

100003093

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 Hurt  
McGuire Land Trust and Sylvia A. Shelton  
Byrd and Curtis Stilwell.

**DOCKET NO.**

**98-0324-0625-08**

**RELIEF SOUGHT:**

Issuance: **A Supplemental Order for Disbursement of Escrowed Funds**  
Action: **Amending Prior Orders Affecting Drilling T-36,  
a portion of Tract 2A.**  
(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 T-36 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

**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 September 21, 2010 at the Russell County Government Complex, Conference Center, and 139 Highland Drive, Lebanon, VA.
2. **Appearances:** Mark A. Swartz, Esq. SWARTS Law Offices PLLC appeared for the Unit Operator; 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 March 24, 1998, 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 May 14, 1998, Instrument Number 980001159. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk on July 14, 1998, Instrument Number 980001721.
  - 4.1.1 The Board executed its Supplemental Order regarding a Modification of the Pooling Order and making additions and corrections from the unit operator; filed with the Clerk on September 16, 1999, Instrument Number 990002432. The Board executed a Supplemental Order Regarding Elections to the pooling modifications in September, filed with the Clerk on May 3, 2000, Instrument Number 000001326. (hereafter all orders are collectively referred to as the "Pooling Orders").
  - 4.1.2 The Board executed its Supplemental Order regarding a Modification of the Pooling Order and making additions and corrections from the unit operator; filed with the Clerk on January 31, 2000, Instrument Number 000000245. The Board executed a Supplemental Order Regarding Elections to the pooling modifications in September, filed with the Clerk on May 3, 2000, Instrument Number 000001326. (hereafter all orders are collectively referred to as the "Pooling Orders").
  - 4.1.3 On April 2, 2004, the Board executed its order pooling (re-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 April 2, 2004, Instrument Number 040001004. The Board executed a Supplemental Order Regarding Elections to the pooling modifications in April, filed with the Clerk on September 6, 2006, Instrument Number 060003155. (hereafter all orders are collectively referred to as the "Pooling Orders").
  - 4.1.4 On May 16, 2006, the Board executed its disbursement order VGOB 98-0324-0625-04 in the Subject Drilling Unit for certain parties of the Thomas Stilwell Heirs and the Albert Ball Heirs under a split agreement with Hurt McGuire Land Trust. The Disbursement Order and exhibits were filed with the Clerk of the Circuit Court of Buchanan County on September 26, 2006, Instrument Number 060003143.
  - 4.1.5 On June 19, 2007, the Board executed its disbursement order VGOB 98-0324-0625-05 in the Subject Drilling Unit for Arthur Stilwell and Donald Nipper under a split agreement with Hurt McGuire Land Trust. The Disbursement Order and exhibits were filed with the Clerk of the Circuit Court of Buchanan County on August 28, 2007, Instrument Number 070003164.
  - 4.1.6 On February 17, 2009, the Board executed its disbursement order VGOB 98-0324-0625-06 in the Subject Drilling Unit for Joe Nipper and certain heirs of the Thomas Stilwell heirship under a split agreement with Hurt McGuire Land Trust. The Disbursement Order and exhibits were filed with the Clerk of the Circuit Court of Buchanan County on August 4, 2009, Instrument 090002344.
  - 4.1.7 On March 16, 2010, the Board executed its disbursement order VGOB 98-0324-0625-07 in the Subject Drilling Unit for Daniel J. Osborne and certain heirs of the Ivory Horn heirship property under a split agreement with Hurt McGuire Land Trust. The Disbursement Order and exhibits were filed with the Clerk of the Circuit Court of Buchanan County on June 10, 2010, Instrument Number 10001526.
- 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 Hurt McGuire Land Trust; and the gas ownership interests of Sylvia A. Shelton Byrd and Curtis Stilwell in Tract 2A 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 a portion of tract 2A, a copy of which is attached to and made a part hereof, states under oath that Hurt McGuire Land Trust and the Applicants have entered into an agreement with regards to a portion of Tracts 2A and that by the terms of the agreements, Hurt McGuire Land Trust has entered into a split agreement regarding these tracts and escrow regarding these individual conflicting claims detailed herein, is no longer required for these parties.

4.4 The Unit Operator gave notice to **Hurt McGuire Land Trust** and the applicants that the Board would consider its disbursement authorization at its hearing on **September 21, 2010** 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 a portion of tract 2A identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 2A identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.

