

2491

BK 1098PG0431

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 08-0115-2121

ELECTIONS: UNIT AY-134  
(herein Subject Drilling Unit)

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

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 20, 2008 which was recorded at Deed Book 1025, Page 450 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on April 2, 2008, (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-134;

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.

BK 1098PG0432

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 14 day of July, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 14<sup>th</sup> day of July, 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 14<sup>th</sup> day of July, 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



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-134  
VGOB 08-0115-2121 in the Maiden Springs District of Tazewell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "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 Gas Company LLC, 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 20, 2008, 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 April 2, 2008;

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 20, 2008;

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



BK 1098 PG 0435

That after the pooling hearing held in the captioned matter, the following persons have leased or 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:

Kenneth Anders

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 9th day of March, 2011.

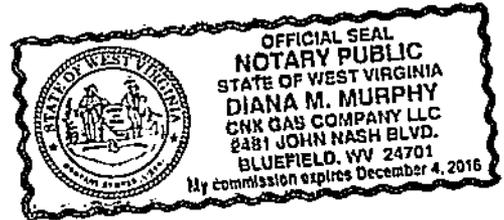
Anita D. Duty  
Anita D. Duty

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 9th day of March, 2011.

Diana M. Murphy  
Notary

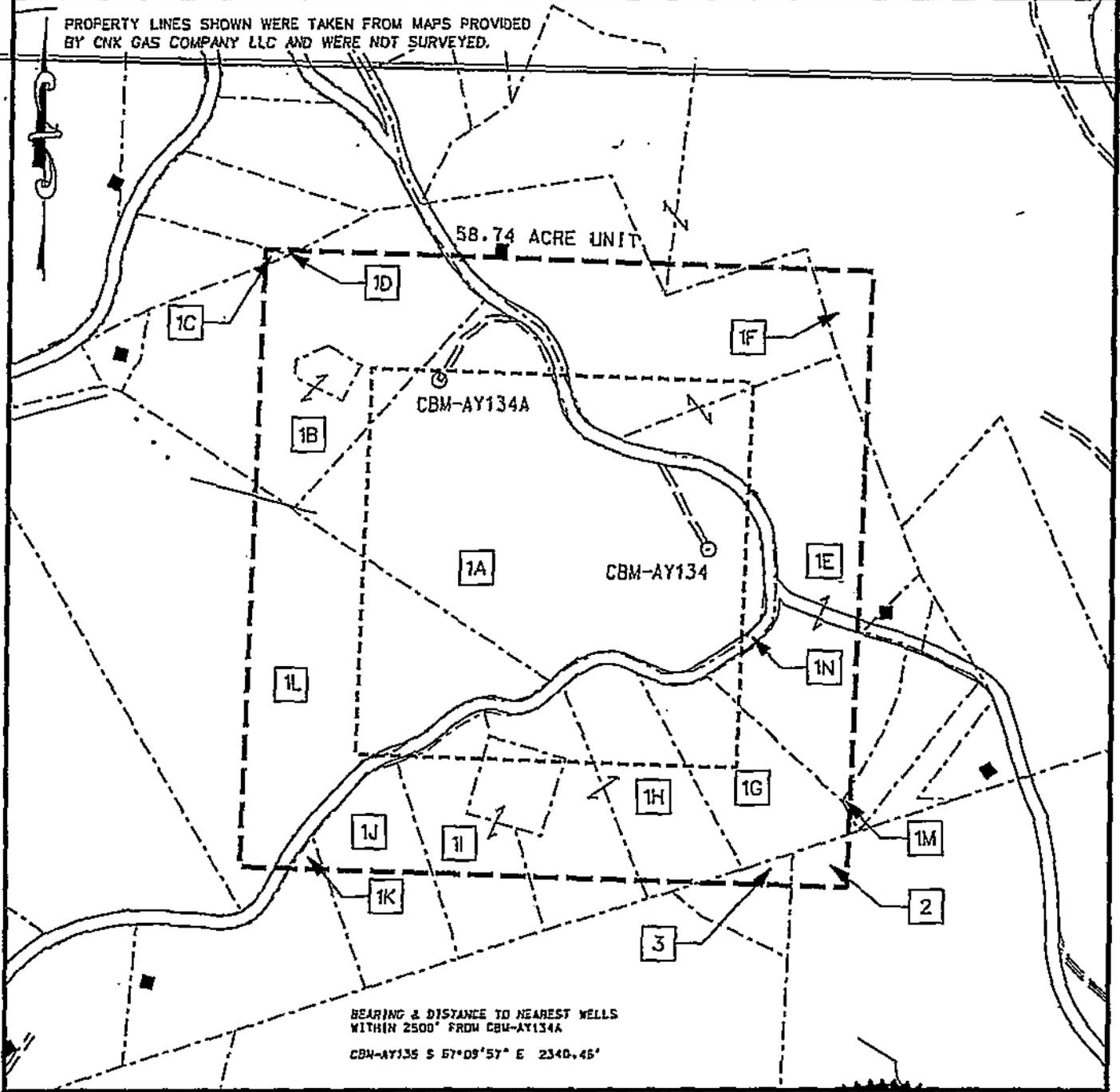
My commission expires: December 4, 2016



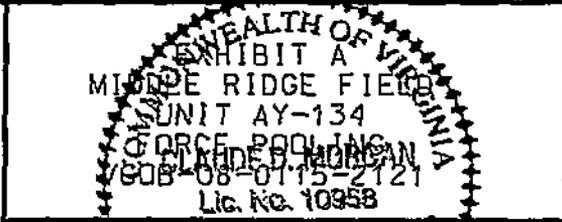
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BK1098P60436

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX GAS COMPANY LLC AND WERE NOT SURVEYED.



BEARING & DISTANCE TO NEAREST WELLS  
 WITHIN 2500' FROM CBM-AY134A  
 CBM-AY135 S 57°09'57" E 2340.45'



Company CNX Gas Company LLC Well Name and Number UNIT AY134  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Crosslands  
