

1412

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD.
ORDER RECORDED UNDER CODE OF
VIRGINIA SECTION 45.1-361.26

VIRGINIA: BK 1075PG0001

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 08-1021-2348

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

TAX MAP IDENTIFICATION
NUMBERS FOR ALL PARCELS
AFFECTED BY THIS ORDER ARE
SHOWN ON EXHIBIT Treat
Identification Sheet

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 October 8, 2009 which was recorded in Deed Book 1064 Page 1009 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on November 4, 2009, (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 AX-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 1075PG0002

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 March, 2010, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 14 day of March, 2010, by Order of the Board.

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

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 14th day of March, 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 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, 2013



VIRGINIA:

BK 1075PG0003

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 AX-134
VGOB 08-1021-2348 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 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 October 8, 2009, 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 Lebanon, 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 4, 2009;

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 October 8, 2009;

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

BK1075PG0004

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:

Sherry C. Mosley

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

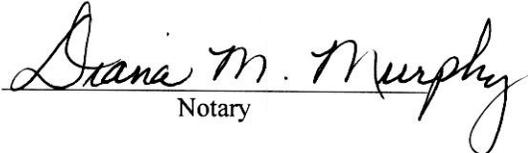
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 29th day of January, 2010.

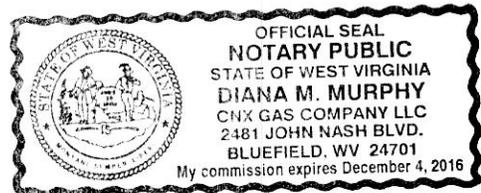

Anita D. Duty

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 29th day of January, 2010.


Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE AND DOES NOT EPRESENT A CURRENT FIELD SURVEY.

BK 1075PG0005

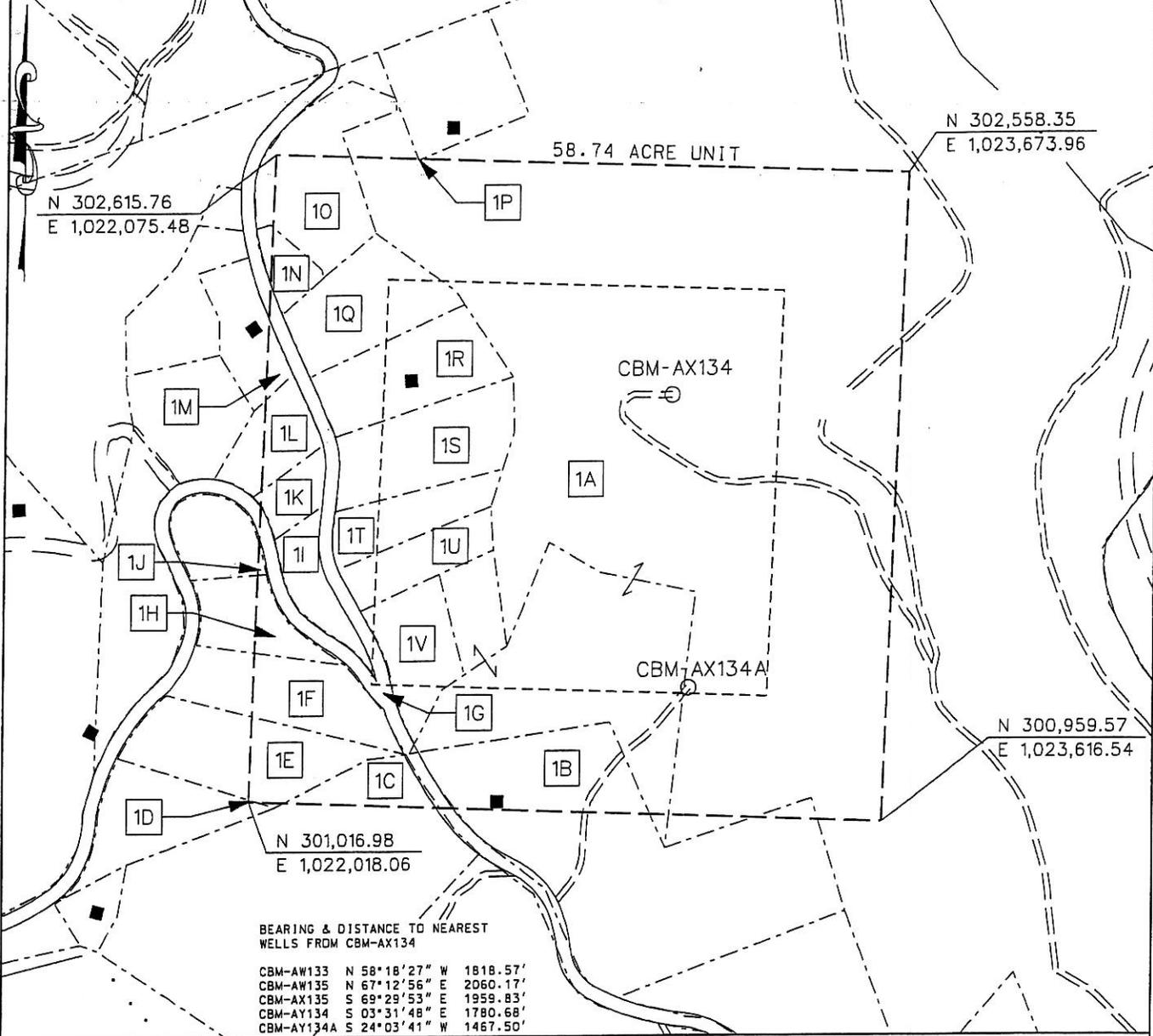
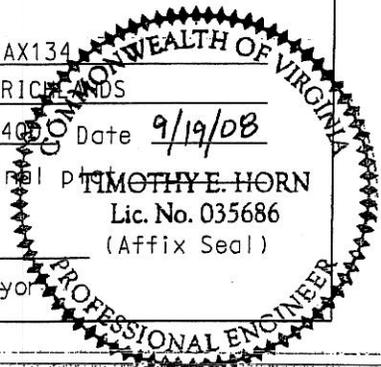