4.5 The Unit Operator filed the attached accounting 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) **Hurt McGuire Land Trust** and **Sylvia A. Shelton Byrd** and **Curtis Stilwell** are the owners of the coal and gas acreage estate underlying a portion of **VGOB Tract 2A 2B** of the Subject Drilling Unit;
- (2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

*VGOB Approved Disbursement*  
**VGOB 98-0324-0625-08**  
**UNIT T-36**

			Fractional Ownership in Tract	Net Acreage in Tract	Royalty Split Agreement	Escrowed Acreage Disbursed	Percent of Escrowed Funds Disbursed
<b>Table 1</b>							
Item	Tract	Disbursement Table					
		Total acreage in escrow before disbursement				21.5500	
	2A	Hurt McGuire Land Trust (32.20 acre tract)	32.30				
1	2A	Sylvia A. Shelton Byrd / 549 Jack Creek Road, Raven, VA 24639	1/72	0.4486	50.0%	0.224	1.0409%
2	2A	Curtis Stilwell / P.O. Box 2216, Cedar Bluff, VA 24606-2216	1/72	0.4486	50.0%	0.224	1.0409%
3	2A	Hurt McGuire Land Trust c/o Charlie Green; PO Box 1067; Bluefield VA 24605	2/72	0.8972	50.0%	0.449	2.0817%

**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.

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:**

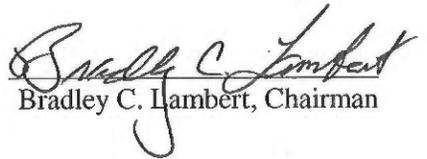
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED**.

8. **Appeals:**

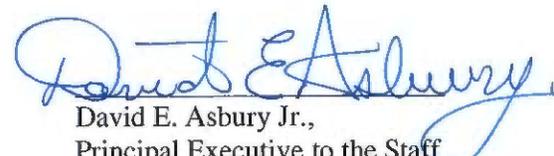
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated 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 3 day of Nov, 2010 by a majority of the Virginia Gas and Oil Board.

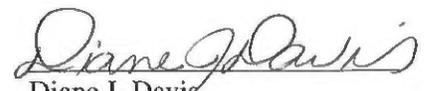
  
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 3 day of Nov, 2010 by an Order of this Board.

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

COMMONWEALTH OF VIRGINIA )  
COUNTY OF WASHINGTON

Acknowledged on this 3 day of November, 2010, personally before me a notary public in and for the Commonwealth of Virginia, appeared **Bradley C. Lambert**, being duly sworn did depose and say that he is 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  
Notary Public #174394

My commission expires: 09 / 30 / 2013



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 98-0324-0625-08

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

HEARING DATE: September 21, 2010

DRILLING UNIT: T-36

BUCHANAN COUNTY, VIRGINIA

AMENDED MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, West Virginia 24701, 304/323-6500. 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) 2A as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between **Hurt McGuire Land Trust and Sylvia A. Shelton Byrd and Curtis Stilwell**

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:** **Hurt McGuire Land Trust and Sylvia A. Shelton Byrd and Curtis Stilwell** have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, 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 ITS 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



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

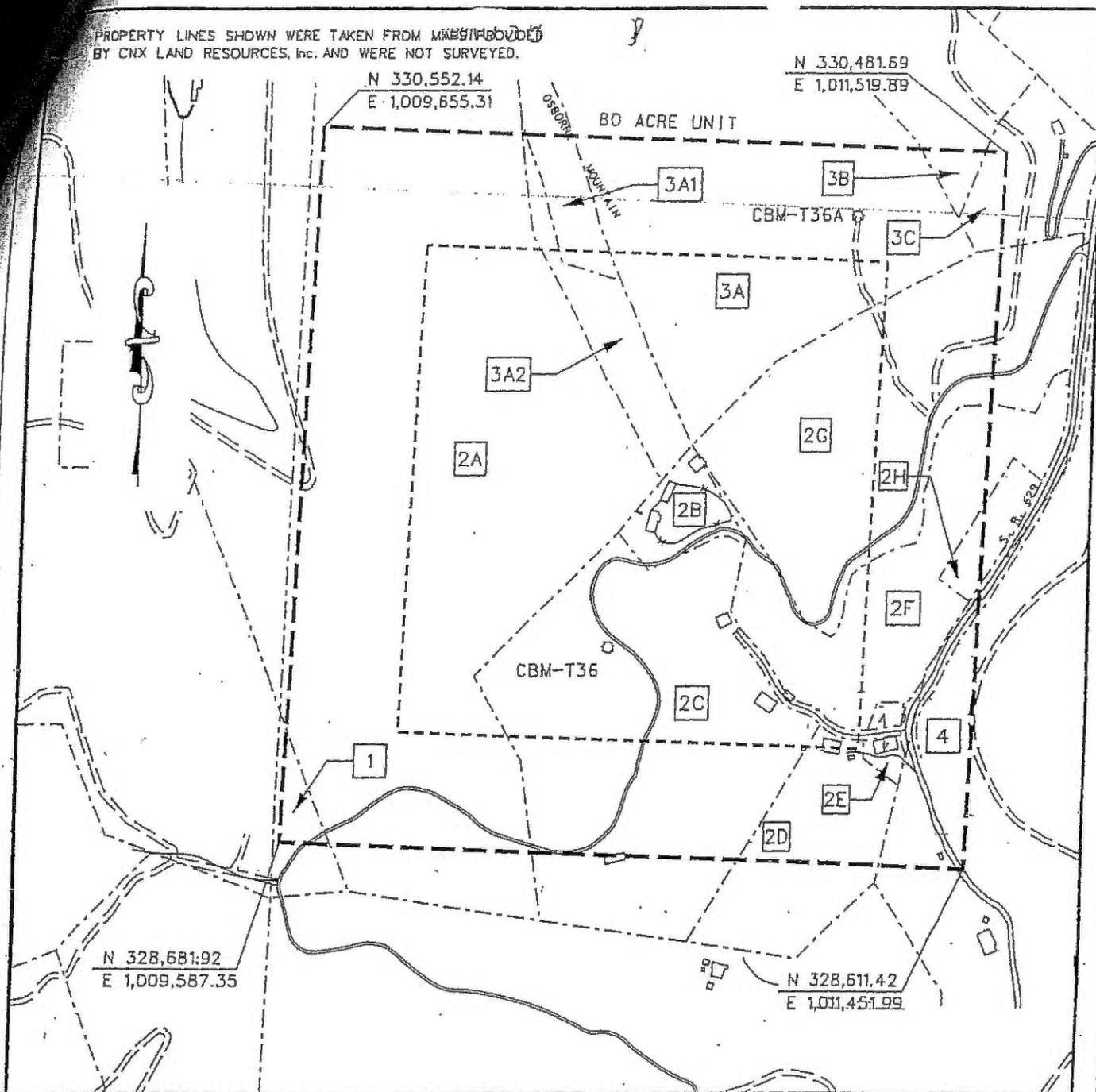
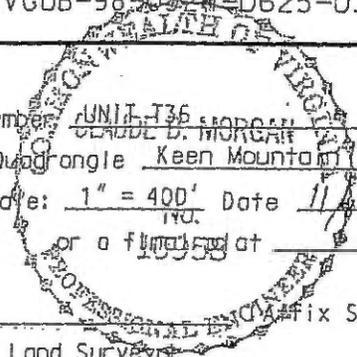


