

090000848

Instrument prepared by:

**VIRGINIA GAS AND OIL BOARD**

Order recorded under:

**CODE OF VIRGINIA  
§ 45.1-361.26**

**VIRGINIA:**

**BEFORE THE GAS AND OIL BOARD**

**APPLICANTS:**

CNX Gas Company LLC on behalf of Harrison-Wyatt, L.L.C and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, Geraldine O'Quinn; James Price; Edgar Price Jr.; and Katherine Price Sears.

**DOCKET NO.**

**91-0430-0116-03&04**

**RELIEF SOUGHT:**

Issuance: A Supplemental Order for Disbursement of Escrowed Funds  
Action: Amending Prior Orders Affecting Drilling Unit AA-9, a portion of Tract 2C  
(Referenced herein as "the Subject Drilling Unit")

Location: Buchanan County, Virginia

**Action Details:**

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit AA-9 by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's Escrow Subaccount for **VGOB Tract(s) identified in Table 1.**

**REPORT OF THE BOARD**

**FINDINGS AND ORDER**

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on March 17, 2009, at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** Mark A. Swartz of Swartz Law Offices appeared for the Applicant; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and authority to disburse funds from the Escrow Account** provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1 (a) On May 31, 1991, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on June 6, 1991, Deed Book 375, page 758. The Supplemental Order was executed on October 20, 1993, and recorded in with the Clerk of the Court, Buchanan County on October 29, 1993, Deed Book 415, page 284.
- (b) On March 9, 2006, the Board executed an order docket number 91-0430-0116-01, disbursing escrowed funds from Tracts 2B and 2C. The order was filed with Clerk of the Circuit Court of Buchanan County on March 13, 2006, Instrument Number 06-0000780.
- (c) On January 31, 2008, the Board executed an order docket number 91-0430-0116-02, disbursing escrowed funds from Tracts 2C. The order was filed with Clerk of the Circuit Court of Buchanan County on February 7, 2008, Instrument Number 08-0000442.
- 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Harrison-Wyatt, LLC, and the gas and oil ownership interests of Sue Edwards, Judy Fuller, James Price, Edgar Price Jr., Katherine Price Sears, Mary Shortridge Arms, and Geraldine O'Quinn in a tract known as 2C in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding Tract 2C, a copy of which is attached to and made a part hereof, states under oath that Harrison-Wyatt, LLC and the Applicants have entered into an agreement with regards to Tract 2C and that by the terms of the agreements, the parties have entered into royalty split agreements regarding this tract and escrow regarding these individual conflicting claims detailed herein, is no longer required.
- 4.4 The Unit Operator gave notice to Harrison-Wyatt, LLC and the applicants that the Board would consider its disbursement authorization at its hearing on March 17, 2009, and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to Tract 2C as identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 2C and the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because parties other than those seeking disbursement under this order are subject to continued payments in the escrow.
- 4.5 The Unit Operator filed the attached accounting (Exhibit A) for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

*The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.*

5.2 Applicant has certified and represented to the Board that:

(1) Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, James Price, Edgar Price Jr., Katherine Price Sears, Mary Shortridge Arms, and Geraldine O'Quinn respectively, are the owners of the coal estate, gas and oil acreage estate underlying VGOB Tract 2C of the Subject Drilling Unit;

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

VGOB Approved Disbursement  
VGOB 91-0430-0116-03 & -04

Table 1		Acres Owned	Acreage Interest in Unit	Split Agreement %	Equivalent Disbursement Acres	Owners % of Remaining Escrowed Funds
<b>Tract 2C (a portion of)</b>						
<b>Disbursement Table</b>						
Total Remaining Acres in Escrow after disbursements -01 and -02					54.7666	
<b>Disbursement Petition - 03</b>						
2C	W. A. Arms Heirs, Successors, or Assigns		24.060			
✓	- Sue Edwards, 101 St. Andrews Drive, Bristol, VA 24202	1/120	0.201	50.0%	0.100	0.1830%
✓	- Judy Fuller, 17391 Cleveland Road, Abingdon, VA 24211	1/120	0.201	50.0%	0.100	0.1830%
✓	- Mary June Shortridge Arms, 24404 Green Springs Road, Abingdon, VA 24211	1/12	2.005	50.0%	1.003	1.8305%
✓	- Geraldine O'Quinn, Rt. 1, Box 112, Vansant, VA 24656	1/60	0.401	50.0%	0.201	0.3661%
2C	Harrison-Wyatt, LLC, c/o Wyatt Buick Pontiac, P.O. Box 11000, Danville, VA 24543		2.81	50.0%	1.404	2.5627%
<b>Disbursement Petition - 04</b>						
2C	W. A. Arms Heirs, Successors, or Assigns					
✓	- James C. Price; 208 Country Meadows Circle; Bristol, TN 37620	1/48	0.501	50.0%	0.251	0.4576%
✓	- Edgar Allen Price Jr.; 1034 Moore Fork Road; Duck, WV 25063	1/96	0.251	50.0%	0.125	0.2288%
✓	- Katherine Price Sears; PO Box 34; Mount Nebo, WV 26679	1/96	0.251	50.0%	0.125	0.2288%
2C	Harrison-Wyatt, LLC, c/o Wyatt Buick Pontiac, P.O. Box 11000, Danville, VA 24543		1.00	50.0%	0.501	0.9152%

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above. Prior to this disbursement, the Escrow agent is to ensure a corrected one-time payment has been made relative to an error in calculation and disbursement in VGOB-91-0430-0116-02, made on February 14, 2008.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, **and**, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

8. **Appeals:**

Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

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

DONE AND EXECUTED this 18 day of March, 2009, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 18<sup>th</sup> day of March, 2009, by an Order of this Board.

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

COMMONWEALTH OF VIRGINIA )  
COUNTY OF WASHINGTON

Acknowledged on this 18<sup>th</sup> day of March, 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 the Chairman of the Virginia Gas and Oil Board and **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis  
Diane J. Davis  
Notary Public #174394

My commission expires: 09/30/2009



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 91-0430-0116-03 &  
91-0430-0116-04 (Combined)

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

HEARING DATE: March 17, 2009

DRILLING UNIT: AA-9

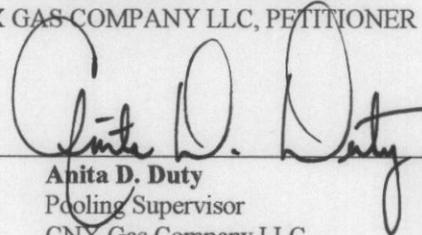
BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is **CNX Gas Company LLC**, 2481 John Nash Blvd., Bluefield, West Virginia 24701. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.
2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2C as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, Geraldine O'Quinn, James C. Price, Edgar Allen Price, Jr. and Katherine Sears.
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.
4. **Type of well(s):** Coalbed methane.
5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, Geraldine O'Quinn, James C. Price, Edgar Allen Price, Jr. and Katherine Sears, have entered into royalty split agreement(s). Said royalty split agreement(s) allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be divided and paid.
6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC  
BY IT'S PROFESSIONAL MANAGER  
CNX GAS COMPANY LLC, PETITIONER

By:



Anita D. Duty  
Pooling Supervisor  
CNX Gas Company LLC  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701

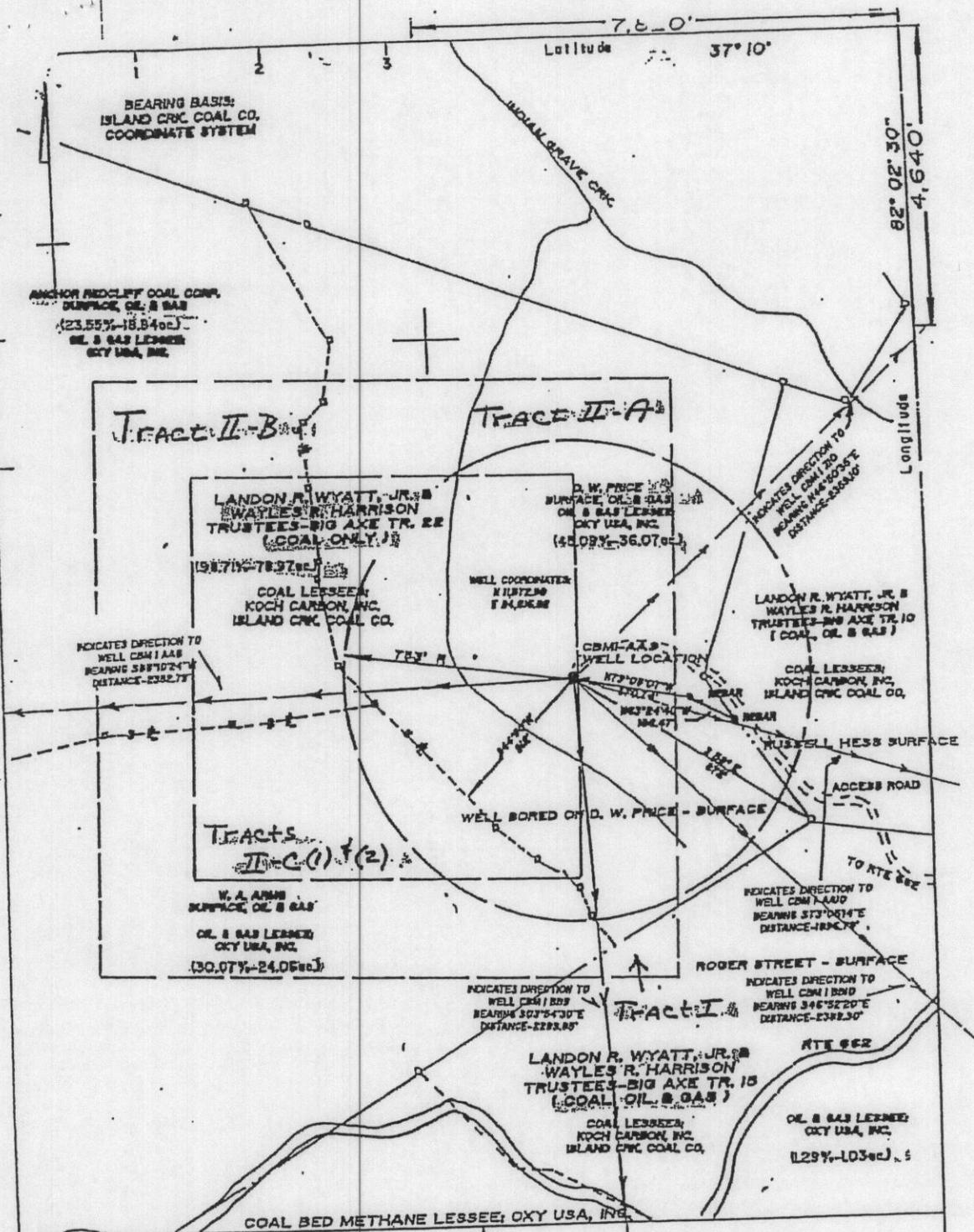
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**CNX Gas Company LLC**  
**UNIT AA-9**  
Tract Identifications

1. Harrison – Wyatt, LLC (Big Axe Tr. 15) – All Minerals  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Roger Street – Surface  
1.03 acres                      1.2875%
- 2A. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
D. W. Price Heirs – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
36.07 acres                      45.0875%
- 2B. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
Robert A. Rash – Surface and All Minerals except Coal  
CNX Gas Company LLC- Oil, Gas and CBM Leased  
18.84 acres                      23.5500%
- 2C. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
W. A. Arms Heirs, Successors or Assigns – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (52.47%)  
24.06 acres                      30.0750%

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COMPANY OXY USA, INC.  
 ADDRESS DRAWER Q, RICHLANDS, VA 24641  
 WELL NAME CBMI-AA9  
 FARM TRACT BIG AXE RR  
 LEASE NO.            ELEVATION 2260.88'  
 ACRES 400 QUADRANGLE VANSANT  
 COUNTY RICHMANAN DISTRICT SOUTH BOUNDARY  
 REG. ENGINEER VA REG. NO. 2887  
 CERT. LAND SURVEYOR            CERT NO.             
 FILE NO.            DRAWING NO.             
 DATE 12-12-82 SCALE 1" = 400'

This plat is  new  updated  
 This plot  is  is not based on a mine  
 coordinate system established for the areas  
 of the well location.

**EXHIBIT A**

**WELL LOCATION MAP**  
 WELL NO. CBMI-AA9

Denotes location of well on United States  
 Topographic Maps, scale 1 to 24,000, lat-  
 itude and longitude lines being represented  
 by border lines as shown.

**CERTIFICATION OF WELL PLAT**

I, the undersigned, hereby certify that  
 this plat is correct to the best of my  
 knowledge and belief, and that I have all the  
 information required by law and the regulations  
 of the Well Review Board.

