

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 08-0819-2292

ELECTIONS: UNIT BG-122
(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 November 6, 2008 which was recorded at Deed Book 699 Page 172 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on November 14, 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 BG-122;

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, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, Attn: Derrick Dewalt 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 July, 2009, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 20 day of July, 2009, by Order of the Board.

David E. Asbury, Jr.
David E. Asbury, Jr.,
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 20th day of July, 2009, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane J. Davis
Diane J. Davis, Notary
174394

My commission expires: September 30, 2009



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 BG-122
VGOB 08-0819-2292 in the New Garden District of Russell 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 November 6, 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 November 14, 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 November 6, 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

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:

None

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:

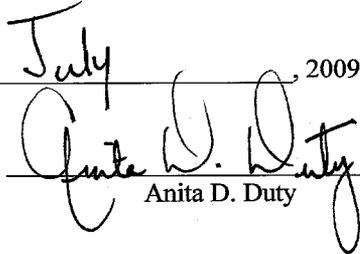
None

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

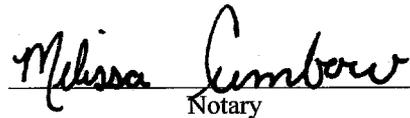
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 1st day of July, 2009.

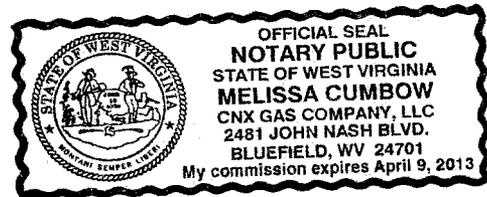

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 1st day of July, 2009.


Notary

My commission expires: Apr: 19, 2013



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN FROM MAPPING PROVIDED BY CNX GAS COMPANY LLC AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.

