

*Instrument prepared by:***VIRGINIA GAS AND OIL BOARD***Order recorded under:***CODE OF VIRGINIA  
§ 45.1-361.26****BEFORE THE VIRGINIA GAS AND OIL BOARD**

**RELIEF SOUGHT:** An Order for Disbursement of Escrowed Funds  
(and Authorization for Direct Payment of Royalties)

**JURISDICTION:** *Code of Virginia* § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

UNIT/WELL NAME: AV-124  
TRACT(S): Tracts 1E, 2A, 2B  
LOCATION: Russell County, Virginia

**DOCKET NUMBER:** VGOB-02-0820-1050-01

**APPLICANTS:** CNX Production Company on behalf of Swords Creek Land Partnership and Connie Stilwell, Gerlene Jefferies, Richard Trevino; Stuart Land and Cattle Co., of VA., Inc. and Connie Frances Stilwell, Gerlene Jefferies, Richard Trevino and Frances Dye

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
March 13, 2012 and corrective testimony and exhibits on June 19, 2012

**APPEARANCES:** Mark Swartz on behalf of CNX and Sharon M. B. Pigeon, Sr. Assistant Attorney General for the Virginia Gas and Oil Board.

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 07/11/03, Recorded 07/14/03, Deed Book 0587
2. Supplemental Order Executed 03/22/04, Recorded 03/22/04, Deed Book 0604

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the March 13, 2012 hearing and consider whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tracts 1E, 2A and 2B identified in the attached miscellaneous petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tracts 1E, 2A and 2B relative to the interests of the Applicants identified in the attached miscellaneous petition.
- (3) Continue the escrow account under this docket number.

**FINDINGS:** *Code of Virginia* § 45.1-361.22

Applicant has certified and represented to the Board that:

1. The owner of the coal estate for Tract 1E is Swords Creek Land Partnership and for Tracts 2A and 2B Stuart Land & Cattle Co., of VA, Inc. for the subject drilling unit.

2. The owner of the gas estate for Tracts 1E and 2B are Connie Stilwell, Gerlene Jefferies, Richard Trevino and the owner of Tract 2A is Frances Dye for the subject drilling unit.

**RELIEF GRANTED:**

| VCOB Approved Disbursement<br>VGOB 02-0820-1050-01<br>AV-124 |       |                                                                       | Fractional<br>Ownership<br>in Tract | Net Acreage<br>Ownership<br>in Tract | Royalty<br>Split<br>Agreement | Escrowed<br>Acres<br>Disbursed | Percent of<br>Escrowed Funds<br>Disbursed |
|--------------------------------------------------------------|-------|-----------------------------------------------------------------------|-------------------------------------|--------------------------------------|-------------------------------|--------------------------------|-------------------------------------------|
| Table 1<br>A Portion Of Tracts 1E, 2A, 2B                    |       |                                                                       |                                     |                                      |                               |                                |                                           |
| Item                                                         | Tract | Disbursement Table                                                    |                                     |                                      |                               |                                |                                           |
|                                                              |       | Total acreage in escrow before disbursement                           |                                     |                                      |                               | 14,1300                        |                                           |
|                                                              | 1E    | Tract 1E (total acreage)                                              | 0.47                                |                                      |                               |                                |                                           |
|                                                              | 1E    | Sallina Keen Heirs (Oil & Gas)                                        |                                     |                                      |                               |                                |                                           |
| 1                                                            | 1E    | Connie Frances Stilwell P. O. Box 495, Oakwood, VA 24631              |                                     | 0.0034                               | 50.0%                         | 0.0017                         | 0.0120%                                   |
| 2                                                            | 1E    | Gerlene Jefferies 2778 County Rd., 1075, Perryville, OH 44864         |                                     | 0.0034                               | 50.0%                         | 0.0017                         | 0.0120%                                   |
| 3                                                            | 1E    | Richard Trevino 803 S. Mt. Vernon Ave., Apt 109, Louisville, OH 44842 |                                     | 0.0011                               | 50.0%                         | 0.0006                         | 0.0039%                                   |
| 4                                                            | 1E    | Suwan Creek Land Partnership Coal P. O. Box 28, Tazewell, VA 24651    | combined                            | 0.0079                               | 50.0%                         | 0.0040                         | 0.0280%                                   |
|                                                              | 2A    | Tract 2A (total acreage)                                              | 11.16                               |                                      |                               |                                |                                           |
|                                                              | 2A    | Noah Newberry Heirs (Oil & Gas)                                       |                                     |                                      |                               |                                |                                           |
| 1                                                            | 2A    | Frances Dye 460 Middle Creek Rd., Collier Bluff, VA 24609             |                                     | 0.1771                               | 50.0%                         | 0.0886                         | 0.6267%                                   |
| 2                                                            | 2A    | Stuart Land & Cattle Co., of Va, Inc. Box 147, Rosedale, VA 24280     | combined                            | 0.1771                               | 50.0%                         | 0.0886                         | 0.6267%                                   |
|                                                              | 2B    | Tract 2B (total acreage)                                              | 85                                  |                                      |                               |                                |                                           |
|                                                              | 2B    | Sallina Keen Heirs (Oil & Gas)                                        |                                     |                                      |                               |                                |                                           |
| 1                                                            | 2B    | Connie Frances Stilwell P. O. Box 495, Oakwood, VA 24631              |                                     | 0.0061                               | 50.0%                         | 0.0031                         | 0.0216%                                   |
| 2                                                            | 2B    | Gerlene Jefferies 2778 County Rd., 1075, Perryville, OH 44864         |                                     | 0.0061                               | 50.0%                         | 0.0031                         | 0.0216%                                   |
| 3                                                            | 2B    | Richard Trevino 803 S. Mt. Vernon Ave., Apt 109, Louisville, OH 44842 |                                     | 0.0020                               | 50.0%                         | 0.0010                         | 0.0071%                                   |
| 2                                                            | 2A    | Stuart Land & Cattle Co., of Va, Inc. Box 147, Rosedale, VA 24280     | combined                            | 0.0142                               | 50.0%                         | 0.007                          | 0.0502%                                   |

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.

2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

**CONCLUSION:**

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

**APPEALS:**

Appeals of this Order are governed by the provisions of the *Code of Virginia* § 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.

Effective Date:

This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 17 day of July, 2012, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Bradley C. Lambert, Chairman  
Virginia Gas and Oil Board

DONE AND PERFORMED this 17<sup>th</sup> day of July, 2012 by Order of the Virginia Gas and Oil Board.

Rick Cooper  
Rick Cooper, Principal Executive to the Staff  
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL)

Acknowledged on this 17<sup>th</sup> day of July, 2012, 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 Rick Cooper, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board, that they executed the same and were authorized to do so.

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

My commission expires: 09/30/2013



PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 02-0820-1050-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM  
ESCROW REGARDING TRACT(S) 1E, 2A & 2B  
(2) AND AUTHORIZATION FOR DIRECT  
PAYMENT OF ROYALTIES

HEARING DATE: March 13, 2012

FEB 2012

DGO - Lebanon

DRILLING UNIT: AV-124

RUSSELL COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, WV 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 Tract(s) 1E 2A & 2B as depicted upon the annexed Exhibit A-1; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Swords Creek Land Partnership and Connie Frances Stilwell, Gerlene Jefferies, Richard Trevino, and ~~Marcella Perkins King~~; Stuart Land and Cattle Co. of VA, Inc. and Connie Frances Stilwell, Gerlene Jefferies, Richard Trevino, ~~Marcella Perkins King~~, and Frances Dye

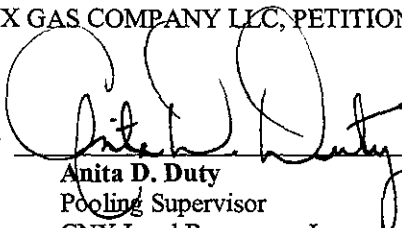
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

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

5. **Factual basis for relief requested:** Swords Creek Land Partnership and Connie Frances Stilwell, Gerlene Jefferies, Richard Trevino, and Marcella Perkins King; Stuart Land and Cattle Co. of VA, Inc. and Connie Frances Stilwell, Gerlene Jefferies, Richard Trevino, Marcella Perkins King, and Frances Dye 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-1, 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 Land Resources, Inc.  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701

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

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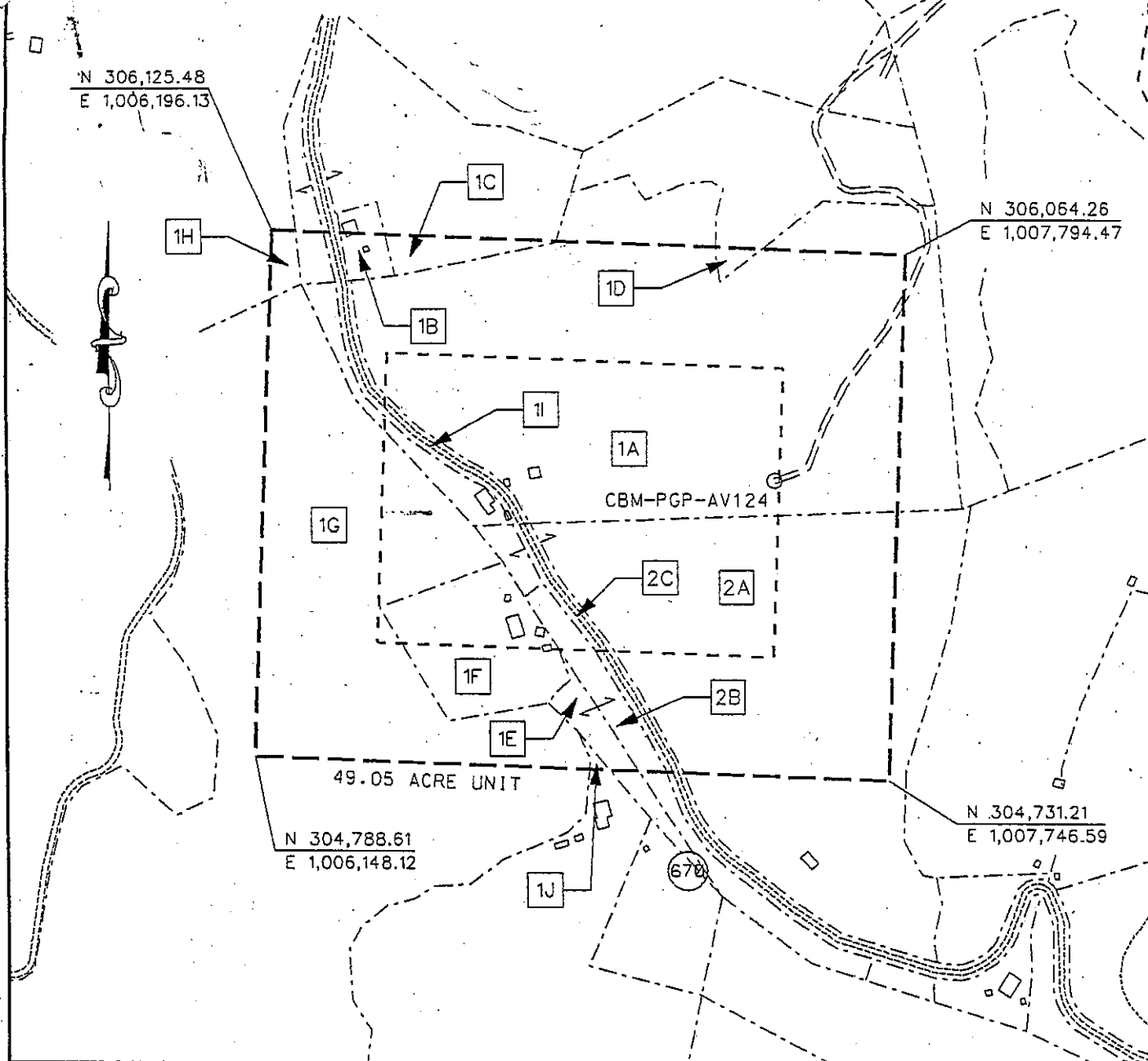
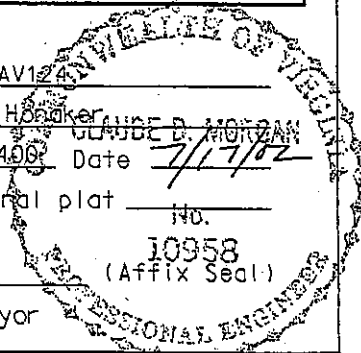