EXHIBIT-A  
 DAKWOOD FIELD  
 UNIT T-36  
 FORCE POOLING  
 VGOB-98-0724-0625-03

Company CNX Gas Company LLC Well Name and Number UNIT T36 MORGAN  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Keen Mountain  
 County Buchanan District Garden Scale: 1" = 400' Date 11/2/03  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GD-7  
 Rev. 9/91

*Claude B. Morgan*  
 Licensed Professional Engineer or Licensed Land Surveyor



6

CNX Gas Company LLC  
UNIT T-36  
Tract Identification

H. S. T. Group - All Minerals  
Island Creek Coal Company/Consolidation Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Consolidation Coal Company - Surface  
0.45 acres                      0.5625%

2A.                      Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Thomas Stilwell Heirs - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (7/1/72)  
32.30 acres                      40.3750%

2B.                      Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Walter Underwood - Surface and All Minerals except Coal  
1.25 acres                      1.5625%

2C.                      Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Joe Nipper - Surface and All Minerals except Coal  
12.07 acres                      15.0875%

2D.                      Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Donald Nipper - Surface and All Minerals except Coal  
2.21 acres                      2.7625%

2E.                      Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Osborne Mountain Pentecostal Church - Surface and All Minerals except Coal  
0.29 acres                      0.3625%

CNX Gas Company LLC  
UNIT T-36  
Tract Identification

- Hurt McGuire Land Trust (William P. Stilwell 143.6-Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Mitchell Counts, et al - Surface and All Minerals except Coal  
5.65 acres                      7.0625%
- 2G.            Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Albert Ball Heirs - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
9.64 acres                      12.0500%
- 2H.            Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Rodney D. Taylor, et ux - Surface and All Minerals except Coal  
0.33 acres                      0.4125%
- 3A.            Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Linkous Horn Heirs - All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (10%)  
Danny McClanahan - Surface, (Oil and Gas Claimant)  
9.48 acres                      11.8500%
- 3A1.           Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Linkous Horn Heirs/Thomas Stilwell Heirs - All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (10%) if owned by Linkous Horn Heirs  
CNX Gas Company LLC - Oil, Gas and CBM Leased (71/72) if owned by Thomas Stilwell Heirs  
Danny McClanahan - Surface, (Oil and Gas Claimant)  
1.03 acres                      1.2875%

8

CNX Gas Company LLC  
UNIT T-36  
Tract Identification

Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Linkous Horn Heirs/Thomas Stilwell Heirs - All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (10%) If owned by Linkous Horn Heirs  
CNX Gas Company LLC - Oil, Gas and CBM Leased (71/72) If owned by Thomas Stilwell Heirs  
Danny McClanahan - Surface, (Oil and Gas Claimant)  
2.03 acres                      2.5375%

3B. & 3C.      Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Linkous Horn Heirs - All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Arlen Osborne - Surface  
0.87 acres                      1.0875%

3B.              Arlen Osborne - Surface  
3C.              Willard Osborne - Surface

4.                Coal Mountain Mining Company L.L.P. Tr. 26 - Fee  
Consolidation Coal Company - Below Drainage Coal Leased  
A. T. Massey - Above Drainage Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
2.40 acres                      3.0000%

