Benton, LA 71006	2.817 acres 1/3 of 8.45 acres	4.7951%

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Exhibit EE  
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<b><u>Tract #1A, 25.71 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	25.71 acres	43.7692%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Charles E. Robinson, et al.	25.71 acres	43.7692%
(a) Charles E. Robinson 1209 Bay Ridge Drive Benton, LA 71006	8.570 acres 1/3 of 25.71 acres	14.5897%
(b) Steven W. Robinson 13127 Conifer Rd. Houston, TX 77079-7207	8.570 acres 1/3 of 25.71 acres	14.5897%
(c) Mark S. Robinson 1209 Bay Ridge Drive Benton, LA 71006	8.570 acres 1/3 of 25.71 acres	14.5897%
<b><u>Tract #1B, 12.70 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	12.70 acres	21.6207%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Kenneth C. Miller, Jr. et ux 2677 Pine Creek Rd. Swords Creek, VA 24649	12.70 acres	21.6207%
<b><u>Tract #1C, 8.05 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	8.05 acres	13.7045%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Joann Richardson 122 Kimcora Bucyrus, OH 44820	8.05 acres	13.7045%
<b><u>Tract #1D, 1.42 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	1.42 acres	2.4174%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
Ralph J. Childress, et al. (a.k.a. - Arnold Keen Heirs, devisees, Successors or Assigns, et al.) (81 Acre Tract)	1.42 acres	2.4174%

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	Acres in Unit	Interest in Unit
(1) Willia D. and Donald E. Keen Heirs, Devisees, Successors or Assigns		
(a) Ralph & Beulah Childress 373 Williams St. Bluefield, VA 24605	0.355 acres 1/4 of 1.42 acres	0.6044%
(2) Robert L. Keen Heirs, Devisees, Successors or Assigns		
(a) Nancy Carol Ball P.O. Box 1256 Honaker, VA 24260	0.014 acres 1/104 of 1.42 acres	0.0232%
(c) David Wylie Keen 236 Raven Ridge Raven, VA 24639	0.014 acres 1/104 of 1.42 acres	0.0232%
(e) Howell Preston Keen 3389 Lynn Springs Rd. Swords Creek, VA 24649	0.014 acres 1/104 of 1.42 acres	0.0232%
(f) Harvey Douglas Keen RT 1 Box 635 Swords Creek, VA 24649	0.014 acres 1/104 of 1.42 acres	0.0232%
(g) Terry Linkous Keen RL 1 Box 679 Swords Creek, VA 24649	0.014 acres 1/104 of 1.42 acres	0.0232%
(h) (Oma) Jane Keen Ferebee 107 Jonathan Trail Shelby, NC 28150	0.014 acres 1/104 of 1.42 acres	0.0232%
(i) Eunice Beatrice Ray 202 Hill Creek Rd. Richlands, VA 24641-2015	0.014 acres 1/104 of 1.42 acres	0.0232%
(j) Robert Elden Keen 3585 Lynn Springs Rd. Swords Creek, VA 24649	0.014 acres 1/104 of 1.42 acres	0.0232%
(k) Alfred Lee Keen P.O. Box 207 Cedar Bluff, VA 24609	0.014 acres 1/104 of 1.42 acres	0.0232%
(3) Bascom Keen Heirs, Devisees, Successors or Assigns		
(a) Virginia Spiva 3140 State HWY 325 Blairsville, GA 30512	0.036 acres 1/40 of 1.42 acres	0.0604%
(b) Alice Albert 152 Westfield Drive Rockingham, NC 28379	0.036 acres 1/40 of 1.42 acres	0.0604%
(c) Ada Ruth Byrd P.O. Box 714 Doran, VA 24612	0.036 acres 1/40 of 1.42 acres	0.0604%
(e) Victoria Slate Heirs, Devisees, Successors or Assigns		
(e.2) Jeffery Wayne Slate PO box 33 Swords Creek, VA 24649	0.009 acres 1/160 of 1.42 acres	0.0151%

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	Acres in Unit	Interest in Unit
(e.3) Sheila Gail (Slate) Lofton HC69 Box 1828 White Sulphur Springs, WV 24986	0.009 acres 1/160 of 1.42 acres	0.0151%
(e.4) Jackie Dale Slate 84229 Reedy Ck. Bristol, VA 24201	0.009 acres 1/160 of 1.42 acres	0.0151%
(4) Lydia Miller Heirs, Devisees, Successors or Assigns		
(e) Lois Briggs 345 Carnation Drive New Providence, PA 17560	0.036 acres 1/40 of 1.42 acres	0.0604%
(5) Peter Parson Keen Heirs, Devisees, Successors or Assigns		
(a) Jessie Mildred Ward P.O. Box 244 Raven, VA 24639	0.016 acres 1/88 of 1.42 acres	0.0275%
(d) Oris Thomas Keen Rt.1 Box 228C Honaker, VA 24260	0.016 acres 1/88 of 1.42 acres	0.0275%
(6) Charlie A. Keen Heirs, Devisees, Successors or Assigns		
(a) Betty Lou Meadows 309 Princeton, Avenue Highpoint, NC 27265-8148	0.036 acres 1/40 of 1.42 acres	0.0604%
(b) Ronald Keene P.O. Box 16 Rockview, WV 24880	0.036 acres 1/40 of 1.42 acres	0.0604%
(c) Harley Keene 309 Princeton Avenue Highpoint, NC 27262-8148	0.036 acres 1/40 of 1.42 acres	0.0604%
(7) John T. Keen Heirs, Devisees, Successors or Assigns		
(a) Thomas Dean Keen PO Box 372 Swords Creek, VA 24649	0.036 acres 1/40 of 1.42 acres	0.0604%
(b) John B. Keen P.O. Box 15 Pounding Mill, VA 24637	0.036 acres 1/40 of 1.42 acres	0.0604%
(c) Stanley E. Keen 2271 Lynn Springs Rd Swords Creek, VA 24649	0.036 acres 1/40 of 1.42 acres	0.0604%
(d) Francis Gaynell Street P.O. Box 506 Honaker, VA 24260	0.036 acres 1/40 of 1.42 acres	0.0604%

Tract #2A, 2.20 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	2.20 acres	3.7453%
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	Acres in Unit	Interest in Unit
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Kenneth C. Miller, Jr. et ux. 2677 Pine Creek Rd. Swords Creek, VA 24649	2.20 acres	3.7453%
<b><u>Tract #2B, 0.21 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Swords Creek Land Partnership, Tr.22 P.O. Box 29 Tazewell, VA 24651	0.21 acres	0.3575%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Kenneth C. Miller, Jr. et ux. 2677 Pine Creek Rd. Swords Creek, VA 24649	0.21 acres	0.3575%

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