*[Signature]*  
 Registered Engineer No. 2687  
 Land Surveyor in Charge  
 STATE OF VIRGINIA  
 DEPARTMENT OF MINES  
 CERTIFICATE NO. 2687

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<b><u>Tract #2A - 36.07 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	36.07 acres	45.0875%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) D.W. Price Rt.1 Box 403 Midland, VA 22728	36.07 acres	45.0875%
<b><u>Tract #2C - 24.06 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
W. A. Arms Heirs, Devisees, Successors or Assigns	24.06 acres	30.0750%
(1) Florence Arms Coleman Heirs, Devisees, Successors or Assigns		
(b) Elmer Coleman Heirs, Devisees, Successors or Assigns		
(b.1) Wanda Coleman Cook Rt.1 Box 393 Castlewood, VA 24224	0.134 acres 1/180 of 24.06 acres	0.1671%
(b.2) Larry E. Coleman Rt.1 Box 232 Cleveland, VA 24225	0.134 acres 1/180 of 24.06 acres	0.1671%
(a.3) Adam F. Coleman Address Unknown	0.134 acres 1/180 of 24.06 acres	0.1671%
(c) Thurman Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Ruth Nuckles Coleman Address Unknown		<i>Life Estate Only</i>
(c.2) Michael Coleman Rt.1 Box 682 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%

AB

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(c.3) Mildred Coleman PO Box 894 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%
(d) Onie Coleman Jackson Heirs, Devisees, Successors or Assigns		
(d.1) Betty Johnson McClanahan Rt.2 Box 116 A-1 The Plains, VA 22171	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.2) Helen Johnson Faulkner 12860 Birch Lane Beaumont, TX 77706	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.3) Blanche Johnson Dale 6202 Parkview Lane Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.4) Agnes Johnson Bartee 6207 Upton Place Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.5) Douglas W. Johnson Rt.1 Box 95-R Marshall, VA 22115	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.6) Phyllis Johnson Durland 1911 Millerville Pike Lancaster, PA 17603	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.7) Kathryn Johnson Webb 17687 Mooresville Road Mooresville, NC 28115	0.057 acres 1/420 of 24.06 acres	0.0716%
(e) Lorene Coleman Lester 8443 East Troy Urbana Road Casstown, OH 45312	0.401 acres 1/60 of 24.06 acres	0.5013%
(2) Gertie Arms Coleman Heirs, Devisees, Successors or Assigns		
(a) Ed Coleman Price Heirs, Devisees, Successors or Assigns		
(a.1) Hurley Street Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	1.003 acres 1/24 of 24.06 acres	1.2531%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns		
(h) Alva C. Coleman Heirs, Devisees, Successors or Assigns		
(h.1) Alva Lee Coleman P.O. Box 252 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%

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**Exhibit E**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(h.2) Angel Coleman Mullins 620 Mountain Brook Circle Stone Mountain, GA 30087	0.125 acres 1/192 of 24.06 acres	0.1566%
(4) James (Jim) Arms Heirs, Devisees, Successors or Assigns		
(a) Nelson Arms 1195 Dayton Drive Warminster, PA 18974	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Virgie Arms Maynard 625 Ellen Road Newport News, VA 23605	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Mae Catherine Arms Heirs, Devisees, Successors or Assigns		
(c.1) Peter Jacobsen 9612 27th Bay Avenue Norfolk, VA 23518	0.668 acres 1/36 of 24.06 acres	0.8354%
(6) John Arms Heirs, Devisees, Successors or Assigns		
(a) Hulet Arms P.O. Box 100 Melrose, OH 45861	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) John Dorsie Arms 7891 State Route 66 Oakwood, OH 45873	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Ruby Pauline Arms Jenkins 7849 Keys Road Mount Vernon, OH 43050	0.668 acres 1/36 of 24.06 acres	0.8354%
(7) Alice Arms Jackson Heirs, Devisees, Successors or Assigns		
(a) Alice Mae Elliott 3449 Johnstown Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%
(b) John Jackson, II 2846 Vanetta Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%
(8) Vince Arms Heirs, Devisees, Successors or Assigns		
(c) Juanita I. Arms Deel Heirs, Devisees, Successors or Assigns		
(c.1) John Deel Address Unknown		(Life Estate Only)

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**Exhibit E**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(c.2) Martha Irene Deel 375 Huntington Circle Alpharetta, GA 30201	0.201 acres 1/120 of 24.06 acres	0.2506%
(c.3) William V. Deel Box 14 Maxie, VA 24628	0.201 acres 1/120 of 24.06 acres	0.2506%
(e) William (Billy) P. Arms Heirs, Devisees, Successors or Assigns		
(e.1) Wanda Arms, widow P.O. Box 294 Rosedale, VA 24280	0.401 acres 1/60 of 24.06 acres	0.5013%
(9) Slemp Arms Heirs, Devisees, Successors or Assigns		
(a) Pauline Arms Jessee Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Donald Arms 7679 Dr. Ralph Stanley Hwy Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Jean Arms Mullins Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(10) Dock Arms Heirs, Devisees, Successors or Assigns		
(a) Dessie Arms 13200 Mallicote Drive Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns		
(a) James Osborne 26413 Mansfield Road Devince, OH 43512	0.401 acres 1/60 of 24.06 acres	0.5013%
(b) Ron Osborne 43983 Upper Clear Cadiz, OH 43907	0.401 acres 1/60 of 24.06 acres	0.5013%
(c) Bill Osborne 1280 3 Springs Russellville, TN 37860	0.401 acres 1/60 of 24.06 acres	0.5013%

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Exhibit EE  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #2B - 18.84 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	18.84 acres	23.5500%	Already Disbursed
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Robert A. Rash P.O. Box 614 Tazewell, VA 24651	18.84 acres	23.5500%	Already Disbursed
<b><u>Tract #2C - 24.06 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%	
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
W. A. Arms Heirs, Devisees, Successors or Assigns	24.06 acres	30.0750%	
(1) Florence Arms Coleman Heirs, Devisees, Successors or Assigns			
(a) Edmond M. (Bud) Coleman Heirs, Devisees, Successors or Assigns			
(a.1) Sue Edwards 101 St. Andrews Drive Bristol, VA 24202	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1830% (Previously Requested)
(a.2) Judy Fuller 17391 Cleveland Road Abingdon, VA 24211	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1830% (Previously Requested)
(2) Gertie Arms Coleman Heirs, Devisees, Successors or Assigns			
(b) Edna Coleman Price Heirs, Devisees, Successors or Assigns			
(b.1) James C. Price 208 Country Meadows Circle Bristol, TN 37620	0.501 acres 1/48 of 24.06 acres	0.6266%	0.4576%
(c) Edgar Allen Price, Sr. Heirs, Devisees, Successors or Assigns			

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**Exhibit EE**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
(c.1) Edgar Allen Price, Jr. 1034 Moore Fork Road Duck, WV 25063	0.251 acres 1/96 of 24.06 acres	0.3133%	0.2288%
(c.2) Katherine Price Sears P.O. Box 34 Mount Nebo, WV 26679	0.251 acres 1/96 of 24.06 acres	0.3133%	0.2288%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns			
(a) Gladys Coleman Blankenship Heirs, Devisees, Successors or Assigns			
(a.1) Elmer James Jackson P.O. Box 145 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.2) Ettie Mae Hill P.O. Box 134 Grundy, VA 24614	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.3) Paul Jackson P.O. Box 117 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.4) Agnes Hurley Rt.1 Box 392 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.5) Linda Ruth Gilbert Rt.1 Box 409 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.6) Lois Kate Boyd P.O. Box 685 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.7) Ira Roger Jackson P.O. Box 1079 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.8) Rhonda Renee Gilbert P.O. Box 26 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.9) Marshall Odell Jackson Heirs, Devisees, Successors or Assigns			
(a.9.1) Richard Jackson McHenry 8545 Maineville Road Orrville, OH 44667	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed
(a.9.2) Sally A. Hartzler 7296 Apple Creek Road Sterling, OH 44276	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed

13

**Exhibit EE**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
(b) Howard Coleman Heirs, Devisees, Successors or Assigns			
(b.1) Opal Coleman 18988 I-18 Continental, OH 45831	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(c) Beatrice Coleman Owens Heirs, Devisees, Successors or Assigns			
(c.1) Burton Eugene Owens P.O. Box 1933 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(c.2) Darlene Owens Mullins P.O. Box 228 Rosedale, VA 24280	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(d) Sadie Coleman Peters 301 Falls Street Defiance, OH 43512			
(e) Herman Coleman 1417 Fairfax Road Bellevue, NE 68005			
(f) Mae Coleman Shortridge 279 Ridgewood Drive Lebanon, VA 24266			
(g) Lucy Coleman Looney 883 Woodbriar Drive Lebanon, VA 24266			
(5) Lula Arms Street Heirs, Devisees, Successors or Assigns			
(a) Charlie E. Street 19171 Stone Mountain Road Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%	Already Disbursed
(8) Vince Arms Heirs, Devisees, Successors or Assigns			
(a) Tivis A. Arms 1209 West Madison Street Mayodan, NC 27027	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(b) Kelsie Arms Eastridge Rt.1 Box 768 Boomer, NC 28606	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(d) Josh Vince Arms Rt.3 Box 316 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(11) Howell Arms Heirs, Devisees, Successors or Assigns			

147

**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 12/31/08**

Unit AA-9  
 VGOB 91-0430-0116-03 & 91-0430-0116-04  
 Acres Escrowed: 54.7666

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Owners' Percent of Escrow (50%)	Amount Due Owners
Harrison-Wyatt, LLC - Coal	2C	18.6966			34.1387%	17.0693%	\$19,278.61
W.A. Armes Heirs - O&G		24.06				17.0693%	\$19,278.61
Sue Edwards			0.2005	1/120		0.1830%	\$206.74
Judy Fuller			0.2005	1/120		0.1830%	\$206.74
James C. Price			0.5013	1/48		0.4576%	\$516.85
Edgar Allen Price, Jr.			0.2506	1/96		0.2288%	\$258.43
Katherine Price Sears			0.2506	1/96		0.2288%	\$258.43
Mary June Shortridge Arms			2.0050	1/12		1.8305%	\$2,067.41
Geraldine O'Quinn			0.4010	1/60		0.3661%	\$413.48

Rev. 3/16/09  
 15 2/16/09

**Exhibit EE**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
(a) Mary June Shortridge Arms 24404 Green Springs Road Abingdon, VA 24211	2.005 acres 1/12 of 24.06 acres	2.5063%	1.8305% (Previously Requested)
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns			
(d) Delmar Osborne P.O. Box 2625 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(e) Geraldine O'Quinn Rt.1 Box 112 Vansant, VA 24656	0.401 acres 1/60 of 24.06 acres	0.5013%	0.3661% (Previously Requested)

INSTRUMENT #090000848  
 RECORDED IN THE CLERK'S OFFICE OF  
 BUCHANAN COUNTY ON  
 MARCH 24, 2009 AT 02:04PM

BEVERLY S. TILLER, CLERK  
 RECORDED BY: NKE

*NKE*

51118756

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000122 SUE C. EDWARDS  
101 ST. ANDREWS DRIVE  
BRISTOL, VA 24202

Remittance Amount	
Income	Principal
\$*****213.58	\$*****0.00

For: PAYMENT

FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-218-2308

66-21  
530 51118756

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*213.58

Pay: Two Hundred Thirteen DOLLARS AND Fifty Eight CENTS

To The Order of SUE C. EDWARDS

*Leon Mc...*  
Authorized Signature

⑈ 5 1 1 8 7 5 6 ⑈ ⑆ 0 5 3 0 0 2 1 9 ⑆ 5 0 4 6 0 0 1 0 4 2 7 3 8 ⑈

*verified*

5118757

REG 537  
DISP 4414

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

BR 204  
CF-VIRGINIA

Account 5025890684  
Number:

Date  
05/15/09

000123 JUDY C. FULLER  
17391 CLEVELAND ROAD  
ABINGDON, VA 24211

Remittance Amount	
Income	Principal
\$*****213.58	\$*****0.00

For: PAYMENT

FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

66-21  
530 5118757

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*213.58

Pay: Two Hundred Thirteen DOLLARS AND Fifty Eight CENTS

To The Order Of: JUDY C. FULLER

*Leon M. Luma*  
Authorized Signature

51118758

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000124 MARY JUNE SHORTRIDGE ARMES  
24404 GREEN SPRING ROAD  
ABINGDON, VA 24211

Remittance Amount	
Income	Principal
\$*****2,136.40	\$*****0.00

For: PAYMENT

FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

66-21  
530

51118758

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28228-1151  
1-888-215-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*2,136.40

Pay: Two Thousand One Hundred Thirty-Six DOLLARS AND Forty CENTS

To The Order MARY JUNE SHORTRIDGE ARMES

Of:

*Leon M. Benson*  
Authorized Signature

⑈ 51118758 ⑈

⑈ 053000219⑈ 5046001042738 ⑈

51118759

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000125 GERALDINE O'QUINN  
RT 1, BOX 112  
VANSANT, VA 24656

Remittance Amount	
Income	Principal
\$*****427.28	\$*****0.00

For: PAYMENT  
FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

68-21 530  
51118759

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*427.28

Pay: Four Hundred Twenty-Seven DOLLARS AND Twenty-Eight CENTS

To The Order Of: GERALDINE O'QUINN

*Leon M. ...*  
Authorized Signature

51118760

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000126 HARRISON-WYATT L.L.C.  
P. O. BOX 11000  
DANVILLE, VA 24543-3631

Remittance Amount	
Income	Principal
\$*****2,990.97	\$*****0.00

For: PAYMENT

FUND 0116

# WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

## WACHOVIA

66-21  
530 51118760

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1161  
1-888-216-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*2,990.97

Pay: Two Thousand Nine Hundred Ninety DOLLARS AND Ninety-Seven CENTS

To The Order Of: HARRISON-WYATT L.L.C.

*Lea M. Simon*  
Authorized Signature

⑈ 51118760⑈ ⑆053000219⑆ 5046001042738⑈

51118761

REG 537  
DISP 4414

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

BR 204  
CF-VIRGINIA

Account 5025890684  
Number:

Date  
05/15/09

000127 JAMES CARL PRICE  
208 COUNTRY MEADOW CIRCLE  
BRISTOL, TN 37620

Remittance Amount	
Income	Principal
\$*****534.07	\$*****0.00

For: PAYMENT

FUND 0116



PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

88-21  
530  
51118761

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

Date  
05/15/09  
Amount  
\$\*\*\*\*\*534.07

Account No.  
5025890684 VGOB

Pay: Five Hundred Thirty-Four DOLLARS AND Seven CENTS

To The Order Of: JAMES CARL PRICE

*Leon M. L...*  
Authorized Signature

51118762

REG 537  
DISP 4414

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

BR 204  
CF-VIRGINIA

Account 5025890684  
Number.