Exhibit E  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<b><u>Tract #2A, 32.30 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	32.30 acres	40.3750%	2.32040%	6.60124%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.3750%	2.32040%	6.60124%
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Cora Arnold Heirs, Devisees, Successors or Assigns				
(a.1) James H. Arnold, widower 1134 Pump House Rd. Grundy, VA 24614	1.3458 acres 1/24 of 32.30 acres	1.6823%	0.09668%	0.27505%
<b><u>Tract #2E, 0.29 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.29 acres	0.3625%	0.02083%	0.05927%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
(1) Trustees of Osborne Mountain Pentecostal C c/o Luther Bowman, Pastor HC 62, Box 174 Raven, VA 24639	0.29 acres	0.3625%	0.02083%	0.05927%
<b><u>Tract #2F, 5.65 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	5.65 acres	7.0625%	0.40589%	1.15471%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
(1) Mitchell Counts, et al.	5.65 acres	7.0625%	0.40589%	1.15471%
(a) Mitchell Counts 4231 Osborne Mt. Rd. Raven, VA 24639	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%

10

Exhibit E  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(b) Sandra Counts c/o Patrick Counts PO Box 57 Shortt Gap, VA 24647-0057	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%

**Tract #2H, 0.33 acres**

**COAL OWNERSHIP**

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.33 acres	0.4125%	0.02371%	0.06744%
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**OIL & GAS OWNERSHIP**

(1) Rodney D. Taylor, et ux 144 Rose Moss Lane Bandy, VA 24602	0.33 acres	0.4125%	0.02371%	0.06744%
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**Tract #3A, 9.48 acres**

***Escrow due to Title Conflict / Surface Claimant***

**COAL OWNERSHIP**

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	9.48 acres	11.8500%	0.68103%	1.93745%
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**OIL & GAS OWNERSHIP**

Linkous Horn Heirs, Devisees, Successors or Assigns	9.48 acres	11.8500%	0.68103%	1.93745%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.32 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.32 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.32 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%

Exhibit E  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(b) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
(c) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(d) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne 1109 Moore Rd. Raven, VA 24639	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(g) Ronnie Osborne Box 12 Oakwood, VA 24631	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(i) Richard Osborne P. O. Box 541 Keen Mountain, VA 24624	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				

12

Exhibit E  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(j.1) Ruth Keen	<i>(Deed of Gift to Joyce Lineberry Mae 3/16/03)</i>			
(j.1.1) Joyce Lineberry Mae c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne 1055 Mapleleaf Hollow Raven, VA 24639	0.09 acres 1/110 of 9.48 acres	0.1077%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.32 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.32 acres 1/30 of 9.48 acres	0.3950%	0.02270%	0.06458%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton 200 Birch Street Raven, VA 24639	0.05 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.05 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.3) Tammy D. Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.05 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.05 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.5) Danny W. Elder P.O. Box 748 Raven, VA 24639	0.05 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%
(c.6) Robert G. Elder Lot #2, 200 Horton Crest Drive Richlands, VA 24641	0.05 acres 1/180 of 9.48 acres	0.0658%	0.00378%	0.01076%

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.95 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(5) Joseph P. Horne 492 Gray Branch Road Cedar Bluff, VA 24609	0.95 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(6) Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.95 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn Heirs, Devisees, Successors or Assigns <i>(Heirs/Addresses Unknown)</i>	0.95 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.95 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(9) Sarah K. Day P. O. Box 208 Peterstown, WV 24963	0.95 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
(10) Carl Horn Heirs, Devisees, Successors or Assigns				
(a) Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.95 acres 1/10 of 9.48 acres	1.1850%	0.06810%	0.19375%
<b><u>OIL &amp; GAS CLAIMANT (Surface Owner)</u></b>				
(1) Danny McClanahan P.O. Box 547 Oakwood, VA 24641	9.48 acres	11.8500%	0.68103%	1.93745%

**Tract #3A1, 1.03 acres**

***Escrow due to Title Conflict / Surface Claimant***

**COAL OWNERSHIP**

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.03 acres	1.2875%	0.07399%	0.21050%
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**OIL & GAS OWNERSHIP**

Linkous Horn Heirs, Devisees, Successors or Assigns	1.03 acres	1.2875%	0.07399%	0.21050%
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**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres In Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.03 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.03 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.03 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(b) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
(c) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(d) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne 1109 Moore Rd. Raven, VA 24639	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				

15

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(g) <b>Ronnie Osborne</b> Box 12 Oakwood, VA 24631	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(h) <b>Charles M. Osborne</b> 216 Plantation Drive Richlands, VA 24641	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(i) <b>Richard Osborne</b> P. O. Box 541 Keen Mountain, VA 24624	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen	<i>(Deed of Gift to Joyce Lineberry Mae 3/16/03)</i>			
(j.1.1) <b>Joyce Lineberry Mae</b> c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) <b>Darlene B. Osborne</b> 1055 Mapleleaf Hollow Raven, VA 24639	0.01 acres 1/110 of 1.03 acres	0.0117%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.03 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.03 acres 1/30 of 1.03 acres	0.0429%	0.00247%	0.00702%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				