 County Tazewell District Maiden Springs Scale: 1" = 400' Date 1/22/08  
 This plat is a new plat  ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GD-7  
 Rev. 9/91

William D. Morgan  
 Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

U

BK 1098P60437

CNX Gas Company LLC

Unit AY 134  
Tract Identifications

58.74 Acre Tract

- 1A. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
Robin Hodges - Surface, Oil and Gas  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 85A Parcel 49)  
15.07 acres 25.6554%
- 1B. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
Robin Hodges - Oil and Gas  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Unknown Surface Owner  
(Tax Map 85A Parcel 48)  
5.71 acres 9.7208%
- 1C. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
Emma K. Home - Oil and Gas  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Unknown Surface Owner  
(Tax Map 85A - 4 Parcel 12)  
0.03 acres 0.0511%
- 1D. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
Emma K. Home - Oil and Gas  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 85A - 4 Parcel 11)  
0.01 acres 0.0170%
- 1E. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
Clement Smith - Surface, Oil and Gas  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 85A Parcel 44)  
13.36 acres 22.7443%

## CNX Gas Company LLC

~~Unit AY-134~~

## Tract Identifications

## 58.74 Acre Tract

- 1F. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Kenneth Anders - Surface, Oil and Gas  
(Tax Map 85A Parcel 18)  
1.06 acres 1.8046%
- 1G. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Donna S. Pruitt - Surface, Oil and Gas  
(Tax Map 1004A Parcel 000A)  
2.95 acres 5.0221%
- 1H. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Larry L. Smith - Surface, Oil and Gas  
(Tax Map 104A Parcels 000B & 000C)  
4.95 acres 8.4270%
- 1I. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Gary M. Smith, et al - Surface, Oil and Gas  
(Tax Map 104A Parcels 0000D & 0039)  
2.77 acres 4.7157%
- 1J. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Deborah S. Arms - Surface, Oil and Gas  
(Tax Map 104A Parcel 000E)  
1.32 acres 2.2472%
- 1K. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Ellery K. Smith - Surface, Oil and Gas  
(Tax Map 0.09 Parcel 000F)  
0.09 acres 0.1532%