EXHIBIT A  
MIDDLE RIDGE 1 FIELD  
UNIT AV-124  
FORCE POOLING  
VGOB-02-0820-1050

Company Pocahontas Gas Partnership Well Name and Number UNIT AV124  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Hoodaker  
County Russell District New Garden Scale: 1" = 400' Date 7/17/02  
This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

Charles D. Morgan  
Licensed Professional Engineer or Licensed Land Surveyor



**CNX GAS COMPANY LLC****Unit AV124****Tract Identifications****(49.05 Acre Unit)**

- 1A. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Mary Richardson – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
19.88 acres                      40.5301%**
- 1B. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Jackie D. Shortt, et ux – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
0.31 acres                      0.6320%**
- 1C. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
CNX Gas Company LLC – Surface, Oil and Gas  
0.77 acres                      1.5698%**
- 1D. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Patsy S. Smith, et al – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
0.12 acres                      0.2446%**
- 1E. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Salina Keen Heirs, Successors or Assigns – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (48.93%)  
Billy Propst, et ux – Surface  
0.47 acres                      0.9582%**

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

**CNX GAS COMPANY LLC**

**Unit AV124**

**Tract Identifications**

**(49.05 Acre Unit)**

- 1F. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Jeffery Earl Wilson – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
2.72 acres                      5.5454%
  
- 1G. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Jo Ann Anderson Richardson – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
10.95 acres                      22.3242%
  
- 1H. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
CNX Gas Company LLC – Surface, Oil and Gas  
0.25 acres                      0.5097%
  
- 1I. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia – Surface, Oil and Gas  
0.85 acres                      1.7329%
  
- 1J. Swords Creek Land Partnership Tr. 21 (A.W. Richardson 1281.86 Acre Tract) – Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Company - Coal in Tiller Seam and Above Leased  
CNX Gas Company LLC – CBM Leased  
Billy S. Propst, et ux – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
0.04 acres                      0.0815%

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**CNX GAS COMPANY LLC**

**Unit AV124**

**Tract Identifications**

**(49.05 Acre Unit)**

- 2A. Stuart Land & Cattle Company of Virginia, Inc. (68.00 Acre Tract) - Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Seams Leased  
CNX Gas Company LLC – CBM Leased  
Noah Newberry Heirs – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (68.78%)  
11.16 acres 22.7523%
- 2B. Stuart Land & Cattle Company of Virginia, Inc. (68.00 Acre Tract) - Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Seams Leased  
CNX Gas Company LLC – CBM Leased  
Salina Keen Heirs, Successors or Assigns – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (48.93%)  
Billy Propst, et ux – Surface  
0.85 acres 1.7329%
- 2C. Stuart Land & Cattle Company of Virginia, Inc. (68.00 Acre Tract) - Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Seams Leased  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia OR Noah Newberry Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (68.78%) (If owned by Noah Newberry Heirs)  
Commonwealth of Virginia - Surface  
0.43 acres 0.8767%
- 2D. Stuart Land & Cattle Company of Virginia, Inc. (68.00 Acre Tract) - Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Seams Leased  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia OR Salina Keen Heirs, Successors or Assigns – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (48.93%) (If owned by Salina Keen Heirs)  
Commonwealth of Virginia - Surface  
0.25 acres 0.5097%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Docket #VGOB 02-0820-1050-01  
List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                                                                       | Acres in Unit                      | Percent of Unit |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------|
| <b><u>Tract #1D, 0.12 acres</u></b>                                                                                   |                                    |                 |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |                                    |                 |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.12 acres                         | 0.2446%         |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |                                    |                 |
| (1) Patsy S. Smith, et al                                                                                             | 0.12 acres                         | 0.2446%         |
| (a) John Albert Richardson Heirs, Devisees,<br>Successors or Assigns (1/2)                                            |                                    |                 |
| (a.1) Ida B. Richardson Heirs, Devisees,<br>Successors or Assigns                                                     |                                    |                 |
| (a.1.1) Patsy S. Smith<br>420 Mill creek Rd.<br>Raven, VA 24639                                                       | 0.0300 acres<br>1/4 of 0.12 acres  | 0.0612%         |
| (a.1.2) Wayne Shelton<br>2438 Hopkins Dr.<br>McGaheysville, VA 22840                                                  | 0.0100 acres<br>1/12 of 0.12 acres | 0.0204%         |
| (a.1.3) Melinda Suzanne Cordle<br>PO Box 15402<br>Newport News, VA 23608                                              | 0.0100 acres<br>1/12 of 0.12 acres | 0.0204%         |
| (a.1.4) Amanda Gail Horton<br>474 Mill Creek Rd.<br>Raven, VA 24639                                                   | 0.0100 acres<br>1/12 of 0.12 acres | 0.0204%         |
| (b) Ida B. Richardson Heirs, Devisees,<br>Successors or Assigns (1/2)                                                 |                                    |                 |
| (b.1) Patsy S. Smith<br>420 Mill creek Rd.<br>Raven, VA 24639                                                         | 0.0300 acres<br>1/4 of 0.12 acres  | 0.0612%         |
| (b.2) Wayne Shelton<br>2438 Hopkins Dr.<br>McGaheysville, VA 22840                                                    | 0.0100 acres<br>1/12 of 0.12 acres | 0.0204%         |
| (b.3) Melinda Suzanne Cordle<br>PO Box 15402<br>Newport News, VA 23608                                                | 0.0100 acres<br>1/12 of 0.12 acres | 0.0204%         |
| (b.4) Amanda Gail Horton<br>474 Mill Creek Rd.<br>Raven, VA 24639                                                     | 0.0100 acres<br>1/12 of 0.12 acres | 0.0204%         |

Exhibit E  
Unit AV-124

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Docket #VGOB 02-0820-1050-01  
List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                                                                       | Acres in Unit                       | Percent of Unit |
|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| <b><u>Tract #1E, 0.47 acres</u></b>                                                                                   |                                     |                 |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |                                     |                 |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.47 acres                          | 0.9582%         |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |                                     |                 |
| (1) Salina Keen Heirs, Devisees,<br>Successors or Assigns                                                             | 0.47 acres                          | 0.9582%         |
| (1) Bertie Horn Heirs, Devisees,<br>Successors or Assigns                                                             |                                     |                 |
| (a) Thelma Keen Heirs, Devisees,<br>Successors or Assigns                                                             |                                     |                 |
| (a.1) Arnold Keen, widower<br>P.O. Box 58<br>Oakwood, VA 24631                                                        | 0.0336 acres<br>1/14 of 0.47 acres  | 0.0684%         |
| (b) Viola Meadows<br>5740 Garden Creek Rd.<br>Rowe, VA 24646                                                          | 0.0336 acres<br>1/14 of 0.47 acres  | 0.0684%         |
| (2) Ernest Keen Heirs, Devisees,<br>Successors or Assigns                                                             |                                     |                 |
| (a) Ralph Keen<br>200 Summit Drive<br>Lebanon, VA 24266                                                               | 0.0112 acres<br>1/42 of 0.47 acres  | 0.0228%         |
| (b) Arnold Keen<br>962 Ascue Road<br>Cedar Bluff, VA 24609                                                            | 0.0112 acres<br>1/42 of 0.47 acres  | 0.0228%         |
| (c) Paul Keene Heirs, Devisees,<br>Successors or Assigns                                                              |                                     |                 |
| (c.1) Anna R. Lambert<br>182 Blankenship Drive<br>North Tazewell, VA 24630                                            | 0.0022 acres<br>1/210 of 0.47 acres | 0.0046%         |
| (c.2) Arnold Keene<br>962 Ascue Road<br>Cedar Bluff, VA 24609                                                         | 0.0022 acres<br>1/210 of 0.47 acres | 0.0046%         |
| (c.3) Ann McCowan<br>P.O. Box 677<br>Rosedale, VA 24280                                                               | 0.0022 acres<br>1/210 of 0.47 acres | 0.0046%         |
| (c.4) Ralph Keene<br>200 Summit Ave.<br>Lebanon, VA 24226                                                             | 0.0022 acres<br>1/210 of 0.47 acres | 0.0046%         |

Docket #VGOB 02-0820-1050-01  
List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                                    | Acres in Unit                       | Percent of Unit |
|------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (c.5) Carl L. Hale<br>PO Box 330<br>Pounding Mill, VA 24637                        | 0.0006 acres<br>1/840 of 0.47 acres | 0.0011%         |
| (c.6) Bill R. Hale<br>PO Box 311<br>Honaker, VA 24260                              | 0.0006 acres<br>1/840 of 0.47 acres | 0.0011%         |
| (c.7) Linda Matney<br>PO Box 738<br>Pounding Mill, VA 24637                        | 0.0006 acres<br>1/840 of 0.47 acres | 0.0011%         |
| (c.8) Brenda Weddle<br>PO Box 185<br>Cedar Bluff, VA 24639                         | 0.0006 acres<br>1/840 of 0.47 acres | 0.0011%         |
| (d) Ann McCowan<br>P.O. Box 677<br>Rosedale, VA 24280                              | 0.0112 acres<br>1/42 of 0.47 acres  | 0.0228%         |
| (e) Ruby Lee Hale Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (e.1) Billy Ray Hale<br>P.O. Box 311<br>Honaker, VA 24260                          | 0.0028 acres<br>1/168 of 0.47 acres | 0.0057%         |
| (e.2) Linda Kay Matney<br>PO Box 738<br>Pounding Mill, VA 24637                    | 0.0028 acres<br>1/168 of 0.47 acres | 0.0057%         |
| (e.3) Brenda Weddle<br>PO Box 185<br>Cedar Bluff, VA 24639                         | 0.0028 acres<br>1/168 of 0.47 acres | 0.0057%         |
| (e.4) Carl Lee Hale<br>PO Box 330<br>Pounding Mill, VA 24637                       | 0.0028 acres<br>1/168 of 0.47 acres | 0.0057%         |
| (f) Anna Lambert<br>182 Blankenship Drive<br>North Tazewell, VA 24630              | 0.0112 acres<br>1/42 of 0.47 acres  | 0.0228%         |
| (3) Mollie Horn (Miles) Heirs, Devisees,<br>Successors or Assigns                  |                                     |                 |
| (a) Gladys Miller Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (a.1) Brenda Carol Banks<br>2122 Leiter Rd<br>Lucas, OH 44843-9546                 | 0.0224 acres<br>1/21 of 0.47 acres  | 0.0456%         |
| (b) Harold Horn Heirs, Devisees,<br>Successors or Assigns                          |                                     |                 |
| (b.1) Mollie Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011 | 0.0056 acres<br>1/84 of 0.47 acres  | 0.0114%         |

Exhibit E  
Unit AV-124

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Docket #VGOB 02-0820-1050-01