Date  
05/15/09

000128 EDGAR A. PRICE  
1034 MOORE FORK ROAD  
DUCK, WV 25063

Remittance Amount	
Income	Principal
\$*****267.03	\$*****0.00

For: PAYMENT

FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

66-21  
530

51118762

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*267.03

Pay: Two Hundred Sixty-Seven DOLLARS AND Three CENTS

To The Order of: EDGAR A. PRICE

*Leon A. Price*  
Authorized Signature

5118763

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000129 D. KATHERINE SEARS  
P. O. BOX 34  
NEBO, WV 25141

Remittance Amount		Principal
Income	\$*****267.03	\$*****0.00

For: PAYMENT

FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

66-21  
530

5118763

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*267.03

Pay: Two Hundred Sixty-Seven DOLLARS AND Three CENTS

To The Order of: D. KATHERINE SEARS

*Leon M. Linn*  
Authorized Signature

⑈ 5 1 1 8 7 6 3 ⑈

⑈ 0 5 3 0 0 0 2 1 9 ⑈ 5 0 4 6 0 0 1 0 4 2 7 3 8 ⑈

51118764

REG 537  
DISP 4414

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

BR 204  
CF-VIRGINIA

Account 5025890684  
Number:

Date  
05/15/09

000130 HARRISON-WYATT L.L.C.  
P. O. BOX 11000  
DANVILLE, VA 24543-3631

Remittance Amount	
Income	Principal
\$*****1,068.14	\$*****0.00

For: PAYMENT

FUND 0116

# WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

66-21  
530

51118764

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28228-1151  
1-888-216-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*1,068.14

Pay: One Thousand Sixty-Eight DOLLARS AND Fourteen CENTS

To The Order Of: HARRISON-WYATT L.L.C.

*Leon McLean*  
Authorized Signature

⑈51118764⑈

⑈053000219⑈ 5046001042738⑈

51118756

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000122 SUE C. EDWARDS  
101 ST. ANDREWS DRIVE  
BRISTOL, VA 24202

Remittance Amount	
Income	Principal
\$*****213.58	\$*****0.00

For: PAYMENT

FUND 0116

# WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

## WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

66-21  
530  
51118756

Date  
05/15/09  
Amount  
\$\*\*\*\*\*213.58

Account No.  
5025890684 VGOB

Pay: Two Hundred Thirteen DOLLARS AND Fifty Eight CENTS

To The Order of  
SUE C. EDWARDS

*Leon Mc Linn*  
Authorized Signature

⑈ 5 1 1 8 7 5 6 ⑈ ⑆ 0 5 3 0 0 0 2 1 9 ⑆ 5 0 4 6 0 0 1 0 4 2 7 3 8 ⑈

*Verified*

51118757

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account Name: VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account Number: 5025890684

Date  
05/15/09

000123 JUDY C. FULLER  
17391 CLEVELAND ROAD  
ABINGDON, VA 24211

Remittance Amount	
Income	Principal
\$*****213.58	\$*****0.00

For: PAYMENT  
FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28268-1151  
1-888-216-2308

88-21-590 51118757

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*213.58

Pay: Two Hundred Thirteen DOLLARS AND Fifty Eight CENTS

To The Order Of: JUDY C. FULLER

*Leon M. Luma*  
Authorized Signature

51118758

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000124 MARY JUNE SHORTRIDGE ARMES  
24404 GREEN SPRING ROAD  
ABINGDON, VA 24211

Remittance Amount	
Income	Principal
\$*****2,136.40	\$*****0.00

For: PAYMENT

FUND 0116

# WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

66-21  
530 51118758

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-219-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*2,136.40

Pay: Two Thousand One Hundred Thirty-Six DOLLARS AND Forty CENTS

To The Order Of: MARY JUNE SHORTRIDGE ARMES

*Leon Mc Linn*  
Authorized Signature

51118759

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000125 GERALDINE O'QUINN  
RT 1, BOX 112  
VANSANT, VA 24656

Remittance Amount	
Income	Principal
\$*****427.28	\$*****0.00

For: PAYMENT  
FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-218-2308

68-21  
530  
51118759

Account No.  
5025890684 VGOB

Date  
05/15/09  
Amount  
\$\*\*\*\*\*427.28

Pay: Four Hundred Twenty-Seven DOLLARS AND Twenty-Eight CENTS

To The Order Of: GERALDINE O'QUINN

*Leon M. L...*  
Authorized Signature

51118760

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000126 HARRISON-WYATT L.L.C.  
P. O. BOX 11000  
DANVILLE, VA 24543-3631

Remittance Amount	
Income	Principal
\$*****2,990.97	\$*****0.00

For: PAYMENT

FUND 0116

# WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

66-21  
530

51118760

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*2,990.97

Pay: Two Thousand Nine Hundred Ninety DOLLARS AND Ninety-Seven CENTS

To The Order Of: HARRISON-WYATT L.L.C.

*Lea M. Lerner*  
Authorized Signature

⑈ 51118760 ⑈ ⑆053000219⑆ 5046001042738⑈

51118761

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000127 JAMES CARL PRICE  
208 COUNTRY MEADOW CIRCLE  
BRISTOL, TN 37620

Remittance Amount	
Income	Principal
\$*****534.07	\$*****0.00

For: PAYMENT  
FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28228-1751  
1-888-216-2308

88-21  
530  
51118761

Account No.  
5025890684 VGOB

Date  
05/15/09

Amount  
\$\*\*\*\*\*534.07

Pay: Five Hundred Thirty-Four DOLLARS AND Seven CENTS

To The Order Of: JAMES CARL PRICE

*Leon Mc...*  
Authorized Signature

⑈ 5 1 1 8 7 6 1 ⑈ ⑆ 0 5 3 0 0 0 2 1 9 ⑆ 5 0 4 6 0 0 1 0 4 2 7 3 8 ⑈

51118762

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number.

Date  
05/15/09

000128 EDGAR A. PRICE  
1034 MOORE FORK ROAD  
DUCK, WV 25063

Remittance Amount	
Income	Principal
\$*****267.03	\$*****0.00

For: PAYMENT

FUND 0116

# WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

66-21  
530 51118762

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*267.03

Pay: Two Hundred Sixty-Seven DOLLARS AND Three CENTS

To The Order OF: EDGAR A. PRICE

*Leon Mc Linn*  
Authorized Signature

51118763

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2005

Account 5025890684  
Number:

Date  
05/15/09

000129 D. KATHERINE SEARS  
P. O. BOX 34  
NEBO, WV 25141

Remittance Amount	
Income	Principal
\$*****267.03	\$*****0.00

For: PAYMENT  
FUND 0116

WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

65-21  
530  
51118763

Account No.  
5025890684 VGOB

Date  
05/15/09  
Amount  
\$\*\*\*\*\*267.03

Pay: Two Hundred Sixty-Seven DOLLARS AND Three CENTS

To The Order of: D. KATHERINE SEARS

*Leon M. L...*  
Authorized Signature

⑈ 5 1 1 8 7 6 3 ⑈ ⑆ 0 5 3 0 0 2 1 9 ⑆ 5 0 4 6 0 0 1 0 4 2 7 3 8 ⑈

51118764

REG 537  
DISP 4414

BR 204  
CF-VIRGINIA

Account VIRGINIA GAS AND OIL BOARD WACHOVIA BANK, N.A. AGENT  
Name: UNDER AGREEMENT DATED SEPTEMBER 19, 2006

Account 5025890684  
Number:

Date  
05/15/09

000130 HARRISON-WYATT L.L.C.  
P. O. BOX 11000  
DANVILLE, VA 24543-3631

Remittance Amount	
Income	Principal
\$*****1,068.14	\$*****0.00

For: PAYMENT

FUND 0116

# WACHOVIA

PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING FOR PAYMENT

## WACHOVIA

WACHOVIA BANK, N.A.  
CHARLOTTE, NC 28288-1151  
1-888-216-2308

66-21-530 51118764

Date  
05/15/09

Account No.  
5025890684 VGOB

Amount  
\$\*\*\*\*\*1,068.14

Pay: One Thousand Sixty-Eight DOLLARS AND Fourteen CENTS

To The Order of: HARRISON-WYATT L.L.C.

*Leon McLean*  
Authorized Signature

⑈51118764⑈ ⑆053000219⑆ 5046001042738⑈

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 91-0430-0116-03 &  
91-0430-0116-04 (Combined)

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

HEARING DATE: March 17, 2009

DRILLING UNIT: AA-9

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701. Petitioner's counsel is Mark A. Swartz, SWARTZ LAW OFFICES, PLLC., 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2C as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, Geraldine O'Quinn, Janice S. Ball, James C. Price, Edgar Allen Price, Jr., Katherine Sears and James Ball.

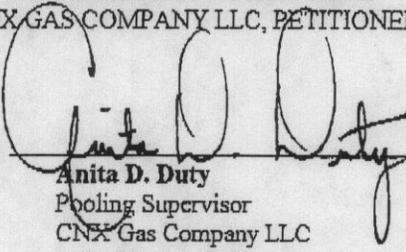
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

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

5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, Geraldine O'Quinn, Janice S. Ball, James C. Price, Edgar Allen Price, Jr., Katherine Sears and James Ball, have entered into royalty split agreement(s). Said royalty split agreement(s) allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC  
BY IT'S PROFESSIONAL MANAGER  
CNX GAS COMPANY LLC, PETITIONER

By:   
Anita D. Duty  
Pooling Supervisor  
CNX Gas Company LLC  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701

Handwritten notes: 7 Arms, 2 JTS, AA-9, AA-8, BB-8, with a circled 'X' and checkmarks.

Handwritten checkmark and the number '9'.



**CNX Gas Company LLC**  
**UNIT AA-9**  
Tract Identifications

1. Harrison – Wyatt, LLC (Big Axe Tr. 15) – All Minerals  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Roger Street – Surface  
1.03 acres                      1.2875%
- 2A. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
D. W. Price Heirs – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
36.07 acres                      45.0875%
- 2B. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
Robert A. Rash – Surface and All Minerals except Coal  
CNX Gas Company LLC- Oil, Gas and CBM Leased  
18.84 acres                      23.5500%
- 2C. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
W. A. Arms Heirs, Successors or Assigns – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (52.47%)  
24.06 acres                      30.0750%

**Exhibit E  
Unit AA-9**

**Docket #VGOB 91-0430-0116**

**List of Conflicting Owners/Claimants that require escrow**

	Acres In Unit	Percent of Unit
<b><u>Tract #2A - 36.07 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	36.07 acres	45.0875%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) D.W. Price Rt.1 Box 403 Midland, VA 22728	36.07 acres	45.0875%
<b><u>Tract #2C - 24.06 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
W. A. Arms Heirs, Devisees, Successors or Assigns	24.06 acres	30.0750%
(1) Florence Arms Coleman Heirs, Devisees, Successors or Assigns		
(b) Elmer Coleman Heirs, Devisees, Successors or Assigns		
(b.1) Wanda Coleman Cook Rt.1 Box 393 Castlewood, VA 24224	0.134 acres 1/180 of 24.06 acres	0.1671%
(b.2) Larry E. Coleman Rt.1 Box 232 Cleveland, VA 24225	0.134 acres 1/180 of 24.06 acres	0.1671%
(a.3) Adam F. Coleman Address Unknown	0.134 acres 1/180 of 24.06 acres	0.1671%
(c) Thurman Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Ruth Nuckles Coleman Address Unknown		<i>Life Estate Only</i>
(c.2) Michael Coleman Rt.1 Box 682 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%

Exhibit E  
Unit AA-9

Docket #VGOB 91-0430-0116

## List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(c.3) Mildred Coleman PO Box 894 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%
(d) Onie Coleman Jackson Heirs, Devisees, Successors or Assigns		
(d.1) Betty Johnson McClanahan Rt.2 Box 116 A-1 The Plains, VA 22171	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.2) Helen Johnson Faulkner 12860 Birch Lane Beaumont, TX 77706	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.3) Blanche Johnson Dale 6202 Parkview Lane Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.4) Agnes Johnson Barteo 6207 Upton Place Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.5) Douglas W. Johnson Rt.1 Box 95-R Marshall, VA 22115	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.6) Phyllis Johnson Durland 1911 Millerville Pike Lancaster, PA 17603	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.7) Kathryn Johnson Webb 17687 Mooresville Road Mooresville, NC 28115	0.057 acres 1/420 of 24.06 acres	0.0716%
(e) Lorene Coleman Lester 8443 East Troy Urbana Road Casttown, OH 45312	0.401 acres 1/60 of 24.06 acres	0.5013%
(2) Gertie Arms Coleman Heirs, Devisees, Successors or Assigns		
(a) Ed Coleman Price Heirs, Devisees, Successors or Assigns		
(a.1) Hurley Street Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	1.003 acres 1/24 of 24.06 acres	1.2531%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns		
(h) Alva C. Coleman Heirs, Devisees, Successors or Assigns		
(h.1) Alva Lee Coleman P.O. Box 252 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%

Exhibit E  
Unit AA-9

Docket #VGOB 91-0430-0116

## List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(h.2) Angel Coleman Mullins 620 Mountain Brook Circle Stone Mountain, GA 30087	0.125 acres 1/192 of 24.06 acres	0.1566%
(4) James (Jim) Arms Heirs, Deviseses, Successors or Assigns		
(a) Nelson Arms 1195 Dayton Drive Warminster, PA 18974	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Virgie Arms Maynard 625 Ellen Road Newport News, VA 23605	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Mae Catherine Arms Heirs, Deviseses, Successors or Assigns		
(c.1) Peter Jacobsen 9612 27th Bay Avenue Norfolk, VA 23518	0.668 acres 1/36 of 24.06 acres	0.8354%
(6) John Arms Heirs, Deviseses, Successors or Assigns		
(a) Hulet Arms P.O. Box 100 Melrose, OH 45861	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) John Dorsie Arms 7891 State Route 66 Oakwood, OH 45873	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Ruby Pauline Arms Jenkins 7849 Keys Road Mount Vernon, OH 43050	0.668 acres 1/36 of 24.06 acres	0.8354%
(7) Alice Arms Jackson Heirs, Deviseses, Successors or Assigns		
(a) Alice Mae Elliott 3449 Johnstown Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%
(b) John Jackson, II 2846 Vanetta Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%
(8) Vince Arms Heirs, Deviseses, Successors or Assigns		
(c) Juanita I. Arms Deel Heirs, Deviseses, Successors or Assigns		
(c.1) John Deel Address Unknown		(Life Estate Only)