cb

## CNX Gas Company LLC

Unit AV-134

## Tract Identifications

## 58.74 Acre Tract

- 1L. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
N.R.L.L. East, LLC - Surface, Oil and Gas  
(Tax Map 85A Parcel 50)  
8.57 acres 14.5897%
- 1M. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Sue E. Blankenship - Surface, Oil and Gas  
(Tax Map 104A Parcel 40)  
0.02 acres 0.0340%
- 1N. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - CBM Leased (Coal Owner's Claim)  
Commonwealth of VA - Surface, Oil and Gas  
(Not Assessed)  
2.24 acres 3.8134%
2. Coal Creek Coal Company Tr. 5 (May-Painter 206 Acre Tract) - Fee Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC - Oil, Gas, and CBM Leased  
Unknown Surface Owner  
(Tax Map 104A Parcel 12)  
0.36 acres 0.6129%
3. Coal Creek Coal Company Tr. 6 (Geo. W. Lockhart 278 Acre Tract) - All Minerals Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Company - Tiller Seam Subleased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Lee Keen, et ux - Surface  
(Tax Map 104A Parcel 38)  
0.23 acres 0.3916%

Exhibit B-2  
Unit AY-134  
Docket #VGOB 08-0115-212  
List of Respondents to be Dismissed  
(58.74 Acre Unit)

DK 1098PG0440

	Acres in Unit	Interest in Unit	Reason for Dismissal
<b>II. OIL &amp; GAS OWNERSHIP</b>			
<u>Tract #1F, 1.06 acres</u>			
(1) Kenneth Anders P.O. Box 558 Doran, VA 24612	1.06 acres	1.8046%	Leased

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Exhibit B-3  
Unit AY-134  
Docket #VGOB 08-0115-2121  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

BK 1098PG0441

	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #1G, 2.95 acres</u></b>		
(1) Donna S. Pruitt 23365 Briel Road Abingdon, VA 24211	2.95 acres	5.0221%
<b><u>Tract #1H, 4.95 acres</u></b>		
(1) Larry Lovell Smith 21258 Capri Avenue Abingdon, VA 24211	4.95 acres	8.4270%
<b><u>Tract #1I, 2.77 acres</u></b>		
(1) Gary M. Smith, et al.	2.77 acres	4.7157%
(a) Donna Pruitt 51481 Jennifer Lane #29 Breezy Hill Townhouses St. Clairsville, OH 43950	0.554 acres 1/5 of 2.77 acres	0.9431%
(b) Gary Mason Smith P.O. Box 203 Raven, VA 24639	0.554 acres 1/5 of 2.77 acres	0.9431%
(c) Barry Elvin Smith P.O. Box 302 Rocky Gap, VA 24366	0.554 acres 1/5 of 2.77 acres	0.9431%
(d) Larry Lovell Smith 21258 Capri Avenue Abingdon, VA 24211	0.554 acres 1/5 of 2.77 acres	0.9431%
(e) Deborah Lynn Smith Address Unknown	0.554 acres 1/5 of 2.77 acres	0.9431%
<b><u>Tract #1J, 1.32 acres</u></b>		
(1) Deborah S. Arms 20 Hill Creek Road Richlands, VA 24641	1.32 acres	2.2472%
<b><u>Tract #1K, 0.09 acres</u></b>		
(1) Ellery K. Smith P.O. Box 1045 Raven, VA 24639	0.09 acres	0.1532%
<b><u>Tract #1L, 8.57 acres</u></b>		
(1) N.R.L.L. East, LLC 1 Mauchly Irvine, CA 92618	8.57 acres	14.5897%
<b><u>Tract #1M, 0.02 acres</u></b>		
(1) Sue E. Blankenship P.O. Box 221 Doran, VA 24612	0.02 acres	0.0340%
<b><u>Tract #1N, 2.24 acres</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	2.24 acres	3.8134%

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Exhibit E  
 Unit AY-134  
 Docket #VGOB 08-0115-2121  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

BK1098PG0442

	Acres in Unit	Interest In Unit
<b><u>Tract #1C, 0.03 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.03 acres	0.0511%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.03 acres	0.0511%
<b><u>Tract #1D, 0.01 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.01 acres	0.0170%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.01 acres	0.0170%
<b><u>Tract #1G, 2.95 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.95 acres	5.0221%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Donna S. Pruitt 23365 Briel Road Abingdon, VA 24211	2.95 acres	5.0221%
<b><u>Tract #1H, 4.95 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	4.95 acres	8.4270%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Larry Lovell Smith 21258 Capri Avenue Abingdon, VA 24211	4.95 acres	8.4270%