List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                                   | Acres in Unit                      | Percent of Unit |
|-----------------------------------------------------------------------------------|------------------------------------|-----------------|
| (b.2) Edith Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011 | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (b.3) Roy Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011   | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (b.4) Harold David Horn<br>138 Chesshire Street<br>Delaware, OH 43015             | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (c) Willard Horn Heirs, Devisees,<br>Successors or Assigns                        |                                    |                 |
| (c.1) Juanita Horn, widow<br>P.O. Box 1858<br>Honaker, VA 24260                   | 0.0224 acres<br>1/21 of 0.47 acres | 0.0456%         |
| (4) Major Wallace Keen Heirs, Devisees,<br>Successors or Assigns                  |                                    |                 |
| (a) Virgie Harman<br>P.O. Box 1870<br>Richlands, VA 24641                         | 0.0336 acres<br>1/14 of 0.47 acres | 0.0684%         |
| (b) Garcie Keen Heirs, Devisees,<br>Successors or Assigns                         |                                    |                 |
| (b.1) Werley Keen<br>20203 Coshocton Rd.<br>Mt. Vernon, OH 43050                  | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (b.2) McArthur Keen<br>840 Cedar Avenue, Apt. 21<br>Long Beach, CA 90813          | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (b.3) Garnie Cordill<br>110 Douglas Street<br>Mt. Gilead, OH 43338-1206           | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (b.4) Sylvia Meadows<br>5945 St. Rt. 314<br>Fredericktown, OH 43019               | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (b.5) Hershel Keen Heirs, Devisees,<br>Successors or Assigns                      |                                    |                 |
| (b.5.1) Eunice Keen, widow<br>8670 St. Rt. 314<br>Lexington, OH 44904             | 0.0056 acres<br>1/84 of 0.47 acres | 0.0114%         |
| (b.6) Robert Keen Heirs, Devisees,<br>Successors or Assigns                       |                                    |                 |
| (b.6.1) Edith Keen Meadows Heirs, Devisees,<br>Successors or Assigns              | Life Estate                        |                 |

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(49.05 Acre Unit - Revised 2/3/04)

|                                                                                   | Acres in Unit                       | Percent of Unit |
|-----------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (b.6.2) Carol Bailey<br>239 1/2 East Church Street<br>Marion, OH 43302            | 0.0014 acres<br>1/336 of 0.47 acres | 0.0029%         |
| (b.6.3) Glen Keen<br>1912 West Willow Avenue<br>Long Beach, CA 90800              | 0.0014 acres<br>1/336 of 0.47 acres | 0.0029%         |
| (b.6.4) Wanda Wyss<br>1750 South Avenue<br>Marion, OH 43302                       | 0.0014 acres<br>1/336 of 0.47 acres | 0.0029%         |
| (b.6.5) Sonia Hoffer<br>6415 County Road 93<br>Mt. Gilead, OH 43338               | 0.0014 acres<br>1/336 of 0.47 acres | 0.0029%         |
| (5) Beve Keen Heirs, Devisees,<br>Successors or Assigns                           |                                     |                 |
| (a) Dolphis McKinley Keen<br>615 Bailey Drive, Apt. 3<br>Mansfield, OH 44904-1860 | 0.0134 acres<br>1/35 of 0.47 acres  | 0.0274%         |
| (b) Estel Keen<br>P.O. Box 266<br>Raven, VA 24639                                 | 0.0134 acres<br>1/35 of 0.47 acres  | 0.0274%         |
| (c) Dell Proffit Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (c.1) Gladesie Whited<br>P.O. Box 773<br>Raven, VA 24639                          | 0.0045 acres<br>1/105 of 0.47 acres | 0.0091%         |
| (c.2) Roy Lee Proffit<br>P.O. Box 434<br>Oakwood, VA 24631                        | 0.0045 acres<br>1/105 of 0.47 acres | 0.0091%         |
| (c.3) Troy Leen Proffit<br>P.O. Box 407<br>Auxier, KY 41602                       | 0.0045 acres<br>1/105 of 0.47 acres | 0.0091%         |
| (d) Venia Stillwell Heirs, Devisees,<br>Successors or Assigns                     |                                     |                 |
| (d.2) Jerry Lee Stillwell<br>307 Fairfax Avenue<br>Richlands, VA 24641            | 0.0034 acres<br>1/140 of 0.47 acres | 0.0068%         |
| (d.4) Betty Jean Short Trevino Heirs, Devisees,<br>Successors or Assigns          |                                     |                 |
| (d.4.2) Marcella Perkins King<br>9960 Springwater Rd.<br>Mt. Vernon, OH 43050     | 0.0022 acres<br>1/210 of 0.47 acres | 0.0046%         |
| (e) Hattie Irene Shortt Heirs, Devisees,<br>Successors or Assigns                 |                                     |                 |

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(49.05 Acre Unit - Revised 2/3/04)

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|                                                                                     | Acres in Unit                       | Percent of Unit |
|-------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (e.1) Martha Sneed<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                        | 0.0067 acres<br>1/70 of 0.47 acres  | 0.0137%         |
| (e.2) David Shortt<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                        | 0.0067 acres<br>1/70 of 0.47 acres  | 0.0137%         |
| (e.3) Noah Short<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                          | <i>Life Estate</i>                  |                 |
| (6) Frank Keen Heirs, Devisees,<br>Successors or Assigns                            |                                     |                 |
| (a) Hershel Keen<br>4970 Turnpike Rd.<br>Raven, VA 24639                            | 0.0336 acres<br>1/14 of 0.47 acres  | 0.0684%         |
| (a.1) Rondal W. Keen<br>105 South 4th St. #20<br>Cardington, OH 43315-9630          | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.2) Omni Ruth Keen<br>16380 Murray Road<br>Mt. Vernon, OH 43050                   | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.3) Jessie Allen Keen<br>16380 Murray Road<br>Mt. Vernon, OH 43050                | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.4) Lloyd Monroe Keen<br>7269 County Road 89<br>Mt. Gilead, OH 43338              | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.5) Lena Irene Nichols<br>203 Orchard Drive<br>Keameysville, WV 25430             | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.6) Bessie Lulabell Hammond<br>7117 County Rd 59 #46<br>Mansfield, OH 44904       | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.7) Pansey Ilene Yoder<br>Rt.3 Box 6959 County Road 22<br>Fredericktown, OH 43019 | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.8) Ronald Gillespie, widower<br>6394 County Road 20<br>Mt. Gilead, OH 43338      | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.9) Jennifer Juanita Lewis<br>7322 State Rt. 314<br>Mt. Gilead, OH 43338          | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (a.10) Kenneth Keen<br>1532 9th Street<br>Cuyahoga Falls, OH 44221                  | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |

Exhibit E  
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(49.05 Acre Unit - Revised 2/3/04)

|                                                                             | Acres in Unit                       | Percent of Unit |
|-----------------------------------------------------------------------------|-------------------------------------|-----------------|
| (a.11) Ronald Keith Keen<br>7026 Township Road<br>Mt. Gilead, OH 43338-9423 | 0.0031 acres<br>1/154 of 0.47 acres | 0.0062%         |
| (b) Thelma Keen<br>5990 County Road 50<br>Mt. Gilead, OH 43338              | <i>Life Estate</i>                  |                 |
| (7) Chloe Horn Heirs, Devisees,<br>Successors or Assigns                    |                                     |                 |
| (a) Roy Joe Horn<br>P.O. Box 591<br>Raven, VA 24639                         | 0.0224 acres<br>1/21 of 0.47 acres  | 0.0456%         |
| (b) Lovis Reedy Horn Short Heirs, Devisees,<br>Successors or Assigns        |                                     |                 |
| (b.1) Danny Short<br>P.O. Box 438<br>Cedar Bluff, VA 24601                  | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.2) Ellen Horn<br>P.O. Box 782<br>Raven, VA 24639                         | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.3) Pearl Osborne<br>Rt.1 Box 141<br>Raven, VA 24639                      | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.4) Louis Short<br>P.O. Box 1004<br>Raven, VA 24639                       | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.5) James Junior Short<br>P.O. Box 894<br>Raven, VA 24639                 | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.6) Johnny Short<br>P.O. Box 963<br>Cedar Bluff, VA 24601                 | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.7) Roger Short<br>P.O. Box 782<br>Raven, VA 24639                        | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.8) Ruby Osborne<br>P.O. Box 216<br>Oakwood, VA 24631                     | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (b.9) Marie Smith<br>P.O. Box 789<br>Raven, VA 24639                        | 0.0025 acres<br>1/189 of 0.47 acres | 0.0051%         |
| (c) Ednie Bell Horn Heirs, Devisees,<br>Successors or Assigns               |                                     |                 |

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|                                                                                | Acres in Unit                       | Percent of Unit |
|--------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (c.1) Lilly Bell Elswick<br>1158 Hogback Rd.<br>Tazewell, VA 24651             | 0.0032 acres<br>1/147 of 0.47 acres | 0.0065%         |
| (c.2) Roy Rogers Horn<br>542 River Oaks Drive<br>Danville, VA 24540            | 0.0032 acres<br>1/147 of 0.47 acres | 0.0065%         |
| (c.3) Shelby Jean Reynolds<br>PO Box 34<br>Wyco, WV 25943                      | 0.0032 acres<br>1/147 of 0.47 acres | 0.0065%         |
| (c.4) Willie May Mutter<br>7683 Lee Hwy<br>Rural Retreat, VA 24368             | 0.0032 acres<br>1/147 of 0.47 acres | 0.0065%         |
| (c.5) William Ray Horn<br>40 Sulfur Lane<br>Swords Creek, VA 24649             | 0.0032 acres<br>1/147 of 0.47 acres | 0.0065%         |
| (c.6) Thelma Marie Underwood<br>2413 Harry's Branch Rd.<br>Whitewood, VA 24641 | 0.0032 acres<br>1/147 of 0.47 acres | 0.0065%         |
| (c.7) Joseph Paul Horn<br>PO Box 775<br>Raven, VA 24639                        | 0.0032 acres<br>1/147 of 0.47 acres | 0.0065%         |

Tract #1I, 0.85 acres

COAL OWNERSHIP

|                                                                                                                       |            |         |
|-----------------------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.85 acres | 1.7329% |
|-----------------------------------------------------------------------------------------------------------------------|------------|---------|

OIL & GAS OWNERSHIP

|                                                                                                      |            |         |
|------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Commonwealth of Virginia<br>Dept. of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002 | 0.85 acres | 1.7329% |
|------------------------------------------------------------------------------------------------------|------------|---------|

Tract #2A, 11.16 acres

COAL OWNERSHIP

|                                                                                                 |             |          |
|-------------------------------------------------------------------------------------------------|-------------|----------|
| (1) Stuart Land & Cattle Co. of Virginia<br>Box 147<br>Rosedale, VA 24280<br>(68.00 Acre Tract) | 11.16 acres | 22.7523% |
|-------------------------------------------------------------------------------------------------|-------------|----------|

OIL & GAS OWNERSHIP

|                                                             |             |          |
|-------------------------------------------------------------|-------------|----------|
| (1) Noah Newberry Heirs, Devisees,<br>Successors or Assigns | 11.16 acres | 22.7523% |
|-------------------------------------------------------------|-------------|----------|

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(49.05 Acre Unit - Revised 2/3/04)