114

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit	Division of Interest In	
			6-Right 5.74713%	7-Right 16.34981%
(c.1) Patricia D. Horton 200 Birch Street Raven, VA 24639	0.01 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.01 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.3) Tammy D. Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.01 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.01 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.5) Danny W. Elder P.O. Box 748 Raven, VA 24639	0.01 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(c.6) Robert G. Elder Lot #2, 200 Horton Crest Drive Richlands, VA 24641	0.01 acres 1/180 of 1.03 acres	0.0072%	0.00041%	0.00117%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.10 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(5) Joseph P. Horne 492 Gray Branch Road Cedar Bluff, VA 24609	0.10 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(6) Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.10 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn Heirs, Devisees, Successors or Assigns <i>(Heirs/Addresses Unknown)</i>	0.10 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.10 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(9) Sarah K. Day P. O. Box 208 Peterstown, WV 24963	0.10 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%
(10) Carl Horn Heirs, Devisees, Successors or Assigns				
(a) Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.10 acres 1/10 of 1.03 acres	0.1288%	0.00740%	0.02105%

Exhibit E  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
- OR -				
Thomas Stilwell Heirs, Devisees, Successors or Assigns	1.03 acres	1.2875%	0.07399%	0.21050%
(1) Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	0.13 acres 1/8 of 1.03 acres	0.1609%	0.00925%	0.02631%
(2) Raleigh Stilwell Heirs, Devisees, Successors or Assigns				
(a) Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	0.13 acres 1/8 of 1.03 acres	0.1609%	0.00925%	0.02631%
(3) Paul Elmer Stilwell Heirs, Devisees, Successors or Assigns				
(a) Virginia N. Stilwell, widow 1106 Dial Road Raven, VA 24639	0.13 acres 1/8 of 1.03 acres	0.1609%	0.00925%	0.02631%
(4) Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	0.13 acres 1/8 of 1.03 acres	0.1609%	0.00925%	0.02631%
(5) Exie Osborne Heirs, Devisees, Successors or Assigns				
(a.1) Myrtle Smith Heirs, Devisees, Successors or Assigns				
(a.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.01 acres 1/96 of 1.03 acres	0.0134%	0.00077%	0.00219%
(a.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.01 acres 1/96 of 1.03 acres	0.0134%	0.00077%	0.00219%
(a.2) Maxie Boyd Box 972 Raven, VA 24639	0.02 acres 1/48 of 1.03 acres	0.0268%	0.00154%	0.00439%
(a.3) Ruth Osborne Smith Box 672 Doran, VA 24612	0.02 acres 1/48 of 1.03 acres	0.0268%	0.00154%	0.00439%
(a.4) Judy Blankenship Box 221 Doran, VA 24612	0.02 acres 1/48 of 1.03 acres	0.0268%	0.00154%	0.00439%
(a.5) John Osborne Box 6 Shortt Gap, VA 24647	0.02 acres 1/48 of 1.03 acres	0.0268%	0.00154%	0.00439%

18

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.02 acres 1/48 of 1.03 acres	0.0268%	0.00154%	0.00439%
(6) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Hubbard Osborne 3195 Osborne Mountain Rd. Raven, VA 24639	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(b) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(c) Jerline Davis 118 Coronado Road North Tazewell, VA 24630	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(d) Arlin W. Osborne	<i>Transferred interest to d.1 per deed dated June 18, 2009</i>			
(d.1) Waldon Darrell Clifton PO Box 169 Richlands, VA 24641	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(e) Jackie D. Osborne 1995 Altizer Road Raven, VA 24639-1995	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(f) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(g) Sylvia A. Shelton Byrd 549 Jack Creed Road Raven, VA 24639	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(h) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(i) Lois Casey 134 Robert St., Lot 8 Richlands, VA 24641	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Cora Arnold Heirs, Devisees, Successors or Assigns				
(a.1) James H. Arnold, widower 1134 Pump House Rd. Grundy, VA 24614	0.04 acres 1/24 of 1.03 acres	0.0536%	0.00308%	0.00877%
(b) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%

19

**Exhibit E**  
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**Docket # VGOB-98-0324-0625-08**  
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	Acres in Unit	Percent of Unit	Division of Interest In 6-Right 5.74713%	7-Right 16.34981%
(c) Jay C. Stilwell Heirs, Devisees, Successors or Assigns				
(c.1) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(d) Wanda Hagy Box 1738 Richlands, VA 24641	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(e) Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(f) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(g) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609-2216	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(8) Charlie Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	0.04 acres 1/24 of 1.03 acres	0.0536%	0.00308%	0.00877%
(b) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(c) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(d) Thomas H. Stilwell 27 Horseshoe Trailer Ct. Horace, ND 58047-5718 (Bad Address)	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(e) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(f) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%
(g) Bernice R. Lamb 2124 County Road 116 International Falls, MN 56649	0.01 acres 1/72 of 1.03 acres	0.0179%	0.00103%	0.00292%