EXHIBIT A
MIDDLE RIDGE FIELD
UNIT AX134
FORCE POOLING
VGOB-08-1021-2348

Company CNX Gas Company LLC Well Name and Number UNIT AX134
 Tract No. _____ Elevation _____ Quadrangle RICHMOND
 County TAZEWELL District MAIDEN SPRINGS Scale: 1" = 400' Date 9/19/08

This plat is a new plat _____ ; an updated plat X ; or a final plat _____
 Form DGO-GO-7 _____
 Rev. 9/91 _____
 Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC

Unit AX 134

Tract Identifications

BK 1075PG0006

- 1A. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Kenneth Anders – Surface and all Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Tax Map 85A Parcel 18
38.70 Acres 65.8836%
- 1B. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Clement Smith – Surface and all Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Tax Map 85A Parcels 44 and 45
2.22 Acres 3.7794%
- 1C. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Robin L. Hodges – Surface and all Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Tax Map 85A Parcel 48
0.68 Acres 1.1576%
- 1D. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Michelle H. Vamey - Surface
Tax Map 85 04 Parcel 12
0.01 Acres 0.0170%
- 1E. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Clement A. Stanley, et ux – Surface
Tax Map 85 04 Parcel 11
1.0 Acres 1.7024%

CNX Gas Company LLC

Unit AX 134

Tract Identifications

BK 1075PG0007

- 1F. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Gregory S. Rowe, et ux – Surface
Tax Map 85 04 Parcel 10
1.28 Acres 2.1791%
- 1G. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Commonwealth of Virginia – Surface and all Minerals except Coal
1.58 Acres 2.6898%
- 1H. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Larry Mullins, Sr. – Surface
Tax Map 85 04 Parcel 9
0.41 Acres 0.6980%
- 1I. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Bradley K. Ferrell, et ux – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 8A
0.75 Acres 1.2768%
- 1J. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Sherman Fuller – Surface
Tax Map 85 04 Parcel 9A
0.02 Acres 0.0340%
- 1K. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Isiac Franklin Cantrell – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 8
0.50 Acres 0.8512%

CNX Gas Company LLC

Unit AX 134

Tract Identifications

BK 1075PG0008

- 1L. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Milton M. Smith, et ux – Surface
Tax Map 85 02 Parcel 3
0.59 Acres 1.0044%
- 1M. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Terry Ray Tackett, et ux – Surface and all Minerals except Coal
Tax Map 85 Parcel 00
0.15 Acres 0.2554%
- 1N. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Don Cox – Surface and all Minerals except Coal
Tax Map 85 03 Parcel A
0.36 Acres 0.6129%
- 1O. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Billy E. Shelton, II, et ux – Surface and all Minerals except Coal
Tax Map 85 03, Parcel 1
1.28 Acres 2.1791%
- 1P. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Harold C. Cox, et al – Surface and all Minerals except Coal
Tax Map 85A Parcel 20
0.01 Acres 0.0170%
- 1Q. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Sherry C. Mosley – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 2
1.89 Acres 3.2176%