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|                                                                                    | Acres in Unit                        | Percent of<br>Unit |
|------------------------------------------------------------------------------------|--------------------------------------|--------------------|
| <hr/>                                                                              |                                      |                    |
| (a) Hazel Richardson Heirs, Devisees,<br>Successors or Assigns                     |                                      |                    |
| (a.1) Sherman Richardson Heirs, Devisees,<br>Successors or Assigns                 |                                      |                    |
| (a.1.1) Paul E. Richardson<br>8444 S. County Rd. 350W<br>Stileville, IN 46180-9728 | 0.1771 acres<br>1/63 of 11.16 acres  | 0.3611%            |
| (a.2) Lundy Richardson Heirs, Devisees,<br>Successors or Assigns                   |                                      |                    |
| (a.2.1) Shelby Ruth Richardson, Widow<br>1669 Turner Street<br>Clayton, IN 46118   | 0.0590 acres<br>1/189 of 11.16 acres | 0.1204%            |
| (a.2.2) Carol Sue Hale<br>117 Henderson Street<br>Richlands, VA 24641              | 0.1181 acres<br>2/189 of 11.16 acres | 0.2408%            |
| (a.3) Evangeline Blake<br>1212 Mary Ellen Avenue<br>Chesapeake, VA 23324           | 0.1771 acres<br>1/63 of 11.16 acres  | 0.3611%            |
| (a.5) Leonard Richardson Heirs, Devisees,<br>Successors or Assigns                 |                                      |                    |
| (a.5.1) Loretta Mae Richardson<br>PO Box 1282<br>Honaker, VA 24260                 | 0.1771 acres<br>1/63 of 11.16 acres  | 0.3611%            |
| (a.6) Bobby Richardson<br>2255 Road Ridge Turnpike<br>Raven, VA 24639              | 0.1771 acres<br>1/63 of 11.16 acres  | 0.3611%            |
| (a.7) Larry Richardson<br>P.O. Box 328<br>North Tazewell, VA 24630                 | 0.1771 acres<br>1/63 of 11.16 acres  | 0.3611%            |
| (b) Frazier Newberry Heirs, Devisees,<br>Successors or Assigns                     |                                      |                    |
| (b.1) Frances Newberry Heirs, Devisees,<br>Successors or Assigns                   |                                      |                    |
| (b.1.1) Steve Allen Shortt<br>P.O. Box 63<br>Doran, VA 24612                       | 1.2400 acres<br>1/9 of 11.16 acres   | 2.5280%            |
| (c) Madeline Vance Heirs, Devisees,<br>Successors or Assigns                       |                                      |                    |
| (c.1) Carlos Vance<br>P.O. Box 25<br>Swords Creek, VA 24649                        | 0.2067 acres<br>1/54 of 11.16 acres  | 0.4213%            |

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Exhibit E  
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|                                                                            | Acres in Unit                       | Percent of<br>Unit |
|----------------------------------------------------------------------------|-------------------------------------|--------------------|
| (c.2) Leda Jo Lester<br>P.O. Box 400<br>Doran, VA 24612                    | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (c.3) Mary Sparks<br>51 Rabbit Hollow Rd.<br>Swords Creek, VA 24649        | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (c.4) Carrie Dell Boyd<br>100 Oxford Square, Apt. 8<br>Richlands, VA 24641 | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (c.5) Judy Vance<br>P.O. Box 357<br>Swords Creek, VA 24649                 | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (c.6) Cathy Vance<br>P.O. Box 131<br>Swords Creek, VA 24649                | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (d) Sylvia Short Heirs, Devisees,<br>Successors or Assigns                 |                                     |                    |
| (d.1) Roger Short<br>P.O. Box 782<br>Raven, VA 24639                       | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (d.2) Linda Sue Berry<br>623 Crestwood Drive<br>Richlands, VA 24641        | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (d.3) Carrie Mullins<br>P.O. Box 360<br>Swords Creek, VA 24649             | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (d.4) Connie McFarland<br>P.O. Box 516<br>Richlands, VA 24641              | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (d.5) Steve Allen Short<br>P.O. Box 63<br>Doran, VA 24612                  | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (d.6) Marvin Short<br>Rt. 1 Box 647A<br>Swords Creek, VA 24649             | 0.2067 acres<br>1/54 of 11.16 acres | 0.4213%            |
| (e) Pauline Muse<br>999 Westover Drive<br>High Point, NC 27265             | 1.2400 acres<br>1/9 of 11.16 acres  | 2.5280%            |
| (f) Junior Newberry<br>P.O. Box 988<br>Raven, VA 24639                     | 1.2400 acres<br>1/9 of 11.16 acres  | 2.5280%            |
| (g) Juanita Byrd Heirs, Devisees,<br>Successors or Assigns                 |                                     |                    |

**Exhibit E**  
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**List of Conflicting Owners/Claimants that require escrow**  
**(49.05 Acre Unit - Revised 2/3/04)**

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|                                                                          | Acres in Unit                       | Percent of Unit |
|--------------------------------------------------------------------------|-------------------------------------|-----------------|
| (g.1) Patricia Vanover<br>P.O. Box 671<br>Doran, VA 24612                | 0.4133 acres<br>1/27 of 11.16 acres | 0.8427%         |
| (g.2) Tammy Hardman<br>526 Dogwood Court<br>High Point, NC 27260         | 0.4133 acres<br>1/27 of 11.16 acres | 0.8427%         |
| (g.3) Debbie Ann Martin Heirs, Devisees,<br>Successors or Assigns        |                                     |                 |
| (g.3.1) Chad Martin<br>843 Lake Drive, Bailey Lake<br>Ashland, OH 44805  | 0.4133 acres<br>1/27 of 11.16 acres | 0.8427%         |
| (h) Elbert Newberry Heirs, Devisees,<br>Successors or Assigns            |                                     |                 |
| (h.1) Arlen Newberry Heirs, Devisees,<br>Successors or Assigns           |                                     |                 |
| (h.1.1) Janice Newberry, widow<br>281 Mill Creek Road<br>Raven, VA 24639 | 0.4133 acres<br>1/27 of 11.16 acres | 0.8427%         |
| (h.2) Doris Ann Newberry<br>615 Prater Drive<br>Richlands, VA 24641      | 0.4133 acres<br>1/27 of 11.16 acres | 0.8427%         |
| (h.3) Dewey Junior Salyers Heirs, Devisees,<br>Successors or Assigns     |                                     |                 |
| (h.3.1) Wanda Salyers<br>19198 Jonesboro Road<br>Abingdon, VA 24211      | 0.4133 acres<br>1/27 of 11.16 acres | 0.8427%         |
| (i) Jimmy Newberry<br>P.O. Box 361<br>Doran, VA 24612                    | 1.2400 acres<br>1/9 of 11.16 acres  | 2.5280%         |

**Tract #2B, 0.85 acres**

**COAL OWNERSHIP**

|                                                                                                 |            |         |
|-------------------------------------------------------------------------------------------------|------------|---------|
| (1) Stuart Land & Cattle Co. of Virginia<br>Box 147<br>Rosedale, VA 24280<br>(68.00 Acre Tract) | 0.85 acres | 1.7329% |
|-------------------------------------------------------------------------------------------------|------------|---------|

**OIL & GAS OWNERSHIP**

|                                                           |            |         |
|-----------------------------------------------------------|------------|---------|
| (1) Salina Keen Heirs, Devisees,<br>Successors or Assigns | 0.85 acres | 1.7329% |
| (1) Bertie Horn Heirs, Devisees,<br>Successors or Assigns |            |         |
| (a) Thelma Keen Heirs, Devisees,<br>Successors or Assigns |            |         |

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|                                                                            | Acres in Unit                       | Percent of Unit |
|----------------------------------------------------------------------------|-------------------------------------|-----------------|
| (a.1) Arnold Keen, widower<br>P.O. Box 58<br>Oakwood, VA 24631             | 0.0607 acres<br>1/14 of 0.85 acres  | 0.1238%         |
| (b) Viola Meadows<br>5740 Garden Creek Rd.<br>Rowe, VA 24646               | 0.0607 acres<br>1/14 of 0.85 acres  | 0.1238%         |
| (2) Ernest Keen Heirs, Devisees,<br>Successors or Assigns                  |                                     |                 |
| (a) Ralph Keen<br>200 Summit Drive<br>Lebanon, VA 24266                    | 0.0202 acres<br>1/42 of 0.85 acres  | 0.0413%         |
| (b) Arnold Keen<br>962 Ascue Road<br>Cedar Bluff, VA 24609                 | 0.0202 acres<br>1/42 of 0.85 acres  | 0.0413%         |
| (c) Paul Keene Heirs, Devisees,<br>Successors or Assigns                   |                                     |                 |
| (c.1) Anna R. Lambert<br>182 Blankenship Drive<br>North Tazewell, VA 24630 | 0.0040 acres<br>1/210 of 0.85 acres | 0.0083%         |
| (c.2) Arnold Keene<br>962 Ascue Road<br>Cedar Bluff, VA 24609              | 0.0040 acres<br>1/210 of 0.85 acres | 0.0083%         |
| (c.3) Ann McCowan<br>P.O. Box 677<br>Rosedale, VA 24280                    | 0.0040 acres<br>1/210 of 0.85 acres | 0.0083%         |
| (c.4) Ralph Keene<br>200 Summit Ave.<br>Lebanon, VA 24226                  | 0.0040 acres<br>1/210 of 0.85 acres | 0.0083%         |
| (c.5) Carl L. Hale<br>PO Box 330<br>Pounding Mill, VA 24637                | 0.0010 acres<br>1/840 of 0.85 acres | 0.0021%         |
| (c.6) Bill R. Hale<br>PO Box 311<br>Honaker, VA 24260                      | 0.0010 acres<br>1/840 of 0.85 acres | 0.0021%         |
| (c.7) Linda Matney<br>PO Box 738<br>Pounding Mill, VA 24637                | 0.0010 acres<br>1/840 of 0.85 acres | 0.0021%         |
| (c.8) Brenda Weddle<br>PO Box 185<br>Cedar Bluff, VA 24639                 | 0.0010 acres<br>1/840 of 0.85 acres | 0.0021%         |
| (d) Ann McCowan<br>P.O. Box 677<br>Rosedale, VA 24280                      | 0.0202 acres<br>1/42 of 0.85 acres  | 0.0413%         |

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(49.05 Acre Unit - Revised 2/3/04)

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|                                                                                    | Acres in Unit                       | Percent of Unit |
|------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| <hr/>                                                                              |                                     |                 |
| (e) Ruby Lee Hale Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (e.1) Billy Ray Hale<br>P.O. Box 311<br>Honaker, VA 24260                          | 0.0051 acres<br>1/168 of 0.85 acres | 0.0103%         |
| (e.2) Linda Kay Matney<br>PO Box 738<br>Pounding Mill, VA 24637                    | 0.0051 acres<br>1/168 of 0.85 acres | 0.0103%         |
| (e.3) Brenda Weddle<br>PO Box 185<br>Cedar Bluff, VA 24639                         | 0.0051 acres<br>1/168 of 0.85 acres | 0.0103%         |
| (e.4) Carl Lee Hale<br>PO Box 330<br>Pounding Mill, VA 24637                       | 0.0051 acres<br>1/168 of 0.85 acres | 0.0103%         |
| (f) Anna Lambert<br>182 Blankenship Drive<br>North Tazewell, VA 24630              | 0.0202 acres<br>1/42 of 0.85 acres  | 0.0413%         |
| (3) Mollie Horn (Miles) Heirs, Devisees,<br>Successors or Assigns                  |                                     |                 |
| (a) Gladys Miller Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (a.1) Brenda Carol Banks<br>2122 Leiter Rd<br>Lucas, OH 44843-9546                 | 0.0405 acres<br>1/21 of 0.85 acres  | 0.0825%         |
| (b) Harold Horn Heirs, Devisees,<br>Successors or Assigns                          |                                     |                 |
| (b.1) Mollie Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011 | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.2) Edith Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011  | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.3) Roy Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011    | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.4) Harold David Horn<br>138 Chesshire Street<br>Delaware, OH 43015              | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (c) Willard Horn Heirs, Devisees,<br>Successors or Assigns                         |                                     |                 |
| (c.1) Juanita Horn, widow<br>P.O. Box 1858<br>Honaker, VA 24260                    | 0.0405 acres<br>1/21 of 0.85 acres  | 0.0825%         |

Exhibit E  
Unit AV-124  
Docket #VGOB 02-0820-1050-01  
List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