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Exhibit E  
 Unit AY-134  
 Docket #VGOB 08-0115-2121  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

BK 1098PG0443

	Acres in Unit	Interest in Unit
<b><u>Tract #1I, 2.77 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.77 acres	4.7157%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Gary M. Smith, et al.	2.77 acres	4.7157%
(a) Donna Pruitt 51481 Jennifer Lane #29 Breezy Hill Townhouses St. Clairsville, OH 43950	0.554 acres 1/5 of 2.77 acres	0.9431%
(b) Gary Mason Smith P.O. Box 203 Raven, VA 24639	0.554 acres 1/5 of 2.77 acres	0.9431%
(c) Barry Elvin Smith P.O. Box 302 Rocky Gap, VA 24366	0.554 acres 1/5 of 2.77 acres	0.9431%
(d) Larry Lovell Smith 21258 Capri Avenue Abingdon, VA 24211	0.554 acres 1/5 of 2.77 acres	0.9431%
(e) Deborah Lynn Smith Address Unknown	0.554 acres 1/5 of 2.77 acres	0.9431%
<b><u>Tract #1J, 1.32 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.32 acres	2.2472%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Deborah S. Arms 20 Hill Creek Road Richlands, VA 24641	1.32 acres	2.2472%
<b><u>Tract #1K, 0.09 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.09 acres	0.1532%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Ellery K. Smith P.O. Box 1045 Raven, VA 24639	0.09 acres	0.1532%

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Exhibit E  
 Unit AY-134  
 Docket #VGOB 08-0115-2121  
 List of Conflicting Owners/Claimants that require escrow  
 (58.74 Acre Unit)

BK 1098PG0444

	Acres in Unit	Interest in Unit
<u>Tract #1L, 8.57 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	8.57 acres	14.5897%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) N.R.L.L. East, LLC 1 Mauchly Irvine, CA 92618	8.57 acres	14.5897%
<u>Tract #1M, 0.02 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.02 acres	0.0340%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Sue E. Blankenship P.O. Box 221 Doran, VA 24612	0.02 acres	0.0340%
<u>Tract #1N, 2.24 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.24 acres	3.8134%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	2.24 acres	3.8134%

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Exhibit EE  
Unit AY-134  
Docket #VGOB 08-0115-2121  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(58.74 Acre Unit)

BK 1098PG0445

	Acres in Unit	Interest in Unit
<u>Tract #1A, 15.07 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	15.07 acres	25.6554%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Robin Hodges PO Box 1480 Bassett, VA 24055-4999 <i>The Royalty Division Order is 7/8 - R. Hodges and 1/8 Coal Creek</i>	15.07 acres	25.6554%
<u>Tract #1B, 5.71 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	5.71 acres	9.7208%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Robin Hodges PO Box 1480 Bassett, VA 24055-4999 <i>The Royalty Division Order is 7/8 - R. Hodges and 1/8 Coal Creek</i>	5.71 acres	9.7208%
<u>Tract #1E, 13.36 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	13.36 acres	22.7443%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Clement Smith * R.D. Smith Estate c/o Robin Hodges P.O. Box 1480 Bassett, VA 24055-4999  <i>Requests royalties to be paid to his daughter:</i>  Carolyn F. Horton 2872 Horton Ridge Road Swords Creek, VA 24649  <i>The Royalty Division Order is 7/8 - C. Smith and 1/8 Coal Creek Robin Hodges (prev. Triple R) receives 10% of the royalty due to the owner.</i>	13.36 acres	22.7443%
<u>Tract #1F, 1.06 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.06 acres	1.8046%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Kenneth Anders P.O. Box 558 Doran, VA 24612	1.06 acres	1.8046%

INSTRUMENT #11000249:  
RECORDED IN THE CLERK'S OFFICE OF  
TAZEWELL COUNTY ON  
JULY 29, 2011 AT 04:24PM  
Angela Ray  
JAMES E. BLEVINS, CLERK  
RECORDED BY: ADR

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