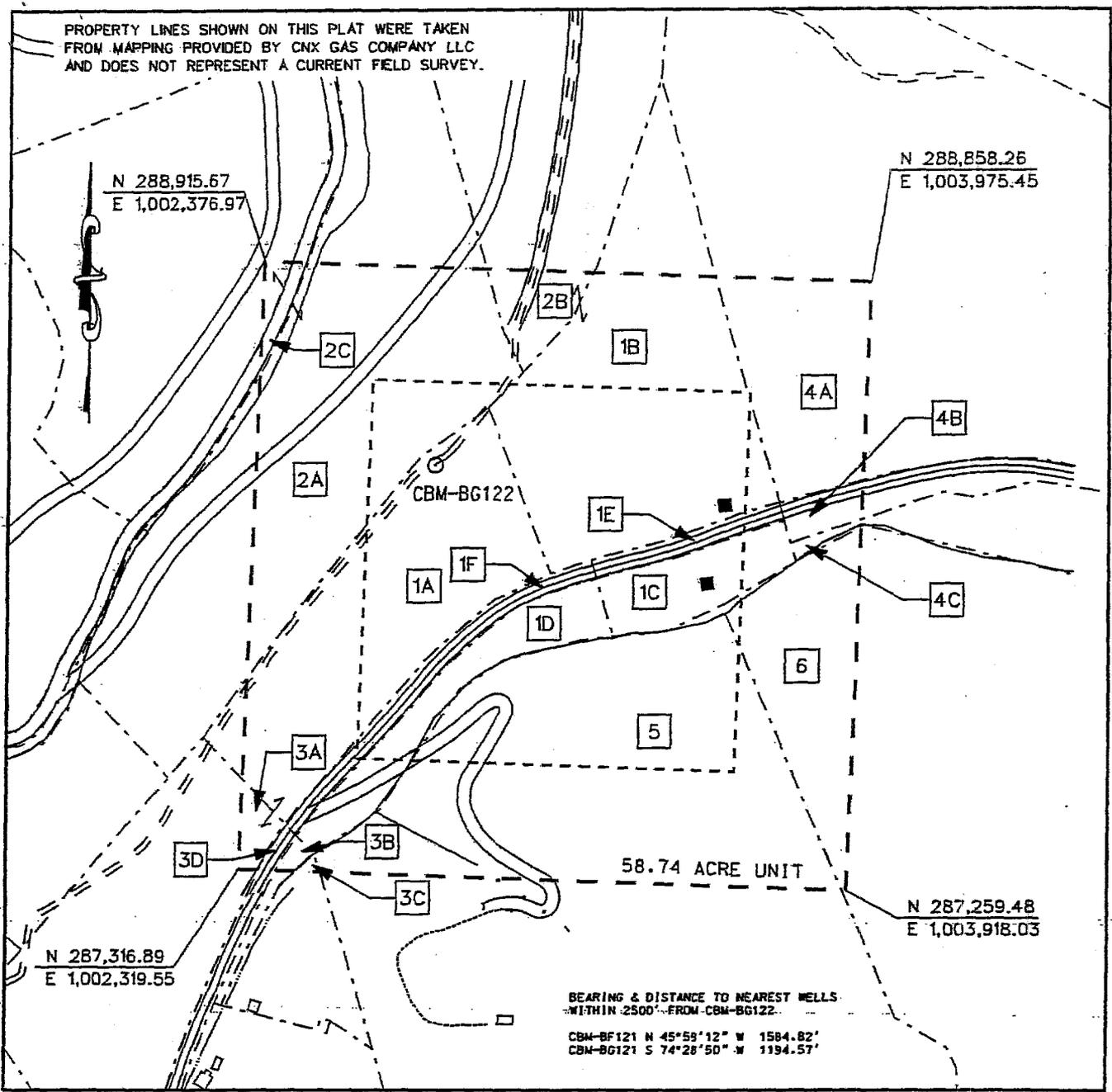


EXHIBIT A
MIDDLE RIDGE FIELD
UNIT BG122
FORCE POOLING
VGOB-08-0819-2292

Company CNX Gas Company LLC Well Name and Number UNIT BG122
 Tract No. _____ Elevation _____ Quadrangle Honker
 County Russell District New Garden Scale: 1" = 400' Date 7-3-08
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GO-7
Rev. 9/91

Danny R. Price
Licensed Professional Engineer or Licensed Land Surveyor

COMMONWEALTH OF VIRGINIA
DANNY R. PRICE
Lic. No. 008540
7-3-08
PROFESSOR ENGINEER

CNX Gas Company LLC**Unit BG 122**

Tract Identifications

(58.74 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 42 (31.25 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Billy K. Keen, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
8.55 Acres 14.5557%
- 1B. Swords Creek Land Partnership Tr. 42 (31.25 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Mullins Living Trust - Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
9.33 Acres 15.8836%
- 1C. Swords Creek Land Partnership Tr. 42 (31.25 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Katie P. Miller - Surface and All Minerals except Coal
1.86 Acres 3.1665%
- 1D. Swords Creek Land Partnership Tr. 42 (31.25 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Rinnie Ratliff, et ux or Commonwealth of Virginia – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (If owned by Rinnie Ratliff, et ux)
2.46 Acres 4.1879%
- 1E. Swords Creek Land Partnership Tr. 42 (31.25 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Mullins Living Trust or Commonwealth of Virginia - All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (If owned by Mullins Living Trust)
Commonwealth of Virginia - Surface
0.61 Acres 1.0385%
- 1F. Swords Creek Land Partnership Tr. 42 (31.25 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Rinnie Ratliff, et ux or Commonwealth of Virginia - All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (If owned by Rinnie Ratliff, et ux)
Commonwealth of Virginia – Surface
1.17 Acres 1.9918%

- 2A. Swords Creek Land Partnership Tr. 12 (102.29 Acre Tract) - Fee
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
9.66 Acres 16.4454%
- 2B. Swords Creek Land Partnership Tr. 12 (102.29 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Mullins Living Trust - Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
1.01 Acres 1.7194%
- 2C. Swords Creek Land Partnership Tr. 12 (102.29 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Commonwealth of Virginia - Surface and All Minerals except Coal
0.25 Acres 0.4256%
- 3A. Swords Creek Land Partnership Tr. 44 (45.75 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Billy K. Keen, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.39 Acres 0.6639%
- 3B. Swords Creek Land Partnership Tr. 44 (45.75 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Ronnie F. Perkins or Commonwealth of Virginia – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (if owned by Ronnie Perkins)
0.11 Acres 0.1873%
- 3C. Swords Creek Land Partnership Tr. 44 (45.75 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Ronnie F. Perkins - Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.03 Acres 0.0511%
- 3D. Swords Creek Land Partnership Tr. 44 (45.75 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Ronnie F. Perkins or Commonwealth of Virginia - All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (if owned by Ronnie Perkins)
Commonwealth of Virginia - Surface
0.13 Acres 0.2213%