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|                                                                          | Acres in Unit                       | Percent of Unit |
|--------------------------------------------------------------------------|-------------------------------------|-----------------|
| (4) Major Wallace Keen Heirs, Devisees, Successors or Assigns            |                                     |                 |
| (a) Virgie Harman<br>P.O. Box 1870<br>Richlands, VA 24641                | 0.0607 acres<br>1/14 of 0.85 acres  | 0.1238%         |
| (b) Garcie Keen Heirs, Devisees, Successors or Assigns                   |                                     |                 |
| (b.1) Werley Keen<br>20203 Coshocton Rd.<br>Mt. Vernon, OH 43050         | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.2) McArthur Keen<br>840 Cedar Avenue, Apt. 21<br>Long Beach, CA 90813 | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.3) Garnie Cordill<br>110 Douglas Street<br>Mt. Gilead, OH 43338-1206  | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.4) Sylvia Meadows<br>5945 St. Rt. 314<br>Fredericktown, OH 43019      | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.5) Hershel Keen Heirs, Devisees, Successors or Assigns                |                                     |                 |
| (b.5.1) Eunice Keen, widow<br>8670 St. Rt. 314<br>Lexington, OH 44904    | 0.0101 acres<br>1/84 of 0.85 acres  | 0.0206%         |
| (b.6) Robert Keen Heirs, Devisees, Successors or Assigns                 |                                     |                 |
| (b.6.1) Edith Keen Meadows Heirs, Devisees, Successors or Assigns        | <i>Life Estate</i>                  |                 |
| (b.6.2) Carol Bailey<br>239 1/2 East Church Street<br>Marion, OH 43302   | 0.0025 acres<br>1/336 of 0.85 acres | 0.0052%         |
| (b.6.3) Glen Keen<br>1912 West Willow Avenue<br>Long Beach, CA 90800     | 0.0025 acres<br>1/336 of 0.85 acres | 0.0052%         |
| (b.6.4) Wanda Wyss<br>1750 South Avenue<br>Marion, OH 43302              | 0.0025 acres<br>1/336 of 0.85 acres | 0.0052%         |
| (b.6.5) Sonia Hoffer<br>6415 County Road 93<br>Mt. Gilead, OH 43338      | 0.0025 acres<br>1/336 of 0.85 acres | 0.0052%         |
| (5) Beve Keen Heirs, Devisees, Successors or Assigns                     |                                     |                 |

Exhibit E  
Unit AV-124  
Docket #VGOB 02-0820-1050-01  
List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

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|                                                                                   | Acres in Unit                       | Percent of Unit |
|-----------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (a) Dolphis McKinley Keen<br>615 Bailey Drive, Apt. 3<br>Mansfield, OH 44904-1860 | 0.0243 acres<br>1/35 of 0.85 acres  | 0.0495%         |
| (b) Estel Keen<br>P.O. Box 266<br>Raven, VA 24639                                 | 0.0243 acres<br>1/35 of 0.85 acres  | 0.0495%         |
| (c) Dell Proffit Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (c.1) Gladesie Whited<br>P.O. Box 773<br>Raven, VA 24639                          | 0.0081 acres<br>1/105 of 0.85 acres | 0.0165%         |
| (c.2) Roy Lee Proffit<br>P.O. Box 434<br>Oakwood, VA 24631                        | 0.0081 acres<br>1/105 of 0.85 acres | 0.0165%         |
| (c.3) Troy Leen Proffit<br>P.O. Box 407<br>Auxier, KY 41602                       | 0.0081 acres<br>1/105 of 0.85 acres | 0.0165%         |
| (d) Venia Stillwell Heirs, Devisees,<br>Successors or Assigns                     |                                     |                 |
| (d.2) Jerry Lee Stillwell<br>307 Fairfax Avenue<br>Richlands, VA 24641            | 0.0061 acres<br>1/140 of 0.85 acres | 0.0124%         |
| (d.4) Betty Jean Short Trevino Heirs, Devisees,<br>Successors or Assigns          |                                     |                 |
| (d.4.2) Marcella Perkins King<br>9960 Springwater Rd.<br>Mt. Vernon, OH 43050     | 0.0040 acres<br>1/210 of 0.85 acres | 0.0083%         |
| (e) Hattie Irene Shortt Heirs, Devisees,<br>Successors or Assigns                 |                                     |                 |
| (e.1) Martha Sneed<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                      | 0.0121 acres<br>1/70 of 0.85 acres  | 0.0248%         |
| (e.2) David Shortt<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                      | 0.0121 acres<br>1/70 of 0.85 acres  | 0.0248%         |
| (e.3) Noah Short<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                        | <i>Life Estate</i>                  |                 |
| (6) Frank Keen Heirs, Devisees,<br>Successors or Assigns                          |                                     |                 |
| (a) Hershel Keen<br>4970 Turnpike Rd.<br>Raven, VA 24639                          | 0.0607 acres<br>1/14 of 0.85 acres  | 0.1238%         |

**Exhibit E  
Unit AV-124**

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**Docket #VGOB 02-0820-1050-01  
List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)**

|                                                                                     | <b>Acres in Unit</b>                | <b>Percent of Unit</b> |
|-------------------------------------------------------------------------------------|-------------------------------------|------------------------|
| (a.1) Rondal W. Keen<br>105 South 4th St. #20<br>Cardington, OH 43315-9630          | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.2) Omni Ruth Keen<br>16380 Murray Road<br>Mt. Vernon, OH 43050                   | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.3) Jessie Allen Keen<br>16380 Murray Road<br>Mt. Vernon, OH 43050                | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.4) Lloyd Monroe Keen<br>7269 County Road 89<br>Mt. Gilead, OH 43338              | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.5) Lena Irene Nichols<br>203 Orchard Drive<br>Kearneysville, WV 25430            | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.6) Bessie Lulabell Hammond<br>7117 County Rd 59 #46<br>Mansfield, OH 44904       | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.7) Pansey Ilene Yoder<br>Rt.3 Box 6959 County Road 22<br>Fredericktown, OH 43019 | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.8) Ronald Gillespie, widower<br>6394 County Road 20<br>Mt. Gilead, OH 43338      | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.9) Jennifer Juanita Lewis<br>7322 State Rt. 314<br>Mt. Gilead, OH 43338          | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.10) Kenneth Keen<br>1532 9th Street<br>Cuyahoga Falls, OH 44221                  | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (a.11) Ronald Keith Keen<br>7026 Township Road<br>Mt. Gilead, OH 43338-9423         | 0.0055 acres<br>1/154 of 0.85 acres | 0.0113%                |
| (b) Thelma Keen<br>5990 County Road 50<br>Mt. Gilead, OH 43338                      | <i>Life Estate</i>                  |                        |
| (7) Chloe Horn Heirs, Devisees,<br>Successors or Assigns                            |                                     |                        |
| (a) Roy Joe Horn<br>P.O. Box 591<br>Raven, VA 24639                                 | 0.0405 acres<br>1/21 of 0.85 acres  | 0.0825%                |
| (b) Lovis Reedy Horn Short Heirs, Devisees,<br>Successors or Assigns                |                                     |                        |

**Exhibit E**  
**Unit AV-124**  
**Docket #VGOB 02-0820-1050-01**  
**List of Conflicting Owners/Claimants that require escrow**  
**(49.05 Acre Unit - Revised 2/3/04)**

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|                                                                     | Acres in Unit                       | Percent of Unit |
|---------------------------------------------------------------------|-------------------------------------|-----------------|
| (b.1) Danny Short<br>P.O. Box 438<br>Cedar Bluff, VA 24601          | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.2) Ellen Horn<br>P.O. Box 782<br>Raven, VA 24639                 | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.3) Pearl Osborne<br>Rt.1 Box 141<br>Raven, VA 24639              | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.4) Louis Short<br>P.O. Box 1004<br>Raven, VA 24639               | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.5) James Junior Short<br>P.O. Box 894<br>Raven, VA 24639         | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.6) Johnny Short<br>P.O. Box 963<br>Cedar Bluff, VA 24601         | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.7) Roger Short<br>P.O. Box 782<br>Raven, VA 24639                | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.8) Ruby Osborne<br>P.O. Box 216<br>Oakwood, VA 24631             | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (b.9) Marie Smith<br>P.O. Box 789<br>Raven, VA 24639                | 0.0045 acres<br>1/189 of 0.85 acres | 0.0092%         |
| (c) Ednie Bell Horn Heirs, Devisees,<br>Successors or Assigns       |                                     |                 |
| (c.1) Lilly Bell Elswick<br>1158 Hogback Rd.<br>Tazewell, VA 24651  | 0.0058 acres<br>1/147 of 0.85 acres | 0.0118%         |
| (c.2) Roy Rogers Horn<br>542 River Oaks Drive<br>Danville, VA 24540 | 0.0058 acres<br>1/147 of 0.85 acres | 0.0118%         |
| (c.3) Shelby Jean Reynolds<br>PO Box 34<br>Wyco, WV 25943           | 0.0058 acres<br>1/147 of 0.85 acres | 0.0118%         |
| (c.4) Willie May Mutter<br>7683 Lee Hwy<br>Rural Retreat, VA 24368  | 0.0058 acres<br>1/147 of 0.85 acres | 0.0118%         |
| (c.5) William Ray Horn<br>40 Sulfur Lane<br>Swords Creek, VA 24649  | 0.0058 acres<br>1/147 of 0.85 acres | 0.0118%         |

Exhibit E  
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List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

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|                                                                                | Acres in Unit                       | Percent of Unit |
|--------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (c.6) Thelma Marie Underwood<br>2413 Harry's Branch Rd.<br>Whitewood, VA 24641 | 0.0058 acres<br>1/147 of 0.85 acres | 0.0118%         |
| (c.7) Joseph Paul Horn<br>PO Box 775<br>Raven, VA 24639                        | 0.0058 acres<br>1/147 of 0.85 acres | 0.0118%         |

**Tract #2C, 0.43 acres**

**Escrow due to Title Conflict**

**COAL OWNERSHIP**

|                                                                                                 |            |         |
|-------------------------------------------------------------------------------------------------|------------|---------|
| (1) Stuart Land & Cattle Co. of Virginia<br>Box 147<br>Rosedale, VA 24280<br>(68.00 Acre Tract) | 0.43 acres | 0.8767% |
|-------------------------------------------------------------------------------------------------|------------|---------|

**OIL & GAS OWNERSHIP**

|                                                                                                      |            |         |
|------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Commonwealth of Virginia<br>Dept. of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002 | 0.43 acres | 0.8767% |
|------------------------------------------------------------------------------------------------------|------------|---------|

- OR -

|                                                                                    |                                     |         |
|------------------------------------------------------------------------------------|-------------------------------------|---------|
| (1) Noah Newberry Heirs, Devisees,<br>Successors or Assigns                        | 0.43 acres                          | 0.8767% |
| (a) Hazel Richardson Heirs, Devisees,<br>Successors or Assigns                     |                                     |         |
| (a.1) Sherman Richardson Heirs, Devisees,<br>Successors or Assigns                 |                                     |         |
| (a.1.1) Paul E. Richardson<br>8444 S. County Rd. 350W<br>Stileville, IN 46180-9728 | 0.0068 acres<br>1/63 of 0.43 acres  | 0.0139% |
| (a.2) Lundy Richardson Heirs, Devisees,<br>Successors or Assigns                   |                                     |         |
| (a.2.1) Shelby Ruth Richardson, Widow<br>1669 Turner Street<br>Clayton, IN 46118   | 0.0023 acres<br>1/189 of 0.43 acres | 0.0046% |
| (a.2.2) Carol Sue Hale<br>117 Henderson Street<br>Richlands, VA 24641              | 0.0046 acres<br>2/189 of 0.43 acres | 0.0093% |
| (a.3) Evangeline Blake<br>1212 Mary Ellen Avenue<br>Chesapeake, VA 23324           | 0.0068 acres<br>1/63 of 0.43 acres  | 0.0139% |
| (a.4) Frances Dye<br>460 Middle Creek Road<br>Cedar Bluff, VA 24609                | 0.0068 acres<br>1/63 of 0.43 acres  | 0.0139% |