CNX Gas Company LLC

Unit AX 134

Tract Identifications

BK1075PG0009

- 1R. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Linda Gail Vandyke – Surface
Tax Map 85 03, Parcel 3
1.92 Acres 3.2686%
- 1S. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Patricia Pauline Wright – Surface
Tax Map 85 03 Parcel 4 and Tax Map 85A Parcel 4A
2.04 Acres 3.4729%
- 1T. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
James E. Keen, et ux – Surface
Tax Map 85 03 Parcel 5
1.08 Acres 1.8386%
- 1U. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Heze K. Price, et ux – Surface
Tax Map 85 03 Parcel 5A
0.99 Acres 1.6854%
- 1V. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Joshua T. Absher – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 6A
1.28 Acres 2.1791%

BK 1075PG0010

Exhibit B2
Unit AX-134
Docket #VGOB 08-1021-2348
List of Respondents to be Dismissed
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Reason for Dismissal
II. OIL & GAS OWNERSHIP			
<u>Tract #1Q, 1.89 acres</u>			
(1) Sherry C. Mosley Route 1 Box 231 Raven, VA 24639	1.89 acres	3.2176%	Leased

BK1075PG0011

Exhibit B3
Unit AX-134
Docket #VGOB 08-1021-2348
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
II. OIL & GAS OWNERSHIP		
<u>Tract #1G, 1.58 acres</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.58 acres	2.6898%
<u>Tract #1I, 0.75 acres</u>		
(1) Bradley K. Ferrell, et ux PO Box 205 Richlands, VA 24641	0.75 acres	1.2768%
<u>Tract #1K, 0.50 acres</u>		
(1) Isiac Franklin Cantrell P.O. Box 336 Raven, VA 24631	0.50 acres	0.8512%
<u>Tract #1M, 0.15 acres</u>		
(1) Terry Tackett P.O. Box 1754 Richlands, VA 24641	0.15 acres	0.2554%
<u>Tract #1N, 0.36 acres</u>		
(1) Don Cox 2816 Red Root Ridge Road Raven, VA 24639	0.36 acres	0.6129%
<u>Tract #1O, 1.28 acres</u>		
(1) Billy E. Shelton, II, et ux. 115 Bobcat Lane Raven, VA 24639	1.28 acres	2.1791%
<u>Tract #1P, 0.01 acres</u>		
(1) Harold C. Cox, et al	0.01 acres	0.0170%
(a) Harold C. Cox c/o Luvonne Salyers 19491 Johnson Drive Abingdon, VA 24210	0.0020 acres 1/5 of 0.01 acres	0.0034%
(b) Loretta Helton 7549 Carole Lane Florence, KY 41042	0.0020 acres 1/5 of 0.01 acres	0.0034%
(c) Mary Sue Gravitt PO Box 303 Harleyville, AL 35565	0.0020 acres 1/5 of 0.01 acres	0.0034%

BK 1075PG0012

Exhibit B3
Unit AX-134

Docket #VGOB 08-1021-2348
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(d) Don Cox 2816 Red Root Ridge Road Raven, VA 24639	0.0020 acres 1/5 of 0.01 acres	0.0034%
(e) Louvonne Salyers 19491 Johnson Drive Abingdon, VA 24210	0.0020 acres 1/5 of 0.01 acres	0.0034%
<u>Tract #1V, 1.28 acres</u>		
(1) Joshua T. Absher 2638 Red Root Ridge Rd. Raven, VA 24639	1.28 acres	2.1791%

BK1075PG0013

Exhibit E
Unit AX-134
Docket #VGOB 08-1021-2348
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1D, 0.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.01 acres	0.0170%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	0.01 acres	0.0170%
<u>Tract #1E, 1.00 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.00 acres	1.7024%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	1.00 acres	1.7024%
<u>Tract #1F, 1.28 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.28 acres	2.1791%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	1.28 acres	2.1791%
<u>Tract #1G, 1.58 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.58 acres	2.6898%

BK 1075PG0014

Exhibit E
Unit AX-134

Docket #VGOB 08-1021-2348

List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.58 acres	2.6898%
<u>Tract #1H, 0.41 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.41 acres	0.6980%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	0.41 acres	0.6980%
<u>Tract #1I, 0.75 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.75 acres	1.2768%
<u>OIL & GAS OWNERSHIP</u>		
(1) Bradley K. Ferrell, et ux PO Box 205 Richlands, VA 24641	0.75 acres	1.2768%
<u>Tract #1J, 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 & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	0.02 acres	0.0340%