## Exhibit E

## Unit AA-9

Docket #VGOB 91-0430-0116

## List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(c.2) Martha Irene Deel 375 Huntington Circle Alpharetta, GA 30201	0.201 acres 1/120 of 24.06 acres	0.2506%
(c.3) William V. Deel Box 14 Maxie, VA 24628	0.201 acres 1/120 of 24.06 acres	0.2506%
(e) William (Billy) P. Arms Heirs, Devisees, Successors or Assigns		
(e.1) Wanda Arms, widow P.O. Box 294 Rosedale, VA 24280	0.401 acres 1/60 of 24.06 acres	0.5013%
(9) Slemp Arms Heirs, Devisees, Successors or Assigns		
(a) Pauline Arms Jessee Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Donald Arms 7679 Dr. Ralph Stanley Hwy Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Jean Arms Mullins Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(10) Dock Arms Heirs, Devisees, Successors or Assigns		
(a) Dessie Arms 13200 Mallicote Drive Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns		
(a) James Osborne 26413 Mansfield Road Devince, OH 43512	0.401 acres 1/60 of 24.06 acres	0.5013%
(b) Ron Osborne 43983 Upper Clear Cadiz, OH 43907	0.401 acres 1/60 of 24.06 acres	0.5013%
(c) Bill Osborne 1280 3 Springs Russellville, TN 37860	0.401 acres 1/60 of 24.06 acres	0.5013%

**Exhibit EE  
Unit AA-8  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #2B - 18.84 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	18.84 acres	23.5500%	Already Disbursed
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Robert A. Rash P.O. Box 614 Tazewell, VA 24651	18.84 acres	23.5500%	Already Disbursed
<b><u>Tract #2C - 24.06 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%	
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
W. A. Arms Heirs, Deviseses, Successors or Assigns	24.06 acres	30.0750%	
(1) Florence Arms Coleman Heirs, Deviseses, Successors or Assigns			
(a) Edmond M. (Bud) Coleman Heirs, Deviseses, Successors or Assigns			
(a.1) Sue Edwards 101 St. Andrews Drive Bristol, VA 24202	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1830% (Previously Requested)
(a.2) Judy Fuller 17391 Cleveland Road Abingdon, VA 24211	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1830% (Previously Requested)
(2) Gertie Arms Coleman Heirs, Deviseses, Successors or Assigns			
(b) Edna Coleman Price Heirs, Deviseses, Successors or Assigns			
(b.1) James C. Price 208 Country Meadows Circle Bristol, TN 37620	0.501 acres 1/48 of 24.06 acres	0.6266%	0.4576%
(c) Edgar Allen Price, Sr. Heirs, Deviseses, Successors or Assigns			

Exhibit EE  
Unit AA-9

Docket #VGOB 91-0430-0116

## List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Percent of Escrow
(c.1) Edgar Allan Price, Jr. 1034 Moore Fork Road Duck, WV 25063	0.251 acres 1/96 of 24.06 acres	0.3133%	0.2288%
(c.2) Katherine Price Sears P.O. Box 34 Mount Nebo, WV 26679	0.251 acres 1/96 of 24.06 acres	0.3133%	0.2288%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns			
(a) Gladys Coleman Blankenship Heirs, Devisees, Successors or Assigns			
(a.1) Elmer James Jackson P.O. Box 145 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.2) Ettie Mae Hill P.O. Box 134 Grundy, VA 24614	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.3) Paul Jackson P.O. Box 117 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.4) Agnes Hurley Rt.1 Box 392 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.5) Linda Ruth Gilbert Rt.1 Box 409 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.6) Lois Kate Boyd P.O. Box 685 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.7) Ira Roger Jackson P.O. Box 1079 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.8) Rhonda Renee Gilbert P.O. Box 26 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.9) Marshall Odell Jackson Heirs, Devisees, Successors or Assigns			
(a.9.1) Richard Jackson McHenry 8545 Maineville Road Orrville, OH 44667	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed
(a.9.2) Sally A. Hartzler 7296 Apple Creek Road Sterling, OH 44276	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed

Exhibit EE  
Unit AA-9

Docket #VGOB 91-0430-0116

## List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Percent of Escrow
(b) Howard Coleman Heirs, Deviseses, Successors or Assigns			
(b.1) Opal Coleman 18988 I-18 Continental, OH 45831	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(c) Beatrice Coleman Owens Heirs, Deviseses, Successors or Assigns			
(c.1) Burton Eugene Owens P.O. Box 1933 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(c.2) Darlene Owens Mullins P.O. Box 228 Rosedale, VA 24280	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(d) Sadie Coleman Peters 301 Falls Street Defiance, OH 43512	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(e) Herman Coleman 1417 Fairfax Road Bellevue, NE 68005	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(f) Mae Coleman Shortridge 279 Ridgewood Drive Lebanon, VA 24266	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(g) Lucy Coleman Looney 883 Woodbriar Drive Lebanon, VA 24266	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(5) Lula Arms Street Heirs, Deviseses, Successors or Assigns			
(a) Charlie E. Street 19171 Stone Mountain Road Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%	Already Disbursed
(8) Vince Arms Heirs, Deviseses, Successors or Assigns			
(a) Tavis A. Arms 1209 West Madison Street Mayodan, NC 27027	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(b) Kelsie Arms Eastridge Rt.1 Box 788 Boomer, NC 28606	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(d) Josh Vince Arms Rt.3 Box 316 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(11) Howell Arms Heirs, Deviseses, Successors or Assigns			

Exhibit EE  
Unit AA-9

Docket #VGOB 91-0430-0116

## List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres In Unit	Percent of Unit	Percent of Escrow
(a) Mary June Shortridge Arms 24404 Green Springs Road Abingdon, VA 24211	2.005 acres 1/12 of 24.06 acres	2.5063%	1.8305% (Previously Requested)
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns			
(d) Delmar Osborne P.O. Box 2625 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(e) Geraldine O'Quinn RT1 Box 112 Vansant, VA 24656	0.401 acres 1/60 of 24.06 acres	0.5013%	0.3661% (Previously Requested)

Account Balances as of 12/31/08

Unit AA-9

VG0B 91-0430-0116-03 & 91-0430-0116-04

Acres Escrowed: 54.7666

Owners	Tract#	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Owners' Percent of Escrow (50%)	Amount Due Owners \$112,942.88
Harrison-Wyatt, LLC - Coal	2A	36.07			65.8613%	32.9307%	\$37,192.83
D.W. Price - O&G						32.9307%	\$37,192.83
Harrison-Wyatt, LLC - Coal	2C	18.6666			34.1387%	17.0693%	\$19,278.61
W.A. Armes Heirs - O&G		24.06				17.0693%	\$19,278.61
Tivis Arms			0.4010	1/80			Paid Out
Josh Arms			0.4010	1/80			Paid Out
Kolsjo Arms Earp			0.4010	1/60			Paid Out
Charlie E. Street			2.0050	1/12			Paid Out
Lucy Looney			0.2506	1/96			Paid Out
Sue Edwards			0.2005	1/120		0.1830%	\$206.74
Judy Fuller			0.2005	1/120		0.1830%	\$206.74
1 Wanda Coloman Cook			0.1337	1/180		0.1220%	\$137.83
2 Larry E. Coleman			0.1337	1/180		0.1220%	\$137.83
3 Adam F. Coleman			0.1337	1/180		0.1220%	\$137.83
4 Ruth Nickles Coleman				Life Estate Only			
5 Michael Coloman			0.2005	1/120		0.1830%	\$206.74
6 Mildred Coleman			0.2005	1/120		0.1830%	\$206.74
7 Betty Johnson McClanahan			0.0573	1/420		0.0523%	\$59.07
8 Helen Johnson Faulkner			0.0573	1/420		0.0523%	\$59.07
9 Blanche Johnson Dale			0.0573	1/420		0.0523%	\$59.07
10 Agnes Johnson Bartee			0.0573	1/420		0.0523%	\$59.07
11 Douglas W. Johnson			0.0573	1/420		0.0523%	\$59.07
12 Phyllis Johnson Durland			0.0573	1/420		0.0523%	\$59.07
13 Kathryn Johnson Webb			0.0573	1/420		0.0523%	\$59.07
14 Lorene Coleman Lester			0.4010	1/80		0.3661%	\$413.48
15 Hurley Street Heirs (Unknown)			1.0025	1/24		0.9152%	\$1,033.71
James C. Price			0.5013	1/48		0.4576%	\$516.85
Edgar Allen Price, Jr.			0.2506	1/96		0.2288%	\$258.43
Katherine Price Sears			0.2506	1/96		0.2288%	\$258.43
Elmer James Jackson			0.0278	1/864			Paid Out
Ettie Mae Hill			0.0278	1/864			Paid Out
Paul Jackson			0.0278	1/864			Paid Out
Agnes Hurley			0.0278	1/864			Paid Out
Linda Ruth Gilbert			0.0278	1/864			Paid Out
Lois Kate Boyd			0.0278	1/864			Paid Out
Ira Roger Jackson			0.0278	1/864			Paid Out
Rhonda Ronco Gilbert			0.0278	1/864			Paid Out
Richard Jackson McHenry			0.0139	1/728			Paid Out
Sally A. Hartzler			0.0139	1/728			Paid Out
Opal Coloman			0.2506	1/96			Paid Out
Burton Eugene Owens			0.1253	1/192			Paid Out
Darlene Owens Mullins			0.1253	1/192			Paid Out
Sadie Coleman Peters			0.2506	1/96			Paid Out
Herman Coloman			0.2506	1/96			Paid Out
Mao Coleman Shortridge			0.2506	1/96			Paid Out
16 Alva Lee Coleman			0.1253	1/192		0.1144%	\$129.21
17 Angel Coleman Mullins			0.1253	1/192		0.1144%	\$129.21
18 Nelson Arms			0.6683	1/36		0.6102%	\$689.14
19 Virgio Arms Maynard			0.6683	1/36		0.6102%	\$689.14
20 Peter Jacobsen			0.6683	1/36		0.6102%	\$689.14
21 Hulet Arms			0.6683	1/36		0.6102%	\$689.14
22 John Dorsie Arms			0.6683	1/36		0.6102%	\$689.14
23 Ruby Pauline Arms Jenkins			0.6683	1/36		0.6102%	\$689.14
24 Alice Mae Elliott			1.0025	1/24		0.9152%	\$1,033.71
25 John Jackson, II			1.0025	1/24		0.9152%	\$1,033.71
John Deel				Life Estate Only			
26 Martha Irene Deel			0.2005	1/120		0.1830%	\$206.74
27 William V. Deel			0.2005	1/120		0.1830%	\$206.74
28 Wanda Arms			0.4010	1/60		0.3661%	\$413.48
29 Pauline Arms Jessee			0.6683	1/36		0.6102%	\$689.14
30 Donald Arms			0.6683	1/36		0.6102%	\$689.14
31 Jean Arms Mullins			0.6683	1/36		0.6102%	\$689.14
32 Dessie Arms			2.0050	1/12		1.8305%	\$2,067.41
Mary June Shortridge Arms			2.0050	1/12		1.8305%	\$2,067.41
33 James Osborne			0.4010	1/80		0.3661%	\$413.48
34 Ron Osborne			0.4010	1/80		0.3661%	\$413.48
35 Bill Osborne			0.4010	1/80		0.3661%	\$413.48
36 Delmar Osborne			0.4010	1/80			Paid Out
Geraldino O'Quinn			0.4010	1/80		0.3661%	\$413.48

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

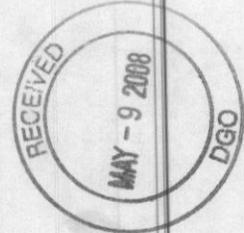
DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 91-0430-0116-03