Exhibit E  
Unit AV-124

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Docket #VGOB 02-0820-1050-01  
List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                            | Acres in Unit                      | Percent of Unit |
|----------------------------------------------------------------------------|------------------------------------|-----------------|
| (a.5) Leonard Richardson Heirs, Devisees,<br>Successors or Assigns         |                                    |                 |
| (a.5.1) Loretta Mae Richardson<br>PO Box 1282<br>Honaker, VA 24260         | 0.0068 acres<br>1/63 of 0.43 acres | 0.0139%         |
| (a.6) Bobby Richardson<br>2255 Road Ridge Turnpike<br>Raven, VA 24639      | 0.0068 acres<br>1/63 of 0.43 acres | 0.0139%         |
| (a.7) Larry Richardson<br>P.O. Box 328<br>North Tazewell, VA 24630         | 0.0068 acres<br>1/63 of 0.43 acres | 0.0139%         |
| (b) Frazier Newberry Heirs, Devisees,<br>Successors or Assigns             |                                    |                 |
| (b.1) Frances Newberry Heirs, Devisees,<br>Successors or Assigns           |                                    |                 |
| (b.1.1) Steve Allen Shortt<br>P.O. Box 63<br>Doran, VA 24612               | 0.0478 acres<br>1/9 of 0.43 acres  | 0.0974%         |
| (c) Madeline Vance Heirs, Devisees,<br>Successors or Assigns               |                                    |                 |
| (c.1) Carlos Vance<br>P.O. Box 25<br>Swords Creek, VA 24649                | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (c.2) Leda Jo Lester<br>P.O. Box 400<br>Doran, VA 24612                    | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (c.3) Mary Sparks<br>51 Rabbit Hollow Rd.<br>Swords Creek, VA 24649        | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (c.4) Carrie Dell Boyd<br>100 Oxford Square, Apt. 8<br>Richlands, VA 24641 | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (c.5) Judy Vance<br>P.O. Box 357<br>Swords Creek, VA 24649                 | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (c.6) Cathy Vance<br>P.O. Box 131<br>Swords Creek, VA 24649                | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (d) Sylvia Short Heirs, Devisees,<br>Successors or Assigns                 |                                    |                 |
| (d.1) Roger Short<br>P.O. Box 782<br>Raven, VA 24639                       | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |

Exhibit E  
Unit AV-124

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List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                          | Acres in Unit                      | Percent of Unit |
|--------------------------------------------------------------------------|------------------------------------|-----------------|
| (d.2) Linda Sue Berry<br>623 Crestwood Drive<br>Richlands, VA 24641      | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (d.3) Carrie Mullins<br>P.O. Box 360<br>Swords Creek, VA 24649           | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (d.4) Connie McFarland<br>P.O. Box 516<br>Richlands, VA 24641            | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (d.5) Steve Allen Short<br>P.O. Box 63<br>Doran, VA 24612                | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (d.6) Marvin Short<br>Rt.1 Box 647A<br>Swords Creek, VA 24649            | 0.0080 acres<br>1/54 of 0.43 acres | 0.0162%         |
| (e) Pauline Muse<br>999 Westover Drive<br>High Point, NC 27265           | 0.0478 acres<br>1/9 of 0.43 acres  | 0.0974%         |
| (f) Junior Newberry<br>P.O. Box 988<br>Raven, VA 24639                   | 0.0478 acres<br>1/9 of 0.43 acres  | 0.0974%         |
| (g) Juanita Byrd Heirs, Devisees,<br>Successors or Assigns               |                                    |                 |
| (g.1) Patricia Vanover<br>P.O. Box 671<br>Doran, VA 24612                | 0.0159 acres<br>1/27 of 0.43 acres | 0.0325%         |
| (g.2) Tammy Hardman<br>526 Dogwood Court<br>High Point, NC 27260         | 0.0159 acres<br>1/27 of 0.43 acres | 0.0325%         |
| (g.3) Debbie Ann Martin Heirs, Devisees,<br>Successors or Assigns        |                                    |                 |
| (g.3.1) Chad Martin<br>843 Lake Drive, Bailey Lake<br>Ashland, OH 44805  | 0.0159 acres<br>1/27 of 0.43 acres | 0.0325%         |
| (h) Elbert Newberry Heirs, Devisees,<br>Successors or Assigns            |                                    |                 |
| (h.1) Arien Newberry Heirs, Devisees,<br>Successors or Assigns           |                                    |                 |
| (h.1.1) Janice Newberry, widow<br>281 Mill Creek Road<br>Raven, VA 24639 | 0.0159 acres<br>1/27 of 0.43 acres | 0.0325%         |

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List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                      | Acres in Unit                      | Percent of Unit |
|----------------------------------------------------------------------|------------------------------------|-----------------|
| (h.2) Doris Ann Newberry<br>615 Prater Drive<br>Richlands, VA 24641  | 0.0159 acres<br>1/27 of 0.43 acres | 0.0325%         |
| (h.3) Dewey Junior Salyers Heirs, Devisees,<br>Successors or Assigns |                                    |                 |
| (h.3.1) Wanda Salyers<br>19198 Jonesboro Road<br>Abingdon, VA 24211  | 0.0159 acres<br>1/27 of 0.43 acres | 0.0325%         |
| (i) Jimmy Newberry<br>P.O. Box 361<br>Doran, VA 24612                | 0.0478 acres<br>1/9 of 0.43 acres  | 0.0974%         |

**Tract #2D, 0.25 acres**

***Escrow due to Title Conflict***

**COAL OWNERSHIP**

|                                                                                                 |            |         |
|-------------------------------------------------------------------------------------------------|------------|---------|
| (1) Stuart Land & Cattle Co. of Virginia<br>Box 147<br>Rosedale, VA 24280<br>(68.00 Acre Tract) | 0.25 acres | 0.5097% |
|-------------------------------------------------------------------------------------------------|------------|---------|

**OIL & GAS OWNERSHIP**

|                                                                                                      |            |         |
|------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Commonwealth of Virginia<br>Dept. of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002 | 0.25 acres | 0.5097% |
|------------------------------------------------------------------------------------------------------|------------|---------|

- OR -

|                                                                |                                    |         |
|----------------------------------------------------------------|------------------------------------|---------|
| (1) Salina Keen Heirs, Devisees,<br>Successors or Assigns      | 0.25 acres                         | 0.5097% |
| (1) Bertie Horn Heirs, Devisees,<br>Successors or Assigns      |                                    |         |
| (a) Thelma Keen Heirs, Devisees,<br>Successors or Assigns      |                                    |         |
| (a.1) Arnold Keen, widower<br>P.O. Box 58<br>Oakwood, VA 24631 | 0.0179 acres<br>1/14 of 0.25 acres | 0.0364% |
| (b) Viola Meadows<br>5740 Garden Creek Rd.<br>Rowe, VA 24646   | 0.0179 acres<br>1/14 of 0.25 acres | 0.0364% |
| (2) Ernest Keen Heirs, Devisees,<br>Successors or Assigns      |                                    |         |
| (a) Ralph Keen<br>200 Summit Drive<br>Lebanon, VA 24266        | 0.0060 acres<br>1/42 of 0.25 acres | 0.0121% |

Exhibit E  
Unit AV-124  
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List of Conflicting Owners/Claimants that require escrow  
(49.05 Acre Unit - Revised 2/3/04)

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|                                                                            | Acres in Unit                       | Percent of Unit |
|----------------------------------------------------------------------------|-------------------------------------|-----------------|
| (b) Arnold Keen<br>962 Ascue Road<br>Cedar Bluff, VA 24609                 | 0.0060 acres<br>1/42 of 0.25 acres  | 0.0121%         |
| (c) Paul Keene Heirs, Devisees,<br>Successors or Assigns                   |                                     |                 |
| (c.1) Anna R. Lambert<br>182 Blankenship Drive<br>North Tazewell, VA 24630 | 0.0012 acres<br>1/210 of 0.25 acres | 0.0024%         |
| (c.2) Arnold Keene<br>962 Ascue Road<br>Cedar Bluff, VA 24609              | 0.0012 acres<br>1/210 of 0.25 acres | 0.0024%         |
| (c.3) Ann McCowan<br>P.O. Box 677<br>Rosedale, VA 24280                    | 0.0012 acres<br>1/210 of 0.25 acres | 0.0024%         |
| (c.4) Ralph Keene<br>200 Summit Ave.<br>Lebanon, VA 24226                  | 0.0012 acres<br>1/210 of 0.25 acres | 0.0024%         |
| (c.5) Carl L. Hale<br>PO Box 330<br>Pounding Mill, VA 24637                | 0.0003 acres<br>1/840 of 0.25 acres | 0.0006%         |
| (c.6) Bill R. Hale<br>PO Box 311<br>Honaker, VA 24260                      | 0.0003 acres<br>1/840 of 0.25 acres | 0.0006%         |
| (c.7) Linda Matney<br>PO Box 738<br>Pounding Mill, VA 24637                | 0.0003 acres<br>1/840 of 0.25 acres | 0.0006%         |
| (c.8) Brenda Weddle<br>PO Box 185<br>Cedar Bluff, VA 24639                 | 0.0003 acres<br>1/840 of 0.25 acres | 0.0006%         |
| (d) Ann McCowan<br>P.O. Box 677<br>Rosedale, VA 24280                      | 0.0060 acres<br>1/42 of 0.25 acres  | 0.0121%         |
| (e) Ruby Lee Hale Heirs, Devisees,<br>Successors or Assigns                |                                     |                 |
| (e.1) Billy Ray Hale<br>P.O. Box 311<br>Honaker, VA 24260                  | 0.0015 acres<br>1/168 of 0.25 acres | 0.0030%         |
| (e.2) Linda Kay Matney<br>PO Box 738<br>Pounding Mill, VA 24637            | 0.0015 acres<br>1/168 of 0.25 acres | 0.0030%         |
| (e.3) Brenda Weddle<br>PO Box 185<br>Cedar Bluff, VA 24639                 | 0.0015 acres<br>1/168 of 0.25 acres | 0.0030%         |

**Exhibit E**  
**Unit AV-124**  
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**(49.05 Acre Unit - Revised 2/3/04)**

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|                                                                                    | Acres in Unit                       | Percent of Unit |
|------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (e.4) Carl Lee Hale<br>PO Box 330<br>Pounding Mill, VA 24637                       | 0.0015 acres<br>1/168 of 0.25 acres | 0.0030%         |
| (f) Anna Lambert<br>182 Blankenship Drive<br>North Tazewell, VA 24630              | 0.0060 acres<br>1/42 of 0.25 acres  | 0.0121%         |
| (3) Mollie Horn (Miles) Heirs, Devisees,<br>Successors or Assigns                  |                                     |                 |
| (a) Gladys Miller Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (a.1) Brenda Carol Banks<br>2122 Leiter Rd<br>Lucas, OH 44843-9546                 | 0.0119 acres<br>1/21 of 0.25 acres  | 0.0243%         |
| (b) Harold Horn Heirs, Devisees,<br>Successors or Assigns                          |                                     |                 |
| (b.1) Mollie Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011 | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (b.2) Edith Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011  | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (b.3) Roy Horn<br>7194 South Bloomfield Township, Rd.15<br>Centerburg, OH 43011    | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (b.4) Harold David Horn<br>138 Chesshire Street<br>Delaware, OH 43015              | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (c) Willard Horn Heirs, Devisees,<br>Successors or Assigns                         |                                     |                 |
| (c.1) Juanita Horn, widow<br>P.O. Box 1858<br>Honaker, VA 24260                    | 0.0119 acres<br>1/21 of 0.25 acres  | 0.0243%         |
| (4) Major Wallace Keen Heirs, Devisees,<br>Successors or Assigns                   |                                     |                 |
| (a) Virgie Harman<br>P.O. Box 1870<br>Richlands, VA 24641                          | 0.0179 acres<br>1/14 of 0.25 acres  | 0.0364%         |
| (b) Garcie Keen Heirs, Devisees,<br>Successors or Assigns                          |                                     |                 |
| (b.1) Werley Keen<br>20203 Coshocton Rd.<br>Mt. Vernon, OH 43050                   | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |

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|                                                                                   | Acres in Unit                       | Percent of Unit |
|-----------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (b.2) McArthur Keen<br>840 Cedar Avenue, Apt. 21<br>Long Beach, CA 90813          | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (b.3) Garnie Cordill<br>110 Douglas Street<br>Mt. Gilead, OH 43338-1206           | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (b.4) Sylvia Meadows<br>5945 St. Rt. 314<br>Fredericktown, OH 43019               | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (b.5) Hershel Keen Heirs, Devisees,<br>Successors or Assigns                      |                                     |                 |
| (b.5.1) Eunice Keen, widow<br>8670 St. Rt. 314<br>Lexington, OH 44904             | 0.0030 acres<br>1/84 of 0.25 acres  | 0.0061%         |
| (b.6) Robert Keen Heirs, Devisees,<br>Successors or Assigns                       |                                     |                 |
| (b.6.1) Edith Keen Meadows Heirs, Devisees,<br>Successors or Assigns              | <i>Life Estate</i>                  |                 |
| (b.6.2) Carol Bailey<br>239 1/2 East Church Street<br>Marion, OH 43302            | 0.0007 acres<br>1/336 of 0.25 acres | 0.0015%         |
| (b.6.3) Glen Keen<br>1912 West Willow Avenue<br>Long Beach, CA 90800              | 0.0007 acres<br>1/336 of 0.25 acres | 0.0015%         |
| (b.6.4) Wanda Wyss<br>1750 South Avenue<br>Marion, OH 43302                       | 0.0007 acres<br>1/336 of 0.25 acres | 0.0015%         |
| (b.6.5) Sonia Hoffer<br>6415 County Road 93<br>Mt. Gilead, OH 43338               | 0.0007 acres<br>1/336 of 0.25 acres | 0.0015%         |
| (5) Beve Keen Heirs, Devisees,<br>Successors or Assigns                           |                                     |                 |
| (a) Dolphis McKinley Keen<br>615 Bailey Drive, Apt. 3<br>Mansfield, OH 44904-1860 | 0.0071 acres<br>1/35 of 0.25 acres  | 0.0146%         |
| (b) Estel Keen<br>P.O. Box 266<br>Raven, VA 24639                                 | 0.0071 acres<br>1/35 of 0.25 acres  | 0.0146%         |
| (c) Dell Proffit Heirs, Devisees,<br>Successors or Assigns                        |                                     |                 |
| (c.1) Gladesie Whited<br>P.O. Box 773<br>Raven, VA 24639                          | 0.0024 acres<br>1/105 of 0.25 acres | 0.0049%         |

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|                                                                                           | Acres in Unit                       | Percent of Unit |
|-------------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (c.2) Roy Lee Proffit<br>P.O. Box 434<br>Oakwood, VA 24631                                | 0.0024 acres<br>1/105 of 0.25 acres | 0.0049%         |
| (c.3) Troy Leen Proffit<br>P.O. Box 407<br>Auxier, KY 41602                               | 0.0024 acres<br>1/105 of 0.25 acres | 0.0049%         |
| (d) Veria Stillwell Heirs, Devisees,<br>Successors or Assigns                             |                                     |                 |
| (d.1) Carlos Stillwell Heirs, Devisees,<br>Successors or Assigns                          |                                     |                 |
| (d.1.1) Connie Frances Stilwell<br>PO Box 495<br>Oakwood, VA 24631                        | 0.0018 acres<br>1/140 of 0.25 acres | 0.0036%         |
| (d.2) Jerry Lee Stillwell<br>307 Fairfax Avenue<br>Richlands, VA 24641                    | 0.0018 acres<br>1/140 of 0.25 acres | 0.0036%         |
| (d.3) Gearlene Jefferies<br>2778 County Road 1075<br>Perrysville, OH 44864                | 0.0018 acres<br>1/140 of 0.25 acres | 0.0036%         |
| (d.4) Betty Jean Short Trevino Heirs, Devisees,<br>Successors or Assigns                  |                                     |                 |
| (d.4.1) Richard Trevino<br>803 S. Mt. Vernon Ave., Apt. 109<br>Loudonville, OH 44842-1419 | 0.0006 acres<br>1/420 of 0.25 acres | 0.0012%         |
| (d.4.2) Marcella Perkins King<br>9960 Springwater Rd.<br>Mt. Vernon, OH 43050             | 0.0012 acres<br>1/210 of 0.25 acres | 0.0024%         |
| (e) Hattie Irene Shortt Heirs, Devisees,<br>Successors or Assigns                         |                                     |                 |
| (e.1) Martha Sneed<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                              | 0.0036 acres<br>1/70 of 0.25 acres  | 0.0073%         |
| (e.2) David Shortt<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                              | 0.0036 acres<br>1/70 of 0.25 acres  | 0.0073%         |
| (e.3) Noah Short<br>Rt.1 Box 24<br>Pounding Mill, VA 24637                                | <i>Life Estate</i>                  |                 |
| (6) Frank Keen Heirs, Devisees,<br>Successors or Assigns                                  |                                     |                 |
| (a) Hershel Keen<br>4970 Turnpike Rd.<br>Raven, VA 24639                                  | 0.0179 acres<br>1/14 of 0.25 acres  | 0.0364%         |

**Exhibit E**  
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**(49.05 Acre Unit - Revised 2/3/04)**

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|                                                                                     | Acres in Unit                       | Percent of Unit |
|-------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (a.1) Rondal W. Keen<br>105 South 4th St. #20<br>Cardington, OH 43315-9630          | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.2) Omni Ruth Keen<br>16380 Murray Road<br>Mt. Vernon, OH 43050                   | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.3) Jessie Allen Keen<br>16380 Murray Road<br>Mt. Vernon, OH 43050                | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.4) Lloyd Monroe Keen<br>7269 County Road 89<br>Mt. Gilead, OH 43338              | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.5) Lena Irene Nichols<br>203 Orchard Drive<br>Keameysville, WV 25430             | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.6) Bessie Lulabell Hammond<br>7117 County Rd 59 #46<br>Mansfield, OH 44904       | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.7) Pansey Ilene Yoder<br>Rt.3 Box 6959 County Road 22<br>Fredericktown, OH 43019 | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.8) Ronald Gillespie, widower<br>6394 County Road 20<br>Mt. Gilead, OH 43338      | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.9) Jennifer Juanita Lewis<br>7322 State Rt. 314<br>Mt. Gilead, OH 43338          | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.10) Kenneth Keen<br>1532 9th Street<br>Cuyahoga Falls, OH 44221                  | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (a.11) Ronald Keith Keen<br>7026 Township Road<br>Mt. Gilead, OH 43338-9423         | 0.0016 acres<br>1/154 of 0.25 acres | 0.0033%         |
| (b) Thelma Keen<br>5990 County Road 50<br>Mt. Gilead, OH 43338                      | <i>Life Estate</i>                  |                 |
| (7) Chloe Horn Heirs, Devisees,<br>Successors or Assigns                            |                                     |                 |
| (a) Roy Joe Horn<br>P.O. Box 591<br>Raven, VA 24639                                 | 0.0119 acres<br>1/21 of 0.25 acres  | 0.0243%         |
| (b) Lovis Reedy Horn Short Heirs, Devisees,<br>Successors or Assigns                |                                     |                 |

**Exhibit E  
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|                                                                     | <b>Acres in Unit</b>                | <b>Percent of Unit</b> |
|---------------------------------------------------------------------|-------------------------------------|------------------------|
| (b.1) Danny Short<br>P.O. Box 438<br>Cedar Bluff, VA 24601          | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.2) Ellen Horn<br>P.O. Box 782<br>Raven, VA 24639                 | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.3) Pearl Osborne<br>Rt.1 Box 141<br>Raven, VA 24639              | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.4) Louis Short<br>P.O. Box 1004<br>Raven, VA 24639               | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.5) James Junior Short<br>P.O. Box 894<br>Raven, VA 24639         | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.6) Johnny Short<br>P.O. Box 963<br>Cedar Bluff, VA 24601         | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.7) Roger Short<br>P.O. Box 782<br>Raven, VA 24639                | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.8) Ruby Osborne<br>P.O. Box 216<br>Oakwood, VA 24631             | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (b.9) Marie Smith<br>P.O. Box 789<br>Raven, VA 24639                | 0.0013 acres<br>1/189 of 0.25 acres | 0.0027%                |
| (c) Ednie Bell Horn Heirs, Devisees,<br>Successors or Assigns       |                                     |                        |
| (c.1) Lilly Bell Elswick<br>1158 Hogback Rd.<br>Tazewell, VA 24651  | 0.0017 acres<br>1/147 of 0.25 acres | 0.0035%                |
| (c.2) Roy Rogers Horn<br>542 River Oaks Drive<br>Danville, VA 24540 | 0.0017 acres<br>1/147 of 0.25 acres | 0.0035%                |
| (c.3) Shelby Jean Reynolds<br>PO Box 34<br>Wyco, WV 25943           | 0.0017 acres<br>1/147 of 0.25 acres | 0.0035%                |
| (c.4) Willie May Mutter<br>7683 Lee Hwy<br>Rural Retreat, VA 24368  | 0.0017 acres<br>1/147 of 0.25 acres | 0.0035%                |
| (c.5) William Ray Horn<br>40 Sulfur Lane<br>Swords Creek, VA 24649  | 0.0017 acres<br>1/147 of 0.25 acres | 0.0035%                |

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|                                                                                | Acres in Unit                       | Percent of Unit |
|--------------------------------------------------------------------------------|-------------------------------------|-----------------|
| (c.6) Thelma Marie Underwood<br>2413 Harry's Branch Rd.<br>Whitewood, VA 24641 | 0.0017 acres<br>1/147 of 0.25 acres | 0.0035%         |
| (c.7) Joseph Paul Horn<br>PO Box 775<br>Raven, VA 24639                        | 0.0017 acres<br>1/147 of 0.25 acres | 0.0035%         |

Exhibit EE  
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List of Conflicting Owners/Claimants with Royalty Split Agreements  
(49.05 Acre Unit - Revised 2/3/04)

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|                                                                                                                       | Acres in Unit | Percent of Unit | Percent of Escrow |
|-----------------------------------------------------------------------------------------------------------------------|---------------|-----------------|-------------------|
| <b><u>Tract #1A, 19.88 acres</u></b>                                                                                  |               |                 |                   |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |               |                 |                   |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 19.88 acres   | 40.5301%        | n/a               |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |               |                 |                   |
| (1) Mary Richardson<br>3921 Mill Creek Road<br>Raven, VA 24639                                                        | 19.88 acres   | 40.5301%        | n/a               |
| <b><u>Tract #1B, 0.31 acres</u></b>                                                                                   |               |                 |                   |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |               |                 |                   |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.31 acres    | 0.6320%         | n/a               |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |               |                 |                   |
| (1) Jackie D. Shortt, et ux<br>3988 Mill Creek Rd.<br>Raven, VA 24639<br>(previously Barrie R. Hess)                  | 0.31 acres    | 0.6320%         | n/a               |
| <b><u>Tract #1C, 0.77 acres</u></b>                                                                                   |               |                 |                   |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |               |                 |                   |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.77 acres    | 1.5698%         | n/a               |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |               |                 |                   |
| (1) CNX Gas Company LLC<br>1000 Consol Energy Drive<br>Canonsburg, PA 15317                                           | 0.77 acres    | 1.5698%         | n/a               |
| <b><u>Tract #1E, 0.47 acres</u></b>                                                                                   |               |                 |                   |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |               |                 |                   |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.47 acres    | 0.9582%         | 0.0277%           |

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(49.05 Acre Unit - Revised 2/3/04)

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|                                                                                           | Acres in Unit                       | Percent of Unit | Percent of Escrow |
|-------------------------------------------------------------------------------------------|-------------------------------------|-----------------|-------------------|
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                     |                                     |                 |                   |
| (1) Salina Keen Heirs, Devisees,<br>Successors or Assigns                                 | 0.47 acres                          | 0.9582%         |                   |
| (5) Beve Keen Heirs, Devisees,<br>Successors or Assigns                                   |                                     |                 |                   |
| (d) Venia Stillwell Heirs, Devisees,<br>Successors or Assigns                             |                                     |                 |                   |
| (d.1) Carlos Stillwell Heirs, Devisees,<br>Successors or Assigns                          |                                     |                 |                   |
| (d.1.1) Connie Frances Stilwell<br>PO Box 495<br>Oakwood, VA 24631                        | 0.0034 acres<br>1/140 of 0.47 acres | 0.0068%         | 0.0119%           |
| (d.3) Gerlene Jefferies<br>2778 County Road 1075<br>Perrysville, OH 44864                 | 0.0034 acres<br>1/140 of 0.47 acres | 0.0068%         | 0.0119%           |
| (d.4) Betty Jean Short Trevino Heirs, Devisees,<br>Successors or Assigns                  |                                     |                 |                   |
| (d.4.1) Richard Trevino<br>803 S. Mt. Vernon Ave., Apt. 109<br>Loudonville, OH 44842-1419 | 0.0011 acres<br>1/420 of 0.47 acres | 0.0023%         | 0.0040%           |

**Tract #1F, 2.72 acres**

**COAL OWNERSHIP**

|                                                                                                                       |            |         |     |
|-----------------------------------------------------------------------------------------------------------------------|------------|---------|-----|
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 2.72 acres | 5.5454% | n/a |
|-----------------------------------------------------------------------------------------------------------------------|------------|---------|-----|

**OIL & GAS OWNERSHIP**

|                                                                                                            |            |         |     |
|------------------------------------------------------------------------------------------------------------|------------|---------|-----|
| (1) Jeffery Earl Wilson<br>3795 Mill Creek Rd.<br>Raven, VA 24639<br>(previously William N. Wilson, et ux) | 2.72 acres | 5.5454% | n/a |
|------------------------------------------------------------------------------------------------------------|------------|---------|-----|

**Tract #1G, 10.95 acres**

**COAL OWNERSHIP**

|                                                                                                                       |             |          |     |
|-----------------------------------------------------------------------------------------------------------------------|-------------|----------|-----|
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 10.95 acres | 22.3242% | n/a |
|-----------------------------------------------------------------------------------------------------------------------|-------------|----------|-----|

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|                                                                                                                       | Acres in Unit                       | Percent of Unit | Percent of Escrow |
|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------|-------------------|
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |                                     |                 |                   |
| (1) Joann Richardson<br>122 Kimcora<br>Bucyrus, OH 44820                                                              | 10.95 acres                         | 22.3242%        | n/a               |
| <b><u>Tract #1H, 0.25 acres</u></b>                                                                                   |                                     |                 |                   |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |                                     |                 |                   |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.25 acres                          | 0.5097%         | n/a               |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |                                     |                 |                   |
| (1) CNX Gas Company LLC<br>1000 Consol Energy Drive<br>Canonsburg, PA 15317                                           | 0.25 acres                          | 0.5097%         | n/a               |
| <b><u>Tract #1J, 0.04 acres</u></b>                                                                                   |                                     |                 |                   |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |                                     |                 |                   |
| (1) Swords Creek Land Partnership, Tr.21<br>P.O. Box 29<br>Tazewell, VA 24651<br>(A.W. Richardson 1281.86 Acre Tract) | 0.04 acres                          | 0.0815%         | n/a               |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |                                     |                 |                   |
| (1) Billy S. Propst, et ux<br>3789 Mill Creek Road<br>Raven, VA 24639                                                 | 0.04 acres                          | 0.0815%         | n/a               |
| <b><u>Tract #2A, 11.16 acres</u></b>                                                                                  |                                     |                 |                   |
| <b><u>COAL OWNERSHIP</u></b>                                                                                          |                                     |                 |                   |
| (1) Stuart Land & Cattle Co. of Virginia<br>Box 147<br>Rosedale, VA 24280<br>(68.00 Acre Tract)                       | 11.16 acres                         | 22.7523%        | 0.6268%           |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                                 |                                     |                 |                   |
| (1) Noah Newberry Heirs, Devisees,<br>Successors or Assigns                                                           | 11.16 acres                         | 22.7523%        |                   |
| (a) Hazel Richardson Heirs, Devisees,<br>Successors or Assigns                                                        |                                     |                 |                   |
| (a.4) Frances Dye<br>460 Middle Creek Road<br>Cedar Bluff, VA 24609                                                   | 0.1771 acres<br>1/63 of 11.16 acres | 0.3611%         | 0.6268%           |

List of Conflicting Owners/Claimants with Royalty Split Agreements  
(49.05 Acre Unit - Revised 2/3/04)

|                                                                                                 | Acres in Unit                       | Percent of<br>Unit | Percent of<br>Escrow |
|-------------------------------------------------------------------------------------------------|-------------------------------------|--------------------|----------------------|
| <b><u>Tract #2B, 0.85 acres</u></b>                                                             |                                     |                    |                      |
| <b><u>COAL OWNERSHIP</u></b>                                                                    |                                     |                    |                      |
| (1) Stuart Land & Cattle Co. of Virginia<br>Box 147<br>Rosedale, VA 24280<br>(68.00 Acre Tract) | 0.85 acres                          | 1.7329%            | 0.0501%              |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                           |                                     |                    |                      |
| (1) Salina Keen Heirs, Devisees,<br>Successors or Assigns                                       | 0.85 acres                          | 1.7329%            |                      |
| (d) Venia Stillwell Heirs, Devisees,<br>Successors or Assigns                                   |                                     |                    |                      |
| (d.1) Carlos Stillwell Heirs, Devisees,<br>Successors or Assigns                                |                                     |                    |                      |
| (d.1.1) Connie Frances Stilwell<br>PO Box 495<br>Oakwood, VA 24631                              | 0.0061 acres<br>1/140 of 0.85 acres | 0.0124%            | 0.0215%              |
| (d.3) Gerlene Jefferies<br>2778 County Road 1075<br>Perrysville, OH 44864                       | 0.0061 acres<br>1/140 of 0.85 acres | 0.0124%            | 0.0215%              |
| (d.4) Betty Jean Short Trevino Heirs, Devisees,<br>Successors or Assigns                        |                                     |                    |                      |
| (d.4.1) Richard Trevino<br>803 S. Mt. Vernon Ave., Apt. 109<br>Loudonville, OH 44842-1419       | 0.0020 acres<br>1/420 of 0.85 acres | 0.0041%            | 0.0072%              |

**Exhibit A-1**  
**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 12/31/11**

**BOOK - 750 PAGE 0916**

**Unit AV-124**  
**VGOB 02-0820-1050-01**  
**Acres Escrowed: 14.130000**

| Owners                                     | Tract # | Acres    | Owner Acres | Interest | Owners' Percent of Escrow (50%) | Amount Due Owners \$40,081.03 |
|--------------------------------------------|---------|----------|-------------|----------|---------------------------------|-------------------------------|
| Swords Creek Land Partnership- Coal        |         | 0.470000 |             |          | 0.0277%                         | \$14.28                       |
| Salina Keen Heirs - O&G                    | 1E      | 0.47     |             |          |                                 |                               |
| Connie Frances Stilwell                    |         |          | 0.0034      | 1/140    | 0.0119%                         | \$4.76                        |
| Gerlene Jefferies                          |         |          | 0.0034      | 1/140    | 0.0119%                         | \$4.76                        |
| Richard Trevino                            |         |          | 0.0011      | 1/420    | 0.0040%                         | \$1.59                        |
| Stuart Land & Cattle Co. of VA, Inc.- Coal |         |          |             |          | 0.6268%                         | \$251.24                      |
| Noah Newberry Heirs - O&G                  | 2A      | 11.16    |             |          |                                 |                               |
| Frances Dye                                |         |          | 0.1771      | 1/63     | 0.6268%                         | \$251.24                      |
| Stuart Land & Cattle Co. of VA, Inc.- Coal |         | 0.850000 |             |          | 0.0501%                         | \$25.83                       |
| Salina Keen Heirs - O&G                    | 2B      | 0.85     |             |          |                                 |                               |
| Connie Frances Stilwell                    |         |          | 0.0061      | 1/140    | 0.0215%                         | \$8.61                        |
| Gerlene Jefferies                          |         |          | 0.0061      | 1/140    | 0.0215%                         | \$8.61                        |
| Richard Trevino                            |         |          | 0.0020      | 1/420    | 0.0072%                         | \$2.87                        |

**Wells contributing to the escrow account:**

**AV124**

Revised 6/21/12

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 6/19/12  
 Revised

**Exhibit A-1**  
**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 12/31/11**

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**Unit AV-124**  
**VGOB 02-0820-1050-01**  
**Acres Escrowed: 14.130000**

| Owners                                     | Tract # | Acres    | Owner Acres | Interest | Owners' Percent of Escrow (50%) | Amount Due Owners \$40,081.03 |
|--------------------------------------------|---------|----------|-------------|----------|---------------------------------|-------------------------------|
| Swords Creek Land Partnership- Coal        |         | 0.470000 |             |          | 0.0356%                         | \$14.28                       |
| Salina Keen Heirs - O&G                    | 1E      | 0.47     |             |          |                                 |                               |
| Connie Frances Stilwell                    |         |          | 0.0034      | 1/140    | 0.0119%                         | \$4.76                        |
| Gerlene Jefferies                          |         |          | 0.0034      | 1/140    | 0.0119%                         | \$4.76                        |
| Richard Trevino                            |         |          | 0.0011      | 1/420    | 0.0040%                         | \$1.59                        |
| Stuart Land & Cattle Co. of VA, Inc.- Coal |         |          |             |          | 0.6268%                         | \$251.24                      |
| Noah Newberry Heirs - O&G                  | 2A      | 11.16    |             |          |                                 |                               |
| Frances Dye                                |         |          | 0.1771      | 1/63     | 0.6268%                         | \$251.24                      |
| Stuart Land & Cattle Co. of VA, Inc.- Coal |         | 0.850000 |             |          | 0.0645%                         | \$25.83                       |
| Salina Keen Heirs - O&G                    | 2B      | 0.85     |             |          |                                 |                               |
| Connie Frances Stilwell                    |         |          | 0.0061      | 1/140    | 0.0215%                         | \$8.61                        |
| Gerlene Jefferies                          |         |          | 0.0061      | 1/140    | 0.0215%                         | \$8.61                        |
| Richard Trevino                            |         |          | 0.0020      | 1/420    | 0.0072%                         | \$2.87                        |

**Wells contributing to the escrow account:**

AV124

Revised 3/9/12

**1201674**

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 8-2- 2012 This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:50 o'clock A M, after payment of \$        tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: Diana Davis

BY: Kendin Cook D. CLERK

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