- 4A. Swords Creek Land Partnership Tr. 29 (91.52 Acre Tract) - Fee
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
4.00 Acres 6.8097%
- 4B. Swords Creek Land Partnership Tr. 29 (91.52 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Commonwealth of Virginia - Surface and All Minerals except Coal
0.49 Acres 0.8342%
- 4C. Swords Creek Land Partnership Tr. 29 (91.52 Acre Tract) - Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Swords Creek Welding Service - Surface and All Minerals except Coal
0.15 Acres 0.2554%
5. James St. Clair, et al – All Coal
Rinnie Ratliff, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
14.61 Acres 24.8723%
6. Carole B. Cooke, et al – All Coal
Reserved Coal Properties Company – Coal Below Tiller Seam Leased
Joseph D. Rhodes, et al – All Minerals except Coal
Carole B. Cooke, et al – Surface
3.93 Acres 6.6905%

Exhibit B-3
Unit BG-122
Docket #VGOB 08-0819-2292
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 709 PAGE 0536

	Acres in Unit	Interest in Unit
I. COAL OWNERSHIP		
<u>Tract #5, 14.61 acres</u>		
(1) James St. Clair, et al.	14.61 acres	24.8723%
(a) Judean St. Clair Hines Fairfield, VA 24435	3.65 acres 1/4 of 14.61 acres	6.2181%
(b) Frank Sterling St. Clair #68 Sedgewood Townhouse Bluefield, VA 24605	3.65 acres 1/4 of 14.61 acres	6.2181%
(c) James St. Clair 4803 Witten Valley Rd. Tazewell, VA 24651	3.65 acres 1/4 of 14.61 acres	6.2181%
(d) Lucy B. St. Clair 472 Cherry Hills Dr. Tazewell, VA 24651	3.65 acres 1/4 of 14.61 acres	6.2181%
<u>Tract #6, 3.93 acres</u>		
(1) Carole B. Cooke, et al.	3.93 acres	6.6905%
(b) Carole B. Cooke PO Box 310 Richlands, VA 24641	1.965 acres 1/2 of 3.93 acres	3.3453%
(c) Paula B. Bandy c/o Carole B. Cooke PO Box 310 Richlands, VA 24641	1.965 acres 1/2 of 3.93 acres	3.3453%
II. OIL & GAS OWNERSHIP		
<u>Tract #1C, 1.86 acres</u>		
(1) Katie P. Miller P.O. Box 368 Swords Creek, VA 24649	1.86 acres	3.1665%
<u>Tract #1D, 2.46 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	2.46 acres	4.1879%

Exhibit B-3
Unit BG-122
Docket #VGOB 08-0819-2292
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 709 PAGE 0537

	Acres in Unit	Interest in Unit
<u>Tract #1E, 0.61 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.61 acres	1.0385%
<u>Tract #1F, 1.17 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.17 acres	1.9918%
<u>Tract #2C, 0.25 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.25 acres	0.4256%
<u>Tract #3B, 0.11 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.11 acres	0.1873%
<u>Tract #3D, 0.13 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.13 acres	0.2213%
<u>Tract #4B, 0.49 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.49 acres	0.8342%
<u>Tract #4C, 0.15 acres</u>		
(1) Swords Creek Welding Service P.O. Box 360 Swords Creek, VA 24649	0.15 acres	0.2554%
<u>Tract #6, 3.93 acres</u>		
(1) Joseph D. Rhodes, et al.	3.93 acres	6.6905%
(a) Joseph D. Rhodes Address Unknown		<i>Courtesy Interest (dowery interest to husband)</i>

Exhibit B-3
 Unit BG-122
 Docket #VGOB 08-0819-2292
 List of Unleased Owners/Claimants
 (58.74 Acre Unit)

BOOK 709 PAGE 0537

	Acres in Unit	Interest in Unit
<u>Tract #1E, 0.61 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.61 acres	1.0385%
<u>Tract #1F, 1.17 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.17 acres	1.9918%
<u>Tract #2C, 0.25 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.25 acres	0.4256%
<u>Tract #3B, 0.11 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.11 acres	0.1873%
<u>Tract #3D, 0.13 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.13 acres	0.2213%
<u>Tract #4B, 0.49 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.49 acres	0.8342%
<u>Tract #4C, 0.15 acres</u>		
(1) Swords Creek Welding Service P.O. Box 360 Swords Creek, VA 24649	0.15 acres	0.2554%
<u>Tract #6, 3.93 acres</u>		
(1) Joseph D. Rhodes, et al.	3.93 acres	6.6905%
(a) Joseph D. Rhodes Address Unknown		<i>Courtesy Interest (dowery interest to husband)</i>