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

HEARING DATE: May 20, 2008

DRILLING UNIT: AA-9

BUCHANAN COUNTY, VIRGINIA



MISCELLANEOUS PETITION

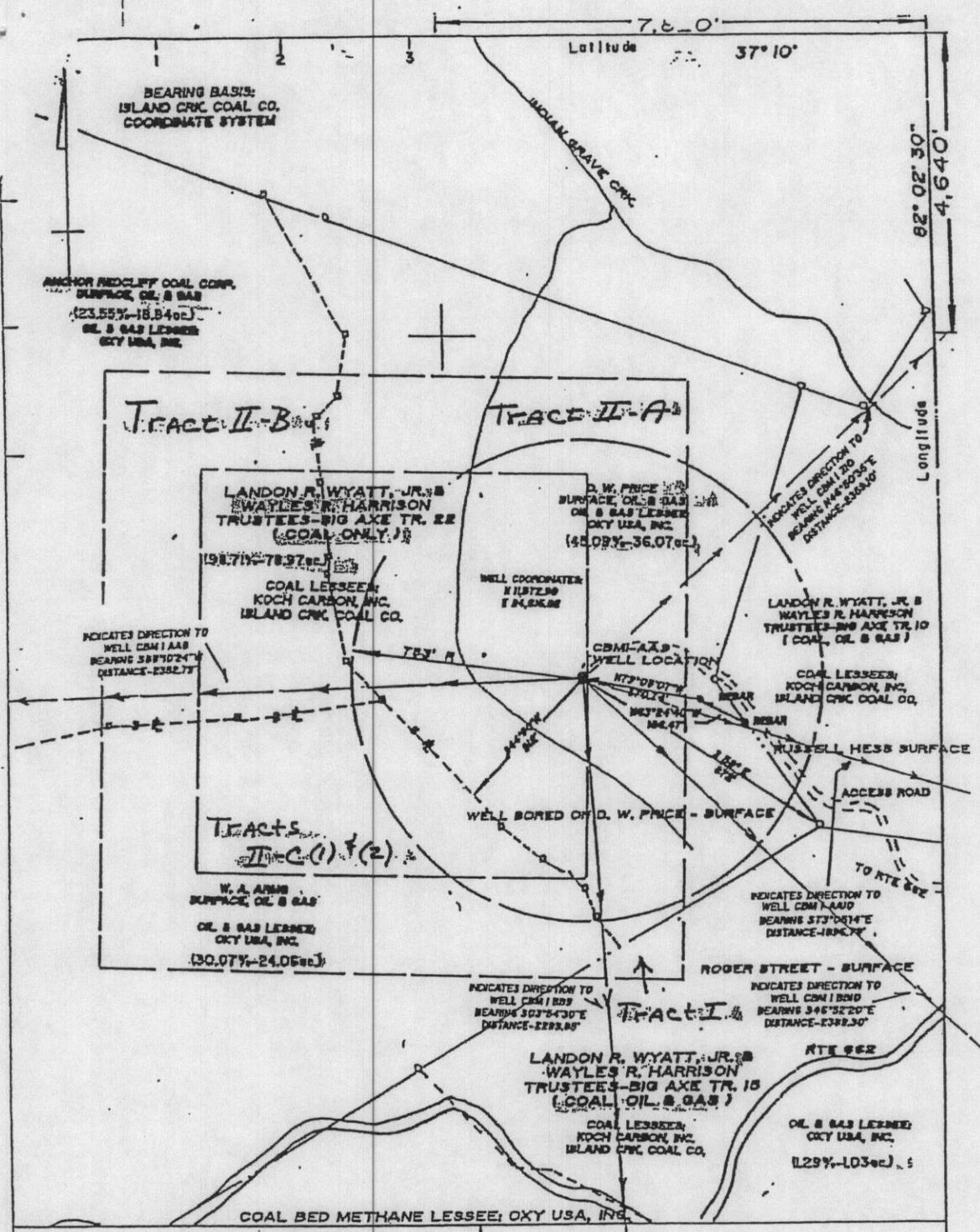
1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701. Petitioner's counsel is Mark A. Swartz, SWARTZ LAW OFFICES, PLLC., 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.
2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2C as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms and Geraldine O'Quinn.
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.
4. **Type of well(s):** Coalbed methane.
5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms and Geraldine O'Quinn, have entered into royalty split agreement(s). Said royalty split agreement(s) allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be divided and paid.
6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC  
BY IT'S PROFESSIONAL MANAGER  
CNX GAS COMPANY LLC, PETITIONER

By:

A handwritten signature in black ink, appearing to read "Leslie K. Arrington".

Leslie K. Arrington  
Manager - Environmental Permitting  
CNX Gas Company LLC  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701



COMPANY OXY USA, INC.  
 ADDRESS DRAWER O, RICHLANDS, VA 24641  
 WELL NAME CBMI-AA9  
 FARM TRACT BIG AXE RR  
 LEASE NO.            ELEVATION 2268.88'  
 ACRES 400 QUADRANGLE VANSANT  
 COUNTY BUCHANAN DISTRICT SOUTH BRUNY  
 REG. ENGINEER VA REG. NO. 8887  
 CERT. LAND SURVEYOR            CERT. NO.             
 FILE NO.            DRAWING NO.             
 DATE 12-12-20 SCALE 1" = 400'  
 This plot is  new  updated  
 This plot  is  is not based on a mine  
 coordinate system established for the areas  
 of the well location.

**EXHIBIT A**

**WELL LOCATION MAP**  
**WELL NO. CBMI-AA9**  
 Denotes location of well on United States  
 Topographic Maps, scale 1 to 24,000, lat-  
 itude and longitude lines being represented  
 by border lines as shown.

**CERTIFICATION OF WELL PLAT**  
 I, the undersigned, hereby certify that  
 this plat is correct to the best of my  
 knowledge and belief, and I have all the  
 information required by law and the regulations  
 of the Well Review Board.

[Signature]  
 Registered Engineer No. 195 Certified  
 Land Surveyor in Charge 2687  
 [Seal: COMMONWEALTH OF VIRGINIA, REGISTERED ENGINEER, 195, 2687]

**CNX Gas Company LLC**  
**UNIT AA-9**  
Tract Identifications

1. Harrison – Wyatt, LLC (Big Axe Tr. 15) – All Minerals  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Roger Street – Surface  
1.03 acres                      1.2875%
- 2A. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
D. W. Price Heirs – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
36.07 acres                      45.0875%
- 2B. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
Robert A. Rash – Surface and All Minerals except Coal  
CNX Gas Company LLC- Oil, Gas and CBM Leased  
18.84 acres                      23.5500%
- 2C. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
W. A. Arms Heirs, Successors or Assigns – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (52.47%)  
24.06 acres                      30.0750%

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #2A - 36.07 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	36.07 acres	45.0875%
<u>OIL &amp; GAS FEE OWNERSHIP</u>		
(1) D.W. Price Rt.1 Box 403 Midland, VA 22728	36.07 acres	45.0875%
<u>Tract #2C - 24.06 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%
<u>OIL &amp; GAS FEE OWNERSHIP</u>		
W. A. Arms Heirs, Devisees, Successors or Assigns	24.06 acres	30.0750%
(1) Florence Arms Coleman Heirs, Devisees, Successors or Assigns		
(b) Elmer Coleman Heirs, Devisees, Successors or Assigns		
(b.1) Wanda Coleman Cook Rt.1 Box 393 Castlewood, VA 24224	0.134 acres 1/180 of 24.06 acres	0.1671%
(b.2) Larry E. Coleman Rt.1 Box 232 Cleveland, VA 24225	0.134 acres 1/180 of 24.06 acres	0.1671%
(a.3) Adam F. Coleman Address Unknown	0.134 acres 1/180 of 24.06 acres	0.1671%
(c) Thurman Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Ruth Nuckles Coleman Address Unknown		<i>Life Estate Only</i>
(c.2) Michael Coleman Rt.1 Box 682 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%
(c.3) Mildred Coleman Box 269 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(d) Onie Coleman Jackson Heirs, Devisees, Successors or Assigns		
(d.1) Betty Johnson McClanahan Rt.2 Box 116 A-1 The Plains, VA 22171	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.2) Helen Johnson Faulkner 12860 Birch Lane Beaumont, TX 77706	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.3) Blanche Johnson Dale 6202 Parkview Lane Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.4) Agnes Johnson Bartee 6207 Upton Place Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.5) Douglas W. Johnson Rt.1 Box 95-R Marshall, VA 22115	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.6) Phyllis Johnson Durland 1911 Millerville Pike Lancaster, PA 17603	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.7) Kathryn Johnson Webb 9634 Glover Hill Road Manassas, VA 22110	0.057 acres 1/420 of 24.06 acres	0.0716%
(e) Lorene Coleman Lester 8443 East Troy Urbana Road Casstown, OH 45312	0.401 acres 1/60 of 24.06 acres	0.5013%
(2) Gertie Arms Coleman Heirs, Devisees, Successors or Assigns		
(a) Ed Coleman Price Heirs, Devisees, Successors or Assigns		
(a.1) Hurley Street Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	1.003 acres 1/24 of 24.06 acres	1.2531%
(b) Edna Coleman Price Heirs, Devisees, Successors or Assigns		
(b.1) James C. Price 208 Country Meadows Circle Bristol, TN 37620	0.501 acres 1/48 of 24.06 acres	0.6266%
(c) Edgar Allen Price, Sr. Heirs, Devisees, Successors or Assigns		
(c.1) Edgar Allen Price, Jr. 1034 Moore Fork Road Duck, WV 25063	0.251 acres 1/96 of 24.06 acres	0.3133%

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(c.2) Katherine Price Sears P.O. Box 34 Mount Nebo, WV 26679	0.251 acres 1/96 of 24.06 acres	0.3133%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns		
(h) Alva C. Coleman Heirs, Devisees, Successors or Assigns		
(h.1) Alva Lee Coleman P.O. Box 252 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%
(h.2) Angel Coleman Mullins 620 Mountain Brook Circle Stone Mountain, GA 30087	0.125 acres 1/192 of 24.06 acres	0.1566%
(4) James (Jim) Arms Heirs, Devisees, Successors or Assigns		
(a) Nelson Arms 1195 Dayton Drive Warminster, PA 18974	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Virgie Arms Maynard 625 Ellen Road Newport News, VA 23605	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Mae Catherine Arms Heirs, Devisees, Successors or Assigns		
(c.1) Peter Jacobsen 9612 27th Bay Avenue Norfolk, VA 23518	0.668 acres 1/36 of 24.06 acres	0.8354%
(6) John Arms Heirs, Devisees, Successors or Assigns		
(a) Hulet Arms P.O. Box 100 Melrose, OH 45861	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) John Dorsie Arms 7891 State Route 66 Oakwood, OH 45873	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Ruby Pauline Arms Jenkins 7849 Keys Road Mount Vernon, OH 43050	0.668 acres 1/36 of 24.06 acres	0.8354%
(7) Alice Arms Jackson Heirs, Devisees, Successors or Assigns		
(a) Alice Mae Elliott 3449 Johnstown Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b) John Jackson, II 2846 Vanetta Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%
(8) Vince Arms Heirs, Devisees, Successors or Assigns		
(c) Juanita I. Arms Deel Heirs, Devisees, Successors or Assigns		
(c.1) John Deel <i>Address Unknown</i>		<i>(Life Estate Only)</i>
(c.2) Martha Irene Deel 375 Huntington Circle Alpharetta, GA 30201	0.201 acres 1/120 of 24.06 acres	0.2506%
(c.3) William V. Deel Box 14 Maxie, VA 24628	0.201 acres 1/120 of 24.06 acres	0.2506%
(e) William (Billy) P. Arms Heirs, Devisees, Successors or Assigns		
(e.1) Wanda Arms, widow P.O. Box 294 Rosedale, VA 24280	0.401 acres 1/60 of 24.06 acres	0.5013%
(9) Slemp Arms Heirs, Devisees, Successors or Assigns		
(a) Pauline Arms Jessee Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Donald Arms Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Jean Arms Mullins Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(10) Dock Arms Heirs, Devisees, Successors or Assigns		
(a) Dessie Arms 13200 Mallicote Drive Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns		
(a) James Osborne 26413 Mansfield Road Devince, OH 43512	0.401 acres 1/60 of 24.06 acres	0.5013%

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b) Ron Osborne 43983 Upper Clear Cadiz, OH 43907	0.401 acres 1/60 of 24.06 acres	0.5013%
(c) Bill Osborne 1280 3 Springs Russellville, TN 37860	0.401 acres 1/60 of 24.06 acres	0.5013%

Exhibit EE  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #2B - 18.84 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	18.84 acres	23.5500%	Already Disbursed
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Robert A. Rash P.O. Box 614 Tazewell, VA 24651	18.84 acres	23.5500%	Already Disbursed
<b><u>Tract #2C - 24.06 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%	
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
W. A. Arms Heirs, Devisees, Successors or Assigns	24.06 acres	30.0750%	
(1) Florence Arms Coleman Heirs, Devisees, Successors or Assigns			
(a) Edmond M. (Bud) Coleman Heirs, Devisees, Successors or Assigns			
(a.1) Sue Edwards 101 St. Andrews Drive Bristol, VA 24202	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1422%
(a.2) Judy Fuller 17391 Cleveland Road Abingdon, VA 24211	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1422%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns			
(a) Gladys Coleman Blankenship Heirs, Devisees, Successors or Assigns			
(a.1) Elmer James Jackson P.O. Box 145 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.2) Ettie Mae Hill P.O. Box 134 Grundy, VA 24614	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed

**Exhibit EE**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
(a.3) Paul Jackson P.O. Box 117 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.4) Agnes Hurley Rt.1 Box 392 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.5) Linda Ruth Gilbert Rt.1 Box 409 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.6) Lois Kate Boyd P.O. Box 409 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.7) Ira Roger Jackson P.O. Box 1079 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.8) Rhonda Renee Gilbert P.O. Box 26 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.9) Marshall Odell Jackson Heirs, Devisees, Successors or Assigns			
(a.9.1) Richard Jackson McHenry 8545 Maineville Road Orrville, OH 44667	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed
(a.9.2) Sally A. Hartzler 7296 Apple Creek Road Sterling, OH 44276	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed
(b) Howard Coleman Heirs, Devisees, Successors or Assigns			
(b.1) Opal Coleman 18988 I-18 Continental, OH 45831	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(c) Beatrice Coleman Owens Heirs, Devisees, Successors or Assigns			
(c.1) Burton Eugene Owens P.O. Box 1933 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(c.2) Darlene Owens Mullins P.O. Box 228 Rosedale, VA 24280	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(d) Sadie Coleman Peters 301 Falls Street Defiance, OH 43512	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed

**Exhibit EE**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
(e) Herman Coleman 1417 Fairfax Road Bellevue, NE 68005	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(f) Mae Coleman Shortridge 279 Ridgewood Drive Lebanon, VA 24266	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(g) Lucy Coleman Looney 883 Woodbriar Drive Lebanon, VA 24266	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(5) Lula Arms Street Heirs, Devisees, Successors or Assigns			
(a) Charlie E. Street 19171 Stone Mountain Road Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%	Already Disbursed
(8) Vince Arms Heirs, Devisees, Successors or Assigns			
(a) Tivis A. Arms 1209 West Madison Street Mayodan, NC 27027	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(b) Kelsie Arms Eastridge Rt.1 Box 768 Boomer, NC 28606	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(d) Josh Vince Arms Rt.3 Box 316 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(11) Howell Arms Heirs, Devisees, Successors or Assigns			
(a) Mary June Shortridge Arms 24404 Green Springs Road Abingdon, VA 24211	2.005 acres 1/12 of 24.06 acres	2.5063%	1.4224%
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns			
(d) Delmar Osborne P.O. Box 2625 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(e) Geraldine O'Quinn Rt.1 Box 112 Vansant, VA 24656	0.401 acres 1/60 of 24.06 acres	0.5013%	0.2845%

**Tract-by-Tract Escrow Calculation  
Account Balances as of 3/31/08**

Unit AA-9  
VGOB 91-0430-0116-03  
Acres Escrowed: 54.765

Owners	Tract #	Acres	Total Tract Percent of Escrow	Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$97,120.76
					32.9316%	\$31,983.44
	2A	36.07	65.8632%		32.9316%	\$31,983.44
Harrison-Wyatt, LLC - Coal		(24.06)			17.0684%	\$16,576.94
W.A. Arms Heirs - O&G	2C	18.695	34.1368%		17.0684%	\$16,576.94
Sue Edwards				1/120	0.1422%	\$55.71
Judy Fuller				1/120	0.1422%	\$55.71
Mary June Shortridge Arms				1/12	1.4224%	\$557.10
Geraldine O'Quinn				1/60	0.2845%	\$111.42

Information presented here is for reference use only, CNX is not responsible for determinations made using the data represented here.

This information is for estimation purposes only.

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 91-0430-0116-03

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

HEARING DATE: May 20, 2008

DRILLING UNIT: AA-9

BUCHANAN COUNTY, VIRGINIA



MISCELLANEOUS PETITION

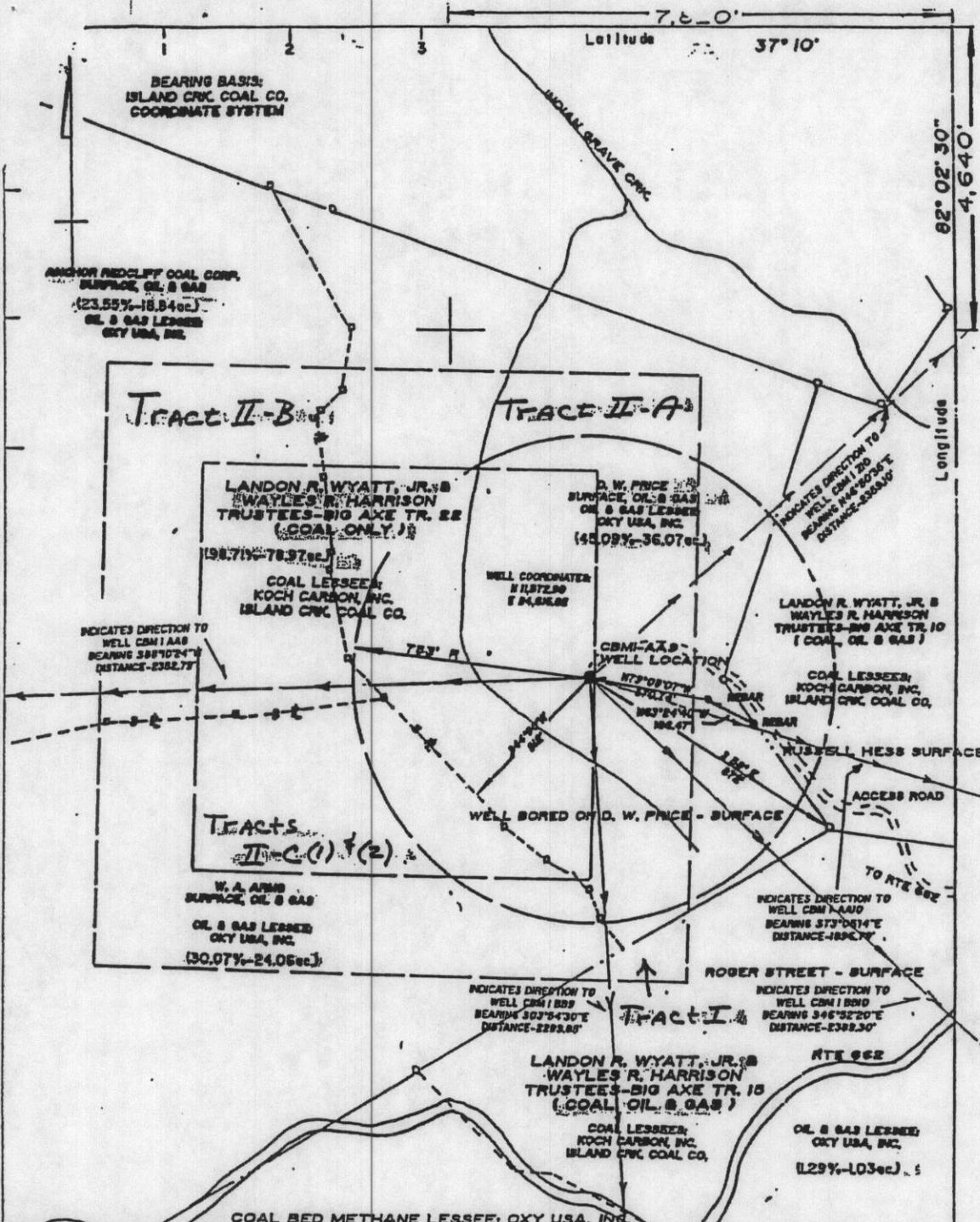
1. **Petitioner and its counsel:** Petitioner is **CNX Gas Company LLC**, 2481 John Nash Blvd., Bluefield, West Virginia 24701. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.
2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2C as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms and Geraldine O'Quinn.
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 *et seq.*, 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.
4. **Type of well(s):** Coalbed methane.
5. **Factual basis for relief requested:** Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms and Geraldine O'Quinn, have entered into royalty split agreement(s). Said royalty split agreement(s) allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be divided and paid.
6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

**CNX GAS COMPANY LLC**  
BY IT'S PROFESSIONAL MANAGER  
CNX GAS COMPANY LLC, PETITIONER

By:

A handwritten signature in black ink, appearing to read "Leslie K. Arrington".

**Leslie K. Arrington**  
Manager - Environmental Permitting  
CNX Gas Company LLC  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701



COMPANY OXY USA, INC.  
 ADDRESS DRAWER C, RICHLANDS, VA 24641  
 WELL NAME CBMI-AA9  
 FARM TRACT BIG AXE RR  
 LEASE NO.            ELEVATION 2265.89'  
 ACRES 400 QUADRANGLE VANSANT  
 COUNTY BUCHANAN DISTRICT SOUTH BRUNY  
 REG. ENGINEER VA REG. NO. 2887  
 CERT. LAND SURVEYOR            CERT NO.             
 FILE NO.            DRAWING NO.             
 DATE 12-12-20 SCALE 1" = 400'

This plot is  new  updated  
 This plot  is  is not based on a mine  
 coordinate system established for the area of  
 of the well location.

**EXHIBIT A**

**WELL LOCATION MAP**  
**WELL NO. CBMI-AA9**

Denotes location of well on United States  
 Topographic Maps, scale 1 to 24,000, lat-  
 itude and longitude lines being represented  
 by border lines as shown.

**CERTIFICATION OF WELL PLAT**

I, the undersigned, hereby certify that  
 this plot is correct to the best of my  
 knowledge and belief, and I have all the  
 information required by law and the regulations  
 of the Well Review Board of the State of Virginia.

**CNX Gas Company LLC**  
**UNIT AA-9**  
**Tract Identifications**

1. Harrison – Wyatt, LLC (Big Axe Tr. 15) – All Minerals  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Leased  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Roger Street – Surface  
1.03 acres                      1.2875%
- 2A. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
D. W. Price Heirs – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
36.07 acres                      45.0875%
- 2B. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
Robert A. Rash – Surface and All Minerals except Coal  
CNX Gas Company LLC- Oil, Gas and CBM Leased  
18.84 acres                      23.5500%
- 2C. Harrison – Wyatt, LLC (Big Axe Tr. 39) - Coal  
Island Creek Coal Company/Consolidation Coal Company - Coal Below Tiller Seam Leased  
Jewell Smokeless Coal Corporation - Coal Above Jawbone Seam Leased  
CNX Gas Company LLC - CBM Leased  
W. A. Arms Heirs, Successors or Assigns – Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (52.47%)  
24.06 acres                      30.0750%

Exhibit E  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<b><u>Tract #2A - 36.07 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	36.07 acres	45.0875%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) D.W. Price Rt.1 Box 403 Midland, VA 22728	36.07 acres	45.0875%
<b><u>Tract #2C - 24.06 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
W. A. Arms Heirs, Devisees, Successors or Assigns	24.06 acres	30.0750%
(1) Florence Arms Coleman Heirs, Devisees, Successors or Assigns		
(b) Elmer Coleman Heirs, Devisees, Successors or Assigns		
(b.1) Wanda Coleman Cook Rt.1 Box 393 Castlewood, VA 24224	0.134 acres 1/180 of 24.06 acres	0.1671%
(b.2) Larry E. Coleman Rt.1 Box 232 Cleveland, VA 24225	0.134 acres 1/180 of 24.06 acres	0.1671%
(a.3) Adam F. Coleman Address Unknown	0.134 acres 1/180 of 24.06 acres	0.1671%
(c) Thurman Coleman Heirs, Devisees, Successors or Assigns		
(c.1) Ruth Nuckles Coleman Address Unknown		<i>Life Estate Only</i>
(c.2) Michael Coleman Rt.1 Box 682 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%
(c.3) Mildred Coleman Box 269 Pounding Mill, VA 24637	0.201 acres 1/120 of 24.06 acres	0.2506%

**Exhibit E**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(d) Onie Coleman Jackson Heirs, Devisees, Successors or Assigns		
(d.1) Betty Johnson McClanahan Rt.2 Box 116 A-1 The Plains, VA 22171	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.2) Helen Johnson Faulkner 12860 Birch Lane Beaumont, TX 77706	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.3) Blanche Johnson Dale 6202 Parkview Lane Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.4) Agnes Johnson Bartee 6207 Upton Place Clinton, MD 20735	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.5) Douglas W. Johnson Rt.1 Box 95-R Marshall, VA 22115	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.6) Phyllis Johnson Durland 1911 Millerville Pike Lancaster, PA 17603	0.057 acres 1/420 of 24.06 acres	0.0716%
(d.7) Kathryn Johnson Webb 9634 Glover Hill Road Manassas, VA 22110	0.057 acres 1/420 of 24.06 acres	0.0716%
(e) Lorene Coleman Lester 8443 East Troy Urbana Road Casstown, OH 45312	0.401 acres 1/60 of 24.06 acres	0.5013%
(2) Gertie Arms Coleman Heirs, Devisees, Successors or Assigns		
(a) Ed Coleman Price Heirs, Devisees, Successors or Assigns		
(a.1) Hurley Street Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	1.003 acres 1/24 of 24.06 acres	1.2531%
(b) Edna Coleman Price Heirs, Devisees, Successors or Assigns		
(b.1) James C. Price 208 Country Meadows Circle Bristol, TN 37620	0.501 acres 1/48 of 24.06 acres	0.6266%
(c) Edgar Allen Price, Sr. Heirs, Devisees, Successors or Assigns		
(c.1) Edgar Allen Price, Jr. 1034 Moore Fork Road Duck, WV 25063	0.251 acres 1/96 of 24.06 acres	0.3133%

**Exhibit E**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(c.2) Katherine Price Sears P.O. Box 34 Mount Nebo, WV 26679	0.251 acres 1/96 of 24.06 acres	0.3133%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns		
(h) Alva C. Coleman Heirs, Devisees, Successors or Assigns		
(h.1) Alva Lee Coleman P.O. Box 252 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%
(h.2) Angel Coleman Mullins 620 Mountain Brook Circle Stone Mountain, GA 30087	0.125 acres 1/192 of 24.06 acres	0.1566%
(4) James (Jim) Arms Heirs, Devisees, Successors or Assigns		
(a) Nelson Arms 1195 Dayton Drive Warminster, PA 18974	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Virgie Arms Maynard 625 Ellen Road Newport News, VA 23605	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Mae Catherine Arms Heirs, Devisees, Successors or Assigns		
(c.1) Peter Jacobsen 9612 27th Bay Avenue Norfolk, VA 23518	0.668 acres 1/36 of 24.06 acres	0.8354%
(6) John Arms Heirs, Devisees, Successors or Assigns		
(a) Hulet Arms P.O. Box 100 Melrose, OH 45861	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) John Dorsie Arms 7891 State Route 66 Oakwood, OH 45873	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Ruby Pauline Arms Jenkins 7849 Keys Road Mount Vernon, OH 43050	0.668 acres 1/36 of 24.06 acres	0.8354%
(7) Alice Arms Jackson Heirs, Devisees, Successors or Assigns		
(a) Alice Mae Elliott 3449 Johnstown Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%

**Exhibit E**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(b) John Jackson, II 2846 Vanetta Road Centerburg, OH 43011	1.003 acres 1/24 of 24.06 acres	1.2531%
(8) Vince Arms Heirs, Devisees, Successors or Assigns		
(c) Juanita I. Arms Deel Heirs, Devisees, Successors or Assigns		
(c.1) John Deel <i>Address Unknown</i>		<i>(Life Estate Only)</i>
(c.2) Martha Irene Deel 375 Huntington Circle Alpharetta, GA 30201	0.201 acres 1/120 of 24.06 acres	0.2506%
(c.3) William V. Deel Box 14 Maxie, VA 24628	0.201 acres 1/120 of 24.06 acres	0.2506%
(e) William (Billy) P. Arms Heirs, Devisees, Successors or Assigns		
(e.1) Wanda Arms, widow P.O. Box 294 Rosedale, VA 24280	0.401 acres 1/60 of 24.06 acres	0.5013%
(9) Slemp Arms Heirs, Devisees, Successors or Assigns		
(a) Pauline Arms Jessee Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(b) Donald Arms Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(c) Jean Arms Mullins Rt.H Box 454 Coeburn, VA 24230	0.668 acres 1/36 of 24.06 acres	0.8354%
(10) Dock Arms Heirs, Devisees, Successors or Assigns		
(a) Dessie Arms 13200 Mallicote Drive Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns		
(a) James Osborne 26413 Mansfield Road Devince, OH 43512	0.401 acres 1/60 of 24.06 acres	0.5013%