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	Acres in Unit	Percent of Unit	Division of interest in 6-Right 5.74713%	7-Right 16.34981%
<b><u>OIL &amp; GAS CLAIMANT (Surface Owner)</u></b>				
(1) Danny McClanahan P. O. Box 547 Oakwood, VA 24631	1.03 acres	1.2875%	0.07399%	0.21050%
<b><u>Tract #3A2, 2.03 acres</u></b>				
<b><i>Escrow due to Title Conflict / Surface Claimant</i></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.03 acres	2.5375%	0.14583%	0.41488%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
Linkous Horn Heirs, Devisees, Successors or Assigns	2.03 acres	2.5375%	0.14583%	0.41488%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.07 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.07 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.07 acres 1/30 of 2.03 acres	0.0846%	0.00486%	0.01383%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(b) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
(c) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%

*Royalty Split Agreements have been executed, but are in dispute.  
Royalties attributable to this interest are currently being escrowed.*

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	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(d) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne 1109 Moore Rd. Raven, VA 24639	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(g) Ronnie Osborne Box 12 Oakwood, VA 24631	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(i) Richard Osborne P. O. Box 541 Keen Mountain, VA 24624	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen				
				<i>(Deed of Gift to Joyce Lineberry Mae 3/16/03)</i>
(j.1.1) Joyce Lineberry Mae c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.02 acres 1/110 of 2.03 acres	0.0231%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				

Exhibit E  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne	0.02 acres	0.0231%	0.00133%	0.00377%
1055 Mapleleaf Hollow Raven, VA 24639	1/110 of 2.03 acres			
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn	0.07 acres	0.0846%	0.00486%	0.01383%
P.O. Box 33 Raven, VA 24639	1/30 of 2.03 acres			
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns	0.07 acres	0.0846%	0.00486%	0.01383%
<i>Heirs / Address Unknown</i>	1/30 of 2.03 acres			
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton	0.01 acres	0.0141%	0.00081%	0.00230%
200 Birch Street Raven, VA 24639	1/180 of 2.03 acres			
(c.2) Nellie A. Maynard	0.01 acres	0.0141%	0.00081%	0.00230%
P.O. Box 296 Raven, VA 24639	1/180 of 2.03 acres			
(c.3) Tammy D. Boyd	0.01 acres	0.0141%	0.00081%	0.00230%
1005 Kents Ridge Road Richlands, VA 24641	1/180 of 2.03 acres			
(c.4) Margaret E. Dye	0.01 acres	0.0141%	0.00081%	0.00230%
784 Big Creek Road Richlands, VA 24641	1/180 of 2.03 acres			
(c.5) Danny W. Elder	0.01 acres	0.0141%	0.00081%	0.00230%
P.O. Box 748 Raven, VA 24639	1/180 of 2.03 acres			
(c.6) Robert G. Elder	0.01 acres	0.0141%	0.00081%	0.00230%
Lot #2, 200 Horton Crest Drive Richlands, VA 24641	1/180 of 2.03 acres			
(4) Thelma H. Osborne	0.20 acres	0.2538%	0.01458%	0.04149%
P. O. Box 33 Raven, VA 24639	1/10 of 2.03 acres			
(5) Joseph P. Horne	0.20 acres	0.2538%	0.01458%	0.04149%
492 Gray Branch Road Cedar Bluff, VA 24609	1/10 of 2.03 acres			

23

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

		Acres in Unit	Percent of Unit	Division of Interest in	
				6-Right 5.74713%	7-Right 16.34981%
(6)	Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.20 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(7)	Earnest Horn Heirs, Devisees, Successors or Assigns				
(a)	Dorothy Horn Heirs, Devisees, Successors or Assigns <i>(Heirs/Addresses Unknown)</i>	0.20 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(8)	Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.20 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(9)	Sarah K. Day P. O. Box 208 Peterstown, WV 24963	0.20 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
(10)	Carl Horn Heirs, Devisees, Successors or Assigns				
(a)	Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.20 acres 1/10 of 2.03 acres	0.2538%	0.01458%	0.04149%
<b>- OR -</b>					
	Thomas Stilwell Heirs, Devisees, Successors or Assigns	2.03 acres	2.5375%	0.14583%	0.41488%
(1)	Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	0.25 acres 1/8 of 2.03 acres	0.3172%	0.01823%	0.05186%
(2)	Raleigh Stilwell Heirs, Devisees, Successors or Assigns				
(a)	Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	0.25 acres 1/8 of 2.03 acres	0.3172%	0.01823%	0.05186%
(3)	Paul Elmer Stilwell Heirs, Devisees, Successors or Assigns				
(a)	Virginia N. Stilwell, widow 1106 Dial Road Raven, VA 24639	0.25 acres 1/8 of 2.03 acres	0.3172%	0.01823%	0.05186%
(4)	Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	0.25 acres 1/8 of 2.03 acres	0.3172%	0.01823%	0.05186%
(5)	Exie Osborne Heirs, Devisees, Successors or Assigns				