Exhibit B-3
Unit BG-122
Docket #VGOB 08-0819-2292
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(b) Emily Wagner <i>Address Unknown</i>	0.98 acres 1/4 of 3.93 acres	1.6726%
(c) Virginia M. Nash <i>Address Unknown</i>	0.98 acres 1/4 of 3.93 acres	1.6726%
(d) Mary Martin Stemmer <i>Address Unknown</i>	0.98 acres 1/4 of 3.93 acres	1.6726%
(e) Marie Rhodes Cooley <i>Address Unknown</i>	0.33 acres 1/12 of 3.93 acres	0.5575%
(f) Susan Rhodes <i>Address Unknown</i>	0.33 acres 1/12 of 3.93 acres	0.5575%
(g) Carolyn Rhodes Lee <i>Address Unknown</i>	0.33 acres 1/12 of 3.93 acres	0.5575%

Docket #VGOB 08-0819-2292
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1B, 9.33 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.42 P.O. Box 187 Tazewell, VA 24651	9.33 acres	15.8836%
<u>OIL & GAS OWNERSHIP</u>		
(1) Mullins Living Trust c/o Carrie L. or Leonard W. Mullins P.O. Box 360 Swords Creek, VA 24649	9.33 acres	15.8836%
<u>Tract #1C, 1.86 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.42 P.O. Box 187 Tazewell, VA 24651	1.86 acres	3.1665%
<u>OIL & GAS OWNERSHIP</u>		
(1) Katie P. Miller P.O. Box 368 Swords Creek, VA 24649	1.86 acres	3.1665%
<u>Tract #1D, 2.46 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.42 P.O. Box 187 Tazewell, VA 24651	2.46 acres	4.1879%
<u>OIL & GAS OWNERSHIP</u>		
(1) Rinnie Ratliff, et ux. Rt.1 Box 324 Swords Creek, VA 24649	2.46 acres	4.1879%
<p style="text-align: center;">- OR -</p>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	2.46 acres	4.1879%

Exhibit E
 Unit BG-122
 Docket #VGOB 08-0819-2292
 List of Conflicting Owners/Claimants that require escrow
 (58.74 Acre Unit)

BOOK 709 PAGE 0540

	Acres in Unit	Interest in Unit
<u>Tract #1E, 0.61 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.42 P.O. Box 187 Tazewell, VA 24651	0.61 acres	1.0385%
<u>OIL & GAS OWNERSHIP</u>		
(1) Mullins Living Trust c/o Carrie L. or Leonard W. Mullins P.O. Box 360 Swords Creek, VA 24649	0.61 acres	1.0385%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.61 acres	1.0385%
<u>Tract #1F, 1.17 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.42 P.O. Box 187 Tazewell, VA 24651	1.17 acres	1.9918%
<u>OIL & GAS OWNERSHIP</u>		
(1) Rinnie Ratliff, et ux. Rt.1 Box 324 Swords Creek, VA 24649	1.17 acres	1.9918%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.17 acres	1.9918%
<u>Tract #2B, 1.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.12 P.O. Box 187 Tazewell, VA 24651	1.01 acres	1.7194%

Docket #VGOB 08-0819-2292
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) Mullins Living Trust c/o Carrie L. or Leonard W. Mullins P.O. Box 360 Swords Creek, VA 24649	1.01 acres	1.7194%
<u>Tract #2C, 0.25 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.12 P.O. Box 187 Tazewell, VA 24651	0.25 acres	0.4256%
<u>OIL & GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.25 acres	0.4256%
<u>Tract #3B, 0.11 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.44 P.O. Box 187 Tazewell, VA 24651	0.11 acres	0.1873%
<u>OIL & GAS OWNERSHIP</u>		
(1) Ronnie F. Perkins Box 44 Haskew Ball Drive Honaker, VA 24260	0.11 acres	0.1873%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.11 acres	0.1873%
<u>Tract #3D, 0.13 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.44 P.O. Box 187 Tazewell, VA 24651	0.13 acres	0.2213%