**Exhibit E**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants that require escrow**

	<b>Acres in Unit</b>	<b>Percent of Unit</b>
(b) Ron Osborne 43983 Upper Clear Cadiz, OH 43907	0.401 acres 1/60 of 24.06 acres	0.5013%
(c) Bill Osborne 1280 3 Springs Russellville, TN 37860	0.401 acres 1/60 of 24.06 acres	0.5013%

Exhibit EE  
Unit AA-9  
Docket #VGOB 91-0430-0116  
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #2B - 18.84 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	18.84 acres	23.5500%	Already Disbursed
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Robert A. Rash P.O. Box 614 Tazewell, VA 24651	18.84 acres	23.5500%	Already Disbursed
<b><u>Tract #2C - 24.06 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Harrison-Wyatt, L.L.C., Tr.22 c/o Wyatt Buick Pontiac P.O. Box 11000 Danville, VA 24543	24.06 acres	30.0750%	
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
W. A. Arms Heirs, Devisees, Successors or Assigns	24.06 acres	30.0750%	
(1) Florence Arms Coleman Heirs, Devisees, Successors or Assigns			
(a) Edmond M. (Bud) Coleman Heirs, Devisees, Successors or Assigns			
(a.1) Sue Edwards P.O. Box 365 Pembroke, VA 24136	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1422%
(a.2) Judy Fuller 17391 Cleveland Road Abingdon, VA 24211	0.201 acres 1/120 of 24.06 acres	0.2506%	0.1422%
(3) Gusta Arms Coleman Heirs, Devisees, Successors or Assigns			
(a) Gladys Coleman Blankenship Heirs, Devisees, Successors or Assigns			
(a.1) Elmer James Jackson P.O. Box 145 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.2) Ettie Mae Hill P.O. Box 134 Grundy, VA 24614	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed

**Exhibit EE**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
(a.3) Paul Jackson P.O. Box 117 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.4) Agnes Hurley Rt.1 Box 392 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.5) Linda Ruth Gilbert Rt.1 Box 409 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.6) Lois Kate Boyd P.O. Box 409 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.7) Ira Roger Jackson P.O. Box 1079 Vansant, VA 24656	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.8) Rhonda Renee Gilbert P.O. Box 26 Davenport, VA 24239	0.028 acres 1/864 of 24.06 acres	0.0348%	Already Disbursed
(a.9) Marshall Odell Jackson Heirs, Devisees, Successors or Assigns			
(a.9.1) Richard Jackson McHenry 8545 Maineville Road Orrville, OH 44667	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed
(a.9.2) Sally A. Hartzler 7296 Apple Creek Road Sterling, OH 44276	0.014 acres 1/1728 of 24.06 acres	0.0174%	Already Disbursed
(b) Howard Coleman Heirs, Devisees, Successors or Assigns			
(b.1) Opal Coleman 18988 I-18 Continental, OH 45831	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(c) Beatrice Coleman Owens Heirs, Devisees, Successors or Assigns			
(c.1) Burton Eugene Owens P.O. Box 1933 Grundy, VA 24614	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(c.2) Darlene Owens Mullins P.O. Box 228 Rosedale, VA 24280	0.125 acres 1/192 of 24.06 acres	0.1566%	Already Disbursed
(d) Sadie Coleman Peters 301 Falls Street Defiance, OH 43512	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed

**Exhibit EE**  
**Unit AA-9**  
**Docket #VGOB 91-0430-0116**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit	Percent of Escrow
(e) Herman Coleman 1417 Fairfax Road Bellevue, NE 68005	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(f) Mae Coleman Shortridge 279 Ridgewood Drive Lebanon, VA 24266	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(g) Lucy Coleman Looney 883 Woodbriar Drive Lebanon, VA 24266	0.251 acres 1/96 of 24.06 acres	0.3133%	Already Disbursed
(5) Lula Arms Street Heirs, Devisees, Successors or Assigns			
(a) Charlie E. Street 19171 Stone Mountain Road Abingdon, VA 24210	2.005 acres 1/12 of 24.06 acres	2.5063%	Already Disbursed
(8) Vince Arms Heirs, Devisees, Successors or Assigns			
(a) Tivis A. Arms 1209 West Madison Street Mayodan, NC 27027	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(b) Kelsie Arms Eastridge Rt.1 Box 768 Boomer, NC 28606	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(d) Josh Vince Arms Rt.3 Box 316 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(11) Howell Arms Heirs, Devisees, Successors or Assigns			
(a) Mary June Shortridge Arms Rt.1 Box 117 Vansant, VA 24656	2.005 acres 1/12 of 24.06 acres	2.5063%	1.4224%
(12) Virgie Arms Osborne Heirs, Devisees, Successors or Assigns			
(d) Delmar Osborne P.O. Box 2625 Grundy, VA 24614	0.401 acres 1/60 of 24.06 acres	0.5013%	Already Disbursed
(e) Geraldine O'Quinn Rt.1 Box 112 Vansant, VA 24656	0.401 acres 1/60 of 24.06 acres	0.5013%	0.2845%

7. A petition from CNX Gas Company LLC for disbursement of funds from escrow and authorization for direct payments of royalties on a portion of Tract 2C, Unit AA-9, South Grundy District, Buchanan County, Virginia. Docket Number VGOB-91-0430-0116-03.

Conflicting owners within the Oakwood Field Unit AA-9 have reached a resolution and royalty split agreement regarding a portion of Coalbed Methane Tract 2C under Section 45.1-361.22(5) of the Gas and Oil Act. Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, and Geraldine, O'Quinn, have entered into royalty split agreements. *Approved*

8. A petition from CNX Gas Company LLC for disbursement of funds from escrow and authorization for direct payment of royalties on a portion of Tracts 1B and 1C, Unit AA-8, South Grundy District, Buchanan County, Virginia. Docket Number VGOB-90-1010-0032-04

Conflicting owners within the Oakwood Field Unit AA-8 have reached a resolution and royalty split agreement regarding a portion of Coalbed Methane Tract 1B and Tract 1C under Section 45.1-361.22(5) of the Gas and Oil Act. Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, Geraldine O'Quinn, and Janice S. Ball have entered into royalty split agreements. *Approved*

9. A petition from CNX Gas Company LLC for disbursement of funds from escrow and authorization for direct payment of royalties on a portion of Tracts 2B and 2C, Unit BB-8, South Grundy District, Buchanan County, Virginia. Docket Number VGOB-90-1010-0033-04.

Conflicting owners within the Oakwood Field Unit BB-8 have reached a resolution and royalty split agreement regarding a portion of Coalbed Methane Tract 2B and Tract 2C under Section 45.1-361.22(5) of the Gas and Oil Act. Harrison-Wyatt, LLC and Sue Edwards, Judy Fuller, Mary June Shortridge Arms, Geraldine O'Quinn, and Janice S. Ball have entered into royalty split agreements. *Approved*

10. A petition from CNX Gas Company LLC for disbursement of funds from escrow and authorization for direct payment of royalties on a portion of Tract 1 and all of Tract 9, Unit U-28, Garden District, Buchanan County, Virginia. Docket Number VGOB-97-0218-0564-01.

Conflicting owners within the Oakwood Field Unit U-28 have reached a resolution and royalty split agreement regarding a portion of Coalbed Methane Tract 1 and all of Tract 9 under Section 45.1-361.22(5) of the Gas and Oil Act. Yukon Pocahontas Coal Co., LLP, Buchanan Coal Co., LLP, Sayers-Pocahontas Coal Co., LLP, Plum Creek Timberlands, L.P., and Harold Webb, Harman Webb, John Webb, and Ruby W. Wells; Hugh MacRae Land Trust and Consolidation Coal Company, have entered into royalty split agreements(s). *Approved*

Affidavit from Conflicting Claimants

This affidavit certifies that I James C. Price (surface, oil and gas owner) living at 208 Country Meadow Circle, Bristol, Tennessee have entered into a royalty split agreement with Harrison-Wyatt, LLC (coal owner). This split agreement was executed May 2008 a copy of which is attached. I am requesting that the operator of the units place matters before the Virginia Gas and Oil Board to execute required orders so that all monies due me based on the royalty split agreement for any all units (including AA8, AA9 and BB8) be paid.

This request is per section 45.1-361.22<sup>ok</sup>.5 of the Virginia Gas and Oil Act.

Authorized Signature

*James C. Price*  
James C. Price

This affidavit is being executed this 9<sup>th</sup> day of July 2008

State of Virginia

County of Washington

The foregoing affidavit was acknowledged before me this 9<sup>th</sup> day of July, 2008 by James C. Price.

My commission expires 9/30/2008

Notary Signature

*Diane J. Davis*  
174394

080002227

THIS DEED, made and entered into this April 28, 2008 by and between HARRISON-WYATT L.L.C., a Virginia Limited Liability Company and James C. Price 208 Country Meadows Circle Bristol, TN 37620, hereinafter called the Grantors and HARRISON-WYATT L.L.C., a Virginia Limited Liability Company and James C. Price 208 Country Meadows Circle Bristol, TN 37620, hereinafter called the Grantees;

WITNESSETH:

WHEREAS, Harrison-Wyatt L.L.C. is the owner of the coal underlying a certain tract of land situate in Buchanan County, Virginia and more particularly described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, James C. Price 208 Country Meadows Circle Bristol, TN 37620 owns the surface and the oil and gas underlying said property; and

WHEREAS, a conflicting claim exists between the parties as to the ownership of the coalbed methane or coalseam gas underlying said property; and

WHEREAS, the parties desire to compromise their conflicting claims by agreeing to the division and apportionment of the coalbed methane or coalseam gas and all benefits derived therefrom, thus relieving themselves for any need to wait for such ruling to determine ownership of the coalbed methane or coalseam gas underlying said

property, the ownership of which has not been decided by a court of competent jurisdiction in the Commonwealth of Virginia;

NOW THEREFORE, for and in consideration of the sum of One and no/100 Dollar, the Grantors hereby grant and convey unto the Grantees an undivided one-half interest each in and to the coalbed methane or coalseam gas underlying the above described property.

And further in consideration of the conveyance here made, the parties hereto hereby release and discharge each from the other of any and all claims which either may have, now or in the future, against the other arising out of or relating to the escrow or suspense of royalty funds for the production of the said coalbed methane or coalseam gas, or any act or omission in relation thereto, including, but not limited to all claims for interest.

The parties hereto further agree that each shall receive 50% of all funds and interest accrued thereon currently held in escrow or suspense (whether in-house suspense or not) as of the date of this deed, which funds are production royalties attributable to coalbed methane or coalseam gas produced from the aforesaid property.

Each party hereto shall receive 50% of all production royalties and interests accrued thereon attributable to future coalbed methane production from said property. Each party hereto shall receive 50% of all accrued and all future tax credit which may be available pursuant to Section 29 of the Internal Revenue Code of 1986 as amended. The parties hereto shall pursue the release of funds presently held in suspense or escrow, and any

expenses incurred in the undertaking shall be deducted from such funds upon their release and before the funds are divided in accordance with the provisions of this instrument. This conveyance and agreement shall supercede the terms of any forced pooling order which may affect the aforesaid property to any extent allowed by law.

The existing coalbed methane lease on the aforesaid property shall remain unaffected by this conveyance, except for the payment of royalties as set forth herein. The terms "coalbed methane or coalseam gas" shall include coalbed methane gas, coalbed gas, methane gas, gob gas, occluded natural gas in any formation, or other naturally occurring gases contained in or associated with any coalseam and all zones and communication therewith and all associated natural gas and other hydro carbon contained therein and all gas originating or produced from coalseam to coalseam underlying the aforesaid property and shall include the definition for coalbed methane or coalseam gas found in Virginia Code Section 45.1-361.1, as amended.

The parties hereto agree that if an escrow account is existing at the time of this agreement, the same shall be divided by the parties in the same ratio as royalties paid from this time forward. The parties further agree that the correct amount of interest in said account shall be as determined by the Escrow Agent for the Virginia Gas and Oil Board.

This instrument contains the entire agreement between the parties hereto.

IN WITNESS whereof, the parties have caused their names to be hereunto placed by their duly authorized managers.

HARRISON-WYATT L.L.C.

By: [Signature]  
Its: [Signature]

By: James C. Price  
James C. Price  
By: \_\_\_\_\_

By: \_\_\_\_\_  
By: \_\_\_\_\_

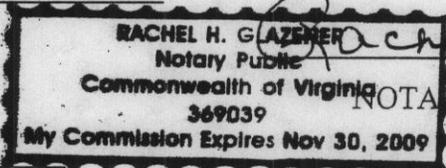
STATE OF VIRGINIA

<sup>City</sup>  
COUNTY OF Danville

The foregoing instrument was acknowledged before me this 23<sup>RD</sup> day of May, 2008, by Landon R. Wyatt Jr., its mgr., on behalf of Harrison-Wyatt, L.L.C., a Virginia Limited Liability Company.

My commission expires: Nov. 30, 2009

Notary Reg. #: 369039



Rachel H. Glazener  
NOTARY PUBLIC

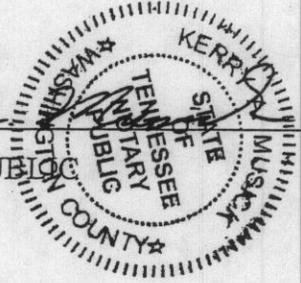
STATE OF Tenn  
COUNTY OF SULLIVAN

The foregoing instrument was acknowledged before me this 5 day of May, 2008, by James C. Price

My commission expires: 1-24-2011

Notary Reg. #: \_\_\_\_\_

Kerry A. [Signature]  
NOTARY PUBLIC



**EXHIBIT A**

Attached hereto and made a part of that certain deed dated April 28, 2008, by and between Harrison-Wyatt L. L. C., a Virginia Limited Liability Company and James C. Price 208 Country Meadows Circle Bristol, TN 37620, hereinafter called the Grantors and Harrison-Wyatt L. L. C., a Virginia Limited Liability Company and James C. Price 208 Country Meadows Circle Bristol, TN 37620, hereinafter called the Grantees, is all that certain land described by and recorded as:

<u>Island Creek Tract Number</u>	<u>Deed Book</u>	<u>Page Number</u>
520	125	123
	35	87

INSTRUMENT #080002227  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
JUNE 13, 2008 AT 09:44AM

BEVERLY S. TILLER, CLERK  
RECORDED BY: AKT

Affidavit from Conflicting Claimants

This affidavit certifies that I Jeanette Price, Power of Attorney for Edgar A. Price, Jr. (surface, oil and gas owner) living at 1034 More Fork Road, Duck, WV 25063, Tennessee have entered into a royalty split agreement with Harrison-Wyatt, LLC (coal owner). This split agreement was executed May 2008 a copy of which is attached. I am requesting that the operator of the units place matters before the Virginia Gas and Oil Board to execute required orders so that all monies due me based on the royalty split agreement for any all units (including AA8, AA9 and BB8) be paid.

This request is per section 45.1-361.22<sup>3</sup>.5 of the Virginia Gas and Oil Act.

Authorized Signature Jeanette Price  
Jeanette Price, Power of Attorney for Edgar A. Price, Jr.

This affidavit is being executed this 9<sup>th</sup> day of July 2008

State of Virginia  
County of Washington

The foregoing affidavit was acknowledged before me this 9<sup>th</sup> day of July, 2008 by James C. Price.

My commission expires 9/30/2008  
Notary Signature Diane J. Davis  
174394

080002231

THIS DEED, made and entered into this April 28, 2008 by and between HARRISON-WYATT L.L.C., a Virginia Limited Liability Company and Jeanette Price Power of Attorney for and acting on behalf of Edgar A. Price, Jr. 1034 More Fork Rd. Duck, WV 25063, hereinafter called the Grantors and HARRISON-WYATT L.L.C., a Virginia Limited Liability Company and Jeanette Price Power of Attorney for and acting on behalf of Edgar A. Price, Jr. 1034 More Fork Rd. Duck, WV 25063, hereinafter called the Grantees;

WITNESSETH:

WHEREAS, Harrison-Wyatt L.L.C. is the owner of the coal underlying a certain tract of land situate in Buchanan County, Virginia and more particularly described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, Jeanette Price Power of Attorney for and acting on behalf of Edgar A. Price, Jr. 1034 More Fork Rd. Duck, WV 25063 owns the surface and the oil and gas underlying said property; and

WHEREAS, a conflicting claim exists between the parties as to the ownership of the coalbed methane or coalseam gas underlying said property; and

WHEREAS, the parties desire to compromise their conflicting claims by agreeing to the division and apportionment of the coalbed methane or coalseam gas and all benefits derived therefrom, thus relieving themselves for any need to wait for such ruling to determine ownership of the coalbed methane or coalseam gas underlying said

property, the ownership of which has not been decided by a court of competent jurisdiction in the Commonwealth of Virginia;

NOW THEREFORE, for and in consideration of the sum of One and no/100 Dollar, the Grantors hereby grant and convey unto the Grantees an undivided one-half interest each in and to the coalbed methane or coalseam gas underlying the above described property.

And further in consideration of the conveyance here made, the parties hereto hereby release and discharge each from the other of any and all claims which either may have, now or in the future, against the other arising out of or relating to the escrow or suspense of royalty funds for the production of the said coalbed methane or coalseam gas, or any act or omission in relation thereto, including, but not limited to all claims for interest.

The parties hereto further agree that each shall receive 50% of all funds and interest accrued thereon currently held in escrow or suspense (whether in-house suspense or not) as of the date of this deed, which funds are production royalties attributable to coalbed methane or coalseam gas produced from the aforesaid property.

Each party hereto shall receive 50% of all production royalties and interests accrued thereon attributable to future coalbed methane production from said property. Each party hereto shall receive 50% of all accrued and all future tax credit which may be available pursuant to Section 29 of the Internal Revenue Code of 1986 as amended. The parties hereto shall pursue the release of funds presently held in suspense or escrow, and any

expenses incurred in the undertaking shall be deducted from such funds upon their release and before the funds are divided in accordance with the provisions of this instrument. This conveyance and agreement shall supercede the terms of any forced pooling order which may affect the aforesaid property to any extent allowed by law.

The existing coalbed methane lease on the aforesaid property shall remain unaffected by this conveyance, except for the payment of royalties as set forth herein. The terms "coalbed methane or coalseam gas" shall include coalbed methane gas, coalbed gas, methane gas, gob gas, occluded natural gas in any formation, or other naturally occurring gases contained in or associated with any coalseam and all zones and communication therewith and all associated natural gas and other hydro carbon contained therein and all gas originating or produced from coalseam to coalseam underlying the aforesaid property and shall include the definition for coalbed methane or coalseam gas found in Virginia Code Section 45.1-361.1, as amended.

The parties hereto agree that if an escrow account is existing at the time of this agreement, the same shall be divided by the parties in the same ratio as royalties paid from this time forward. The parties further agree that the correct amount of interest in said account shall be as determined by the Escrow Agent for the Virginia Gas and Oil Board.

This instrument contains the entire agreement between the parties hereto.

IN WITNESS whereof, the parties have caused their names to be hereunto placed by their duly authorized managers.

HARRISON-WYATT L.L.C.

By: [Signature]  
Its: MGR

By: Jeanette Price By: Edgar A. Price, Jr.  
Jeanette Price Power of Attorney for and acting on behalf of Edgar A. Price, Jr.  
By: \_\_\_\_\_ By: \_\_\_\_\_

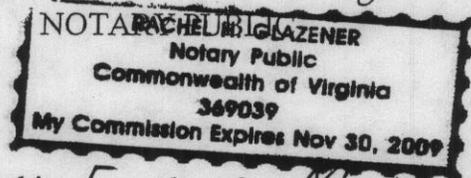
STATE OF VIRGINIA  
City  
COUNTY OF Danville

The foregoing instrument was acknowledged before me this 23<sup>RD</sup> day of May, 2008, by Landon R. Wyatt Jr., its mgr., on behalf of Harrison-Wyatt, L.L.C., a Virginia Limited Liability Company.

My commission expires: Nov. 30, 2009

Notary Reg. #: 369039

Rachel D. Blazener



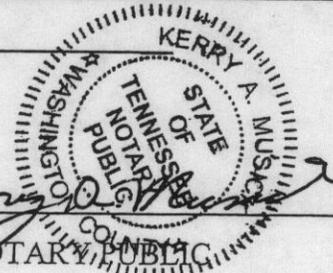
STATE OF TENN  
COUNTY OF SULLIVAN

The foregoing instrument was acknowledged before me this 5 day of May, 2008, by Jeanette Price Power of Attorney for and acting on behalf of Edgar A. Price, Jr.

1034 More Fork Rd. Duck, WV 25063

My commission expires: 1-24-2011

Notary Reg. #: \_\_\_\_\_



Kerry A. Musick  
NOTARY PUBLIC

**EXHIBIT A**

Attached hereto and made a part of that certain deed dated April 28, 2008, by and between Harrison-Wyatt L. L. C., a Virginia Limited Liability Company and Jeanette Price Power of Attorney for and acting on behalf of Edgar A. Price, Jr. 1034 More Fork Rd. Duck, WV 25063, hereinafter called the Grantors and Harrison-Wyatt L. L. C., a Virginia Limited Liability Company and Jeanette Price Power of Attorney for and acting on behalf of Edgar A. Price, Jr. 1034 More Fork Rd. Duck, WV 25063, hereinafter called the Grantees, is all that certain land described by and recorded as:

<u>Island Creek Tract Number</u>	<u>Deed Book</u>	<u>Page Number</u>
520	125	123
	35	87

INSTRUMENT #080002231  
 RECORDED IN THE CLERK'S OFFICE OF  
 BUCHANAN COUNTY ON  
 JUNE 13, 2008 AT 10:05AM  
 BEVERLY S. TILLER, CLERK  
 RECORDED BY: AKT

## DURABLE POWER OF ATTORNEY

OF

Edgar A. Price Jr.

### I. PRINCIPAL AND ATTORNEY-IN-FACT

I, Edgar A. Price Jr., who resides at 1034 Moore Fork Road, Duck, West Virginia 25063, appoint the following person to serve as my attorney-in-fact, to act for me in any lawful way with respect to the subjects indicated below.

Name: Jeanette F. Price  
Address: 208 Country Meadow Circle  
Bristol, Tennessee 37620

If Jeanette F. Price resigns or is unable or unwilling to serve as my attorney-in-fact, I appoint the following person to serve as my successor attorney-in-fact:

Name: Nancy L. Price  
Address: 1034 Moore Fork Road  
Duck West, Virginia 25063

### II. EFFECTIVE TIME

This Power of Attorney shall become effective immediately, and shall not be affected by any subsequent disability or incapacity of the principal. This is a Durable Power of Attorney.

### III. POWERS OF ATTORNEY-IN-FACT

My attorney-in-fact shall have the power to act in my name, place and stead in any way which I myself could do with respect to the following matters to the extent permitted by law:

**YOUR ATTORNEY-IN-FACT SHALL BE AUTHORIZED TO ENGAGE ONLY IN THOSE ACTIVITIES THAT ARE INITIALED.**

(Eal)

**LEGAL ACTIONS:**

To act for me in all legal matters, whether claims in my favor or against me, including but not limited to retaining attorneys on my behalf; appearing for me in all actions and proceedings, commencing actions in my name, signing all documents, submitting claims to arbitration or mediation, settling claims and paying judgments and settlements.

(Eal)

**OTHER:**

Power to sign a split agreement document with Harrison-Wyatt and permit Diane Davis to issue checks to me from Cnx Escrow accounts.

My attorney-in-fact is empowered to take all further action, including the payment of expenditures and the preparation and execution of all documents, as the attorney-in-fact deems necessary or appropriate in order to fully effectuate the purposes of the foregoing matters.

(Eal)

Notwithstanding the foregoing, the authority of my attorney-in-fact is limited as follows: Limited to information provided above to expire two years.

**IV. GENERAL PROVISIONS**

1. Reliance By Third Parties. I hereby agree that any third party receiving a duly executed copy or copy of this document may rely on and act under it. Revocation or termination of this Power of Attorney shall be ineffective as to the third party unless and until actual notice or knowledge of the revocation or termination has been received by the third party. I, for myself and for my heirs, executors, legal representatives and assigns, hereby agree to indemnify and hold harmless any third party from any and all claims because of reliance on this instrument in good faith.

2. Severability. If any provision hereof is found to be invalid or unenforceable, such invalidity or unenforceability shall not affect the other provisions of this document, and such other provisions shall be given effect without the invalid or unenforceable provision.

3. Revocation. I may revoke this Power of Attorney at any time.

4. Accounting. My attorney-in-fact shall provide an accounting for all funds handled and all acts performed as my attorney-in-fact, but only upon my request or the request of a personal representative or a fiduciary acting on my behalf. Any requirement of my attorney-in-fact to file inventories and accounts with the county clerk or with the court is specifically waived.

5. Compensation and Reimbursement. My attorney-in-fact shall not be compensated for services provided on my behalf pursuant to this Power of Attorney. My attorney-in-fact shall be reimbursed for all reasonable expenses incurred relating to his or her responsibilities under this Power of Attorney.

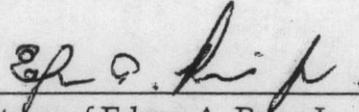
6. No Personal Benefit. Except as specifically provided for in this document, my attorney-in-fact is prohibited from personally benefiting from any transaction engaged in or on my behalf, or from using my assets to discharge any of his or her own legal obligations, excluding me and those I am legally obligated to support.

7. Commingling of Funds. My attorney-in-fact is not permitted to commingle my funds and assets with his or her own.

8. Liability of Attorney-in-Fact. All persons or entities who in good faith endeavor to carry out the provisions of this Power of Attorney shall not be liable to me, my Estate, or my heirs, for any damages or claims arising because of their actions or inactions based on this Power of Attorney. My Estate shall indemnify and hold them harmless. A successor attorney-in-fact shall not be liable for acts of a prior attorney-in-fact.

IN WITNESS WHEREOF, the undersigned has executed this Power of Attorney on the date set forth below.

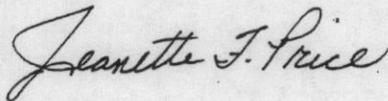
Date: 05-03-08



Signature of Edgar A. Price Jr.

This document was prepared by:

Name: Jeanette F. Price



Address: 208 Country Meadow Circle  
Bristol, Tennessee 37620

WITNESSES

By signing as a witness, I am acknowledging the signature of the principal who signed in my presence, and the fact that he or she stated that this Power of Attorney reflects his or her wishes and is being executed voluntarily. I believe the principal to be of sound mind. I have not been appointed as attorney-in-fact by the principal, am not related to him or her by blood, marriage or adoption, and, to the best of my knowledge, am not entitled to any portion of his or her Estate under his or her will.

1. Linda Stewart  
(Signature of witness)

Linda Stewart  
(Print Name)

Box 215  
(Address)

Maysel, WV 25133  
(City, State, ZIP)

2. McKenzie Smith  
(Signature of witness)

McKenzie Smith  
(Print Name)

3120 BlueKnob Rd.  
(Address)

Maysel, WV 25133  
(City, State, ZIP)

ACKNOWLEDGMENT  
OF NOTARY PUBLIC

State of West Virginia

County of Clay

On this 3 day of May, 2009, before me, the undersigned Notary Public, personally appeared Edgar A. Price Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual who signed the foregoing Power of Attorney and acknowledged to me that he or she executed the same in his or her authorized capacity, and that by such signature, the person executed the instrument.

Witness my hand and seal.

Signature of Notary Public: Vickie Neeley