BK 1075PG0015

Exhibit E
Unit AX-134
Docket #VGOB 08-1021-2348
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1K, 0.50 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.50 acres	0.8512%
<u>OIL & GAS OWNERSHIP</u>		
(1) Isiac Franklin Cantrell P.O. Box 336 Raven, VA 24631	0.50 acres	0.8512%
<u>Tract #1L, 0.59 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.59 acres	1.0044%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	0.59 acres	1.0044%
<u>Tract #1M, 0.15 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.15 acres	0.2554%
<u>OIL & GAS OWNERSHIP</u>		
(1) Terry Tackett P.O. Box 1754 Richlands, VA 24641	0.15 acres	0.2554%
<u>Tract #1N, 0.36 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.36 acres	0.6129%
<u>OIL & GAS OWNERSHIP</u>		
(1) Don Cox 2816 Red Root Ridge Road Raven, VA 24639	0.36 acres	0.6129%

BK 1075PG0016

Exhibit E
Unit AX-134
Docket #VGOB 08-1021-2348
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1O, 1.28 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.28 acres	2.1791%
<u>OIL & GAS OWNERSHIP</u>		
(1) Billy E. Shelton, II, et ux. 115 Bobcat Lane Raven, VA 24639	1.28 acres	2.1791%
<u>Tract #1P, 0.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.01 acres	0.0170%
<u>OIL & GAS OWNERSHIP</u>		
(1) Harold C. Cox, et al	0.01 acres	0.0170%
(a) Harold C. Cox c/o Luvonne Salyers 19491 Johnson Drive Abingdon, VA 24210	0.0020 acres 1/5 of 0.01 acres	0.0034%
(b) Loretta Helton 7549 Carole Lane Florence, KY 41042	0.0020 acres 1/5 of 0.01 acres	0.0034%
(c) Mary Sue Gravitt PO Box 303 Harleyville, AL 35565	0.0020 acres 1/5 of 0.01 acres	0.0034%
(d) Don Cox 2816 Red Root Ridge Road Raven, VA 24639	0.0020 acres 1/5 of 0.01 acres	0.0034%
(e) Louvonne Salyers 19491 Johnson Drive Abingdon, VA 24210	0.0020 acres 1/5 of 0.01 acres	0.0034%
<u>Tract #1Q, 1.89 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.89 acres	3.2176%

BK 1075PG0017

Exhibit E
Unit AX-134

Docket #VGOB 08-1021-2348

List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) Sherry C. Mosley 2782 Red Root Ridge Road Raven, VA 24639	1.89 acres	3.2176%
<u>Tract #1R, 1.92 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.92 acres	3.2686%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	1.92 acres	3.2686%
<u>Tract #1S, 2.04 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.04 acres	3.4729%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	2.04 acres	3.4729%
<u>Tract #1T, 1.08 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.08 acres	1.8386%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Horne, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	1.08 acres	1.8386%

BK 1075PG0018

Exhibit E
Unit AX-134

Docket #VGOB 08-1021-2348
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1U, 0.99 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.99 acres	1.6854%
<u>OIL & GAS OWNERSHIP</u>		
(1) Emma K. Home, et al. 400 Stone Pass Drive Fuquay Varina, NC 27826	0.99 acres	1.6854%
<u>Tract #1V, 1.28 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.28 acres	2.1791%
<u>OIL & GAS OWNERSHIP</u>		
(1) Joshua T. Absher 2638 Red Root Ridge Rd. Raven, VA 24639	1.28 acres	2.1791%

BK1075PG0019

Exhibit EE
Unit AX-134

Docket #VGOB 08-1021-2348

List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1A, 38.70 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	38.70 acres	65.8836%
<u>OIL & GAS OWNERSHIP</u>		
(1) Kenneth Anders P.O. Box 558 Doran, VA 24612	38.70 acres	65.8836%
<u>Tract #1B, 2.22 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.22 acres	3.7794%
<u>OIL & GAS OWNERSHIP</u>		
(1) Clement A. Smith 2508 Red Root Ridge Road Raven, VA 24639	2.22 acres	3.7794%
 <i>** Note: Clement Smith requests his royalties to be paid to: Carolyn Horton 2872 Horton Ridge Road Swords Creek, VA 24649</i>		
<u>Tract #1C, 0.68 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.68 acres	1.1576%
<u>OIL & GAS OWNERSHIP</u>		
(1) Robin Hodges P.O. Box 1480 Bassett, VA 24055-4999	0.68 acres	1.1576%

INSTRUMENT #100001655
RECORDED IN THE CLERK'S OFFICE OF
TAZEVELL COUNTY ON
MAY 19, 2010 AT 04:03PM
Angela Ray
JAMES E. BLEVINS, CLERK
RECORDED BY: ADR