Exhibit E
 Unit BG-122
 Docket #VGOB 08-0819-2292
 List of Conflicting Owners/Claimants that require escrow
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) Ronnie F. Perkins Box 44 Haskew Ball Drive Honaker, VA 24260	0.13 acres	0.2213%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.13 acres	0.2213%
<u>Tract #4B, 0.49 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.29 P.O. Box 187 Tazewell, VA 24651	0.49 acres	0.8342%
<u>OIL & GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.49 acres	0.8342%
<u>Tract #4C, 0.15 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.29 P.O. Box 187 Tazewell, VA 24651	0.15 acres	0.2554%
<u>OIL & GAS OWNERSHIP</u>		
(1) Swords Creek Welding Service P.O. Box 360 Swords Creek, VA 24649	0.15 acres	0.2554%
<u>Tract #5, 14.61 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) James St. Clair, et al.	14.61 acres	24.8723%
(a) Judean St.Clair Hines Fairfield, VA 24435	3.65 acres 1/4 of 14.61 acres	6.2181%
(b) Frank Sterling St. Clair #68 Sedgewood Townhouse Bluefield, VA 24605	3.65 acres 1/4 of 14.61 acres	6.2181%

Exhibit E
 Unit BG-122
 Docket #VGOB 08-0819-2292
 List of Conflicting Owners/Claimants that require escrow
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(c) James St. Clair 4803 Witten Valley Rd. Tazewell, VA 24651	3.65 acres 1/4 of 14.61 acres	6.2181%
(d) Lucy B. St. Clair 472 Cherry Hills Dr. Tazewell, VA 24651	3.65 acres 1/4 of 14.61 acres	6.2181%

OIL & GAS OWNERSHIP

(1) Rinnie Ratliff, et ux. Rt.1 Box 324 Swords Creek, VA 24649	14.61 acres	24.8723%
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Tract #6, 3.93 acres

Escrow due to title conflict / Address Unknown

COAL OWNERSHIP

(1) Carole B. Cooke, et al.	3.93 acres	6.6905%
(b) Carole B. Cooke PO Box 310 Richlands, VA 24641	1.965 acres 1/2 of 3.93 acres	3.3453%
(c) Paula B. Bandy c/o Carole B. Cooke PO Box 310 Richlands, VA 24641	1.965 acres 1/2 of 3.93 acres	3.3453%

OIL & GAS OWNERSHIP

(1) Joseph D. Rhodes, et al.	3.93 acres	6.6905%
(a) Joseph D. Rhodes <i>Address Unknown</i>	<i>Courtesy Interest</i>	
(b) Emily Wagner <i>Address Unknown</i>	0.98 acres 1/4 of 3.93 acres	1.6726%
(c) Virginia M. Nash <i>Address Unknown</i>	0.98 acres 1/4 of 3.93 acres	1.6726%
(d) Mary Martin Stemmer <i>Address Unknown</i>	0.98 acres 1/4 of 3.93 acres	1.6726%
(e) Marie Rhodes Cooley <i>Address Unknown</i>	0.33 acres 1/12 of 3.93 acres	0.5575%
(f) Susan Rhodes <i>Address Unknown</i>	0.33 acres 1/12 of 3.93 acres	0.5575%
(g) Carolyn Rhodes Lee <i>Address Unknown</i>	0.33 acres 1/12 of 3.93 acres	0.5575%

Docket #VGOB 08-0819-2292
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1A, 8.55 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.42 P.O. Box 187 Tazewell, VA 24651	8.55 acres	14.5557%
<u>OIL & GAS OWNERSHIP</u>		
(1) Billy K. Keen, et ux. P.O. Box 13 Swords Creek, VA 24649	8.55 acres	14.5557%
<u>Tract #3A, 0.39 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.44 P.O. Box 187 Tazewell, VA 24651	0.39 acres	0.6639%
<u>OIL & GAS OWNERSHIP</u>		
(1) Billy K. Keen, et ux. P.O. Box 13 Swords Creek, VA 24649	0.39 acres	0.6639%
<u>Tract #3C, 0.03 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.44 P.O. Box 187 Tazewell, VA 24651	0.03 acres	0.0511%
<u>OIL & GAS OWNERSHIP</u>		
(1) Ronnie F. Perkins Box 44 Haskew Ball Drive Honaker, VA 24260	0.03 acres	0.0511%

0901937

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 8-7, 2009. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 8:41 o'clock AM, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: ANN S. McREYNOLDS, CLERK
BY: Ann S. McReynolds CLERK