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
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	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a.1) Myrtle Smith Heirs, Devisees, Successors or Assigns				
(a.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.02 acres 1/96 of 2.03 acres	0.0264%	0.00152%	0.00432%
(a.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.02 acres 1/96 of 2.03 acres	0.0264%	0.00152%	0.00432%
(a.2) Maxie Boyd Box 972 Raven, VA 24639	0.04 acres 1/48 of 2.03 acres	0.0529%	0.00304%	0.00864%
(a.3) Ruth Osborne Smith Box 672 Doran, VA 24612	0.04 acres 1/48 of 2.03 acres	0.0529%	0.00304%	0.00864%
(a.4) Judy Blankenship Box 221 Doran, VA 24612	0.04 acres 1/48 of 2.03 acres	0.0529%	0.00304%	0.00864%
(a.5) John Osborne Box 6 Shortt Gap, VA 24647	0.04 acres 1/48 of 2.03 acres	0.0529%	0.00304%	0.00864%
(a.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.04 acres 1/48 of 2.03 acres	0.0529%	0.00304%	0.00864%
(6) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Hubbard Osborne 3195 Osborne Mountain Rd. Raven, VA 24639	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(b) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(c) Jerline Davis 118 Coronado Road North Tazewell, VA 24630	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(d) Arlin W. Osborne	<i>Transferred interest to d.1 per deed dated June 18, 2009</i>			
(d.1) Waldon Darrell Clifton PO Box 169 Richlands, VA 24641	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(e) Jackie D. Osborne 1995 Altizer Road Raven, VA 24639-1995	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(f) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(g) Sylvia A. Shelton Byrd 549 Jack Creed Road Raven, VA 24639	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(h) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(i) Lois Casey 134 Robert St., Lot 8 Richlands, VA 24641	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Cora Arnold Heirs, Devisees, Successors or Assigns				
(a.1) James H. Arnold, widower 1134 Pump House Rd. Grundy, VA 24614	0.08 acres 1/24 of 2.03 acres	0.1057%	0.00608%	0.01729%
(b) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(c) Jay C. Stilwell Heirs, Devisees, Successors or Assigns				
(c.1) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(d) Wanda Hagy Box 1738 Richlands, VA 24641	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(e) Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(f) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(g) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609-2216	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(8) Charlie Stilwell Osborne Heirs, Devisees, Successors or Assigns				

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
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	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	0.08 acres 1/24 of 2.03 acres	0.1057%	0.00608%	0.01729%
(b) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(c) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(d) Thomas H. Stilwell 27 Horseshoe Trailer Ct. Horace, ND 58047-5718 (Bad Address)	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(e) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(f) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
(g) Bernice R. Lamb 2124 County Road 116 International Falls, MN 56649	0.03 acres 1/72 of 2.03 acres	0.0352%	0.00203%	0.00576%
<b><u>OIL &amp; GAS CLAIMANT (Surface Owner)</u></b>				
(1) Danny McClanahan P. O. Box 547 Oakwood, VA 24631	2.03 acres	2.5375%	0.14583%	0.41488%
<b><u>Tract #3B &amp; 3C, 0.87 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.87 acres	1.0875%	0.06250%	0.17780%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
Linkous Horn Heirs, Devisees, Successors or Assigns	0.87 acres	1.0875%	0.06250%	0.17780%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.03 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%

**Exhibit E**  
**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
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	Acres in Unit	Percent of Unit	Division of interest in 6-Right 5.74713%	7-Right 16.34981%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.03 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.03 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(b) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
(c) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(d) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(e) James R. Osborn P. O. Box 484 Keen Mountain, VA 24624	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne 1109 Moore Rd. Raven, VA 24639	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(g) Ronnie Osborn Box 12 Oakwood, VA 24631	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				

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**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres In Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(h) <b>Charles M. Osborn</b> 216 Plantation Drive Richlands, VA 24641	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(i) <b>Richard Osborne</b> P. O. Box 541 Keen Mountain, VA 24624	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen	<i>(Deed of Gift to Joyce Lineberry Mae 3/16/03)</i>			
(j.1.1) <b>Joyce Lineberry Mae</b> c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) <b>Darlene B. Osborn</b> 1055 Mapleleaf Hollow Raven, VA 24639	0.01 acres 1/110 of 0.87 acres	0.0099%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.03 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.03 acres 1/30 of 0.87 acres	0.0363%	0.00208%	0.00593%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.3) Tammy D. Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.005 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.005 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%

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**Unit T-36**  
**Docket # VGOB-98-0324-0625-08**  
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		Acres in Unit	Percent of Unit	Division of Interest in	
				6-Right 5.74713%	7-Right 16.34981%
(4)	Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.09 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(7)	Earnest Horn Heirs, Devisees, Successors or Assigns				
(a)	Dorothy Horn Heirs, Devisees, Successors or Assigns <i>(Heirs/Addresses Unknown)</i>	0.09 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%
(10)	Carl Horn Heirs, Devisees, Successors or Assigns				
(a)	Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.09 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%

Exhibit EE  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants with Royalty Split Agreements

		Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
				6-Right 5.74713%	7-Right 16.34981%	
<b><u>Tract #2A, 32.30 acres</u></b>						
<b><u>COAL OWNERSHIP</u></b>						
(1)	Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	32.30 acres	40.3750%	2.32040%	6.60124%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>						
	Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.3750%	2.32040%	6.60124%	
(1)	Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.29005%	0.82515%	n/a
(2)	Raleigh Stilwell Heirs, Devisees, Successors or Assigns					
(a)	Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.29005%	0.82515%	n/a
(3)	Paul Elmer Stilwell Heirs, Devisees, Successors or Assigns					
(a)	Virginia N. Stilwell, widow 1106 Dial Road Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.29005%	0.82515%	n/a
(4)	Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.29005%	0.82515%	n/a
(5)	Exie Osborne Heirs, Devisees, Successors or Assigns					
(a.1)	Myrtle Smith Heirs, Devisees, Successors or Assigns					
(a.1.1)	Nancy Jackson P.O. Box 448 Doran, VA 24612	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.02417%	0.06876%	n/a
(a.1.2)	Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.02417%	0.06876%	n/a
(a.2)	Maxie Boyd Box 972 Raven, VA 24639	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.04834%	0.13753%	n/a
(a.3)	Ruth Osborne Smith Box 672 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.04834%	0.13753%	n/a
(a.4)	Judy Blankenship Box 221 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.04834%	0.13753%	n/a

Exhibit EE  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
(a.5) John Osborne Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.04834%	0.13753%	n/a
(a.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.04834%	0.13753%	n/a
(6) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns					
(a) Hubbard Osborne 3195 Osborne Mountain Rd. Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(b) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(c) Jerline Davis 118 Coronado Road North Tazewell, VA 24630	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(d) Arlin W. Osborne	<i>Transferred interest to d. 1 per deed dated June 18, 2009</i>				
(d.1) Waldon Darrell Clifton PO Box 169 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(e) Jackie D. Osborne 1995 Altizer Road Raven, VA 24639-1995	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(f) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(g) Sylvia A. Shelton Byrd 549 Jack Creed Road Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	1.0406%
(h) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(i) Lois Casey 134 Robert St., Lot 8 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns					
(b) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(c) Jay C. Stilwell Heirs, Devisees, Successors or Assigns					
(c.1) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a

Exhibit EE  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
(d) Wanda Hagy Box 1738 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(e) Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(f) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(g) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609-2216	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	1.0406%
(8) Charlie Stilwell Osborne Heirs, Devisees, Successors or Assigns					
(a) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	1.3458 acres 1/24 of 32.30 acres	1.6823%	0.09668%	0.27505%	n/a
(b) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(c) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(d) Thomas H. Stilwell 27 Horseshoe Trailer Ct. Horace, ND 58047-5718 (Bad Address)	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(e) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(f) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a
(g) Bernice R. Lamb 2124 County Road 116 International Falls, MN 56649	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.03223%	0.09168%	n/a

**Tract #2B, 1.25 acres**

**COAL OWNERSHIP**

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.25 acres	1.5625%	0.08980%	0.25547%	
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**OIL & GAS OWNERSHIP**

(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701 <i>(Previously Walter Underwood, CNX Purchased from his heirs)</i>	1.25 acres	1.5625%	0.08980%	0.25547%	n/a
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33

Exhibit EE  
Unit T-36  
Docket # VGOB-98-0324-0625-08  
List of Conflicting Owners/Claimants with Royalty Split Agreements

		Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
				6-Right 5.74713%	7-Right 16.34981%	
<b><u>Tract #3B &amp; 3C, 0.87 acres</u></b>						
<b><u>COAL OWNERSHIP</u></b>						
(1)	Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.87 acres	1.0875%	0.06250%	0.17780%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>						
	Linkous Horn Heirs, Devisees, Successors or Assigns	0.87 acres	1.0875%	0.06250%	0.17780%	
(3)	Henry Horn Heirs, Devisees, Successors or Assigns					
(c)	Ivory Horn Heirs, Devisees, Successors or Assigns					
(c.1)	Patricia D. Horton 200 Birch Street Raven, VA 24639	0.005 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%	n/a
(c.2)	Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.005 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%	n/a
(c.5)	Danny W. Elder P.O. Box 748 Raven, VA 24639	0.005 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%	n/a
(c.6)	Robert G. Elder Lot #2, 200 Horton Crest Drive Richlands, VA 24641	0.005 acres 1/180 of 0.87 acres	0.0060%	0.00035%	0.00099%	n/a
(5)	Joseph P. Horne 492 Gray Branch Road Cedar Bluff, VA 24609	0.09 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%	n/a
(6)	Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.09 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%	n/a
(8)	Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.09 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%	n/a
(9)	Sarah K. Day P. O. Box 208 Peterstown, WV 24963	0.09 acres 1/10 of 0.87 acres	0.1088%	0.00625%	0.01778%	n/a

34

**Exhibit A**  
**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 7/31/2010**

Unit T36  
VGOB 98-0324-0625-08  
Acres Escrowed: 21.555770

Owners	Tract #	Acres	Owner Acres	Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$263,233.61
Hurt McGuire Land Trust - Coal	2a	2.2431			2.0812%	\$5,478.33
Thomas Stilwell Heirs - O&G		32.30				
Sylvia A. Shelton Byrd			0.4486	1/72	1.0406%	\$2,739.16
Curtis Stilwell			0.4486	1/72	1.0406%	\$2,739.16

Wells contributing to the escrow account: T36 & T36A

INSTRUMENT #100003093  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
NOVEMBER 17, 2010 AT 11:44AM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB