

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) AND § 45.1-361.22:2

**UNIT/WELL NAME:** AX124

**TRACT(S):** A portion of 1C

**LOCATION:** RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-03-1118-1226-03

**APPLICANTS:** CNX Gas Company LLC on behalf of Daniel Lee Keen, Donald Myers, James Alan Myers,  
Jean H Miller, Ralph Roten, Raymond Slate, Jr, Stanley Keen, Swords Creek Land  
Partnership

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
March 15, 2016

**APPEARANCES:** Mark A. Swartz on behalf of CNX Gas Company LLC

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 03/22/2004, Recorded on 04/02/2004, Deed Book/Instrument No. 605, Page 723.
2. Supplemental Order, Recorded on 05/19/2011, Deed Book/Instrument No. 734, Page 731.
3. Modification Order -01 Executed 07/17/2012, Recorded on 08/02/2012, Deed Book/Instrument No. 750, Page 0918.
4. Supplemental Order -01, Recorded on 01/11/2013, Deed Book/Instrument No. 0756, Page 0771.

5. Disbursement Order -02 Executed 10/23/2014, Recorded on 11/04/2014, Deed Book/Instrument No. 0782, Page 0157.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the March 15, 2016 hearing and considered whether to:

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

**FINDINGS:** Code of Virginia § 45.1-361.22 AND § 45.1-361.22:2

Applicant has certified and represented to the Board that:

- a. Swords Creek Land Partnership, Daniel Lee Keen and Raymond Slate, Jr. have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. Ralph Roten, Donald Myers, James Alan Myers, Jean H. Miller, Stanley E. Keen is the gas claimants in Tract 1C As such, is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement(s) is to be calculated and paid by the escrow agent.
- g. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Swords Creek Land Partnership, Daniel Lee Keen, Raymond Slate, Jr., Ralph Roten, Donald Myers, James Alan Myers, Jean H. Miller, Stanley E. Keen and not escrow same. See Exhibit EE annexed hereto.

**RELIEF GRANTED:**

VGOB Disbursement  
Unit AX124

VGOB-03-1118-1226-03

Table 1

Tracts: A portion of 1C

| Item | Tract | Disbursement Table                                           | Fractional Ownership | Net Acreage | Royalty Split | Escrowed Acres | Percent of Escrowed Funds |
|------|-------|--------------------------------------------------------------|----------------------|-------------|---------------|----------------|---------------------------|
|      |       |                                                              | in Tract             | in Tract    | Agreement     | Disbursed      | Disbursed                 |
|      |       |                                                              |                      |             |               |                |                           |
|      |       |                                                              |                      |             |               |                |                           |
|      |       |                                                              |                      |             |               |                |                           |
|      |       |                                                              |                      |             |               |                |                           |
|      |       | Total acreage in escrow before disbursement                  |                      |             |               | 4.98000        |                           |
|      |       |                                                              |                      |             |               |                |                           |
|      |       | 1C Tract 1C (total acreage)                                  | 14.5700              |             |               |                |                           |
| 1    | 1C    | Swords Creek Land Partnership\PO Box 187 Tazewell VA 24651   | 1/32                 | 0.4553      | 50.00%        | 0.2277         | 4.5714%                   |
| 2    | 1C    | Daniel Lee Keen\48 Daisy Lane Swords Creek VA 24649          | 1/40                 | 0.3643      | 50.00%        | 0.1821         | 3.6571%                   |
| 3    | 1C    | Raymond Slate, Jr\1829 Lynn Springs Rd Swords Creek VA 24649 | 1/160                | 0.0911      | 50.00%        | 0.0455         | 0.9143%                   |
| 4    | 1C    | Ralph Roten\270 Bethel Rd Oxford PA 19363                    | 1/40                 | 0.3643      | 100.00%       | 0.3643         | 7.3143%                   |
| 5    | 1C    | Donald Myers\4302 Holly Park Ct Kissimmee FL 34746           | 1/160                | 0.0911      | 100.00%       | 0.0911         | 1.8286%                   |
| 6    | 1C    | James Alan Myers\309 Cecil ST Chesapeake City MD 21915       | 1/160                | 0.0911      | 100.00%       | 0.0911         | 1.8286%                   |
| 7    | 1C    | Jean H Miller\8 Viola Circle Middletown DE 19709             | 1/40                 | 0.3643      | 100.00%       | 0.3643         | 7.3143%                   |
| 8    | 1C    | Stanley Keen\2271 Lynn Springs Rd Swords Creek VA 24649      | 1/40                 | 0.3643      | 100.00%       | 0.3643         | 7.3143%                   |

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.

DONE AND EXECUTED this 16 day of March, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 16 day of March, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 16th day of March, 2016, 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 appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.

  
Sarah Jessee Gilmer, Notary Public  
262946

My Commission expires: July 31, 2017



## BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 03-1118-1226-03

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

HEARING DATE: March 15, 2016

DRILLING UNIT: AX124

RUSSELL COUNTY, VIRGINIA

## PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, 627 Claypool Hill Mall Road, Cedar Bluff, VA 24609, (276) 596-5075. Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 122 Capital Street, Suite 201, Charleston, WV 25301.

2. Relief Sought

1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tract 1C, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Swords Creek Land Partnership, Daniel Lee Keen, Raymond Slate, Jr., Ralph Roten, Donald Myers, James Alan Myers, Jean H. Miller, Stanley E. Keen; (3) Dismissal of Coal Owner: Swords Creek Land Partnership.

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

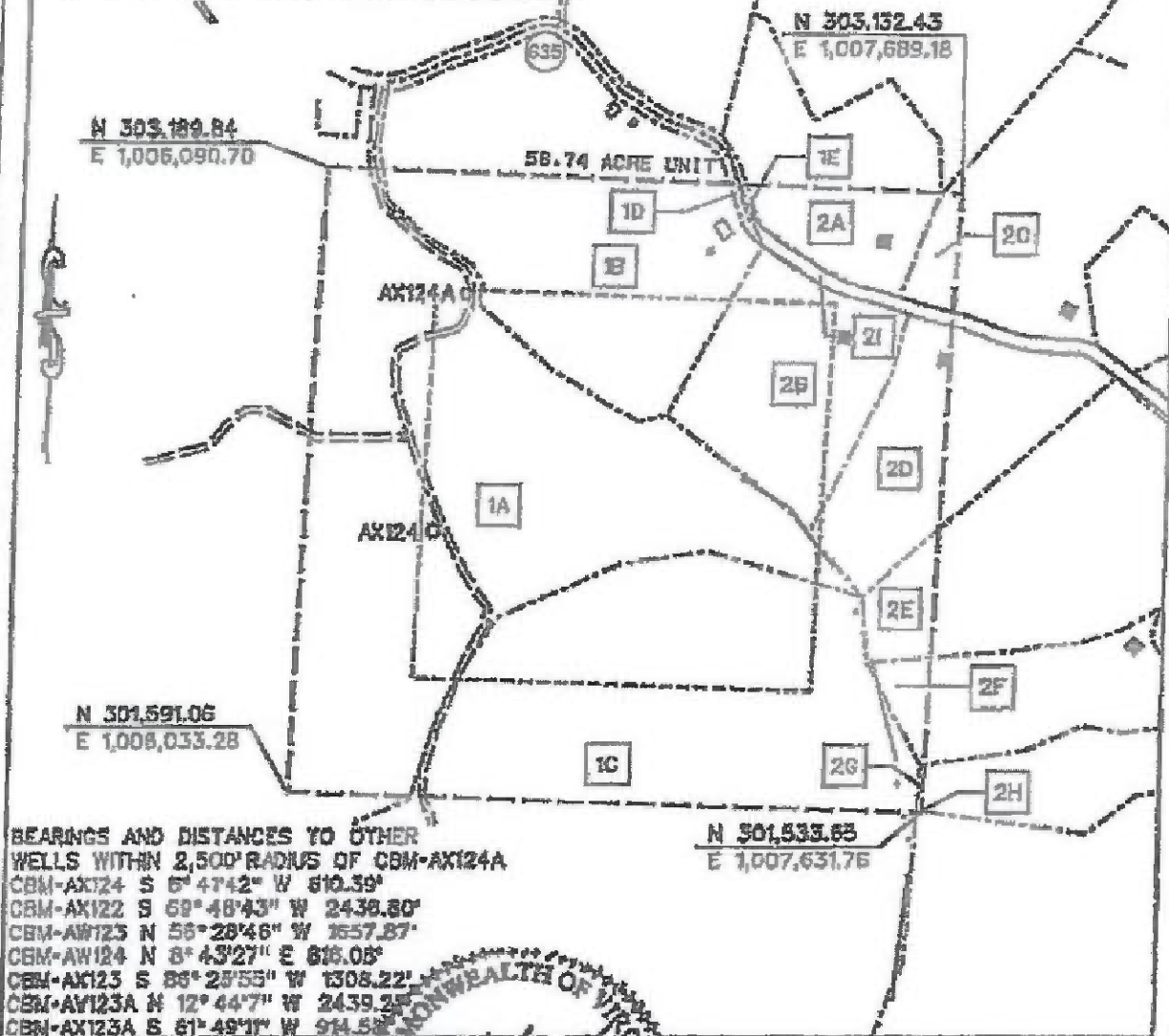
5. Factual basis for relief requested

- a. Swords Creek Land Partnership, Daniel Lee Keen and Raymond Slate, Jr. have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. Ralph Roten, Donald Myers, James Alan Myers, Jean H. Miller, Stanley E. Keen is the gas claimants in Tract 1C As such, is entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- d. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- g. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Swords Creek Land Partnership, Daniel Lee Keen, Raymond Slate, Jr., Ralph Roten, Donald Myers, James Alan Myers, Jean H. Miller, Stanley E. Keen and not escrow same. See Exhibit EE annexed hereto.

#### **6. Attestation**

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

Property lines shown on this plat were provided by GEC Gas Company LLC and were taken from deed descriptions and copies of 1996 oil record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed well.



☐ EXIST. WELL  
☐ PROPOSED HORIZONTAL WELL  
☐ PROPOSED CBM WELL

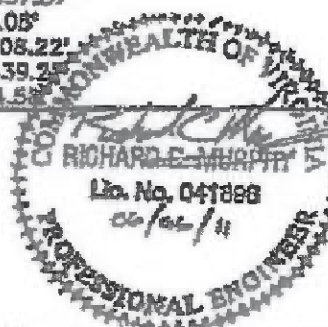


EXHIBIT A  
 MIDDLE RIDGE FIELD  
 UNIT AX124  
 FORCE POOLING  
 VGOB-03-1118-1226-01

Company GEC GAS COMPANY LLC Well Name and Number UNIT AX124  
 Tract No.                      Elevation                      Quadrangle HOMMER  
 County RUSSELL District NEW GARDEN Scale 1" = 400' Date                       
 This plat is a new plat X : on updated plat                      : or a final plat                     

Form 800-60-1  
 Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

**CNX Gas Company LLC****Unit AX-124****Tract Identifications****(58.74 Acre Unit)**

- 1A. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
Reserve Coal Properties Company – Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Jo Ann Richardson – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
22.33 acres 35.0160%
- 1B. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
Reserve Coal Properties Company – Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Ernest W. Newberry, et ux – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
8.30 acres 14.1301%
- 1C. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
Reserve Coal Properties Company – Below Tiller Coal Leased  
Knox Creek Coal Company – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Ralph J. Childress, et al – Surface, Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (82.004%)  
14.57 acres 24.8042%
- 1D. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
Reserve Coal Properties Company – Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Ernest W. Newberry, et ux OR Commonwealth of Virginia – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (if owned by Ernest W. Newberry, et ux)  
Commonwealth of Virginia – Surface  
0.07 acres 0.1192%
- 1E. Swords Creek Land Partnership, Tr. 21 (1286.81 Acre Tract) – Coal  
Reserve Coal Properties Company – Below Tiller Coal Leased  
Knox Creek Coal Company – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Jo Ann Richardson OR Commonwealth of Virginia – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (if owned by Jo Ann Richardson)  
Commonwealth of Virginia – Surface  
0.02 acres 0.0340%

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

**GNX Gas Company LLC**  
**Unit AX-124**  
**Tract Identifications**  
**(68.74-Acre Unit)**

2. Coal Mountain Mining Company Limited Partnership, LLP Tr. 42 – All Minerals  
 Consolidation Coal Company – Below Drainage Coal Leased  
 Knox Creek Coal Corporation – Above Drainage Coal Leased  
 GNX Gas Company LLC – GDM Leased  
 12.43 acres 22.8975%
- 2A. Roger Short, et al – Surface  
 2B. Ernest W. Newberry, et al – Surface Owner  
 2C. Unknown Surface Owner  
 2D. Unknown Surface Owner  
 2E. Unknown Surface Owner  
 2F. Eddie Osborne – Surface Owner  
 2G. William E. Osborne, Jr. – Surface Owner  
 2H. Unknown Surface Owner  
 2I. Commonwealth of Virginia – Surface Owner

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

Exhibit E  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

|                                                                                                               | Acres in Unit                       | Interest in Unit |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------|------------------|
| <b><u>Tract #1C, 14.57 acres</u></b>                                                                          |                                     |                  |
| <b><u>COAL OWNERSHIP</u></b>                                                                                  |                                     |                  |
| (1) Swords Creek Land Partnership<br>Tract 21 (1286.81 Acre Tract)<br>P.O. Box 187<br>Tazewell, VA 24651      | 14.57 acres                         | 24.8042%         |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                         |                                     |                  |
| Ralph J. Childress, et al.<br>(Arnold Keen Heirs, et al. 61 acre tract)                                       | 14.57 acres                         | 24.8042%         |
| <i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i> |                                     |                  |
| (2) Robert L. Keen Heirs, Devisees,<br>Successors or Assigns                                                  |                                     |                  |
| (b) Nell Fern Stallard<br>12092 US Highway 19<br>Lebanon, VA 24266-7083                                       | 0.140 acres<br>1/104 of 14.57 acres | 0.2386%          |
| (d) Vernie Lewis Keen<br>972 Pigeon Ridge Road<br>Crossville, TN 38555                                        | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          |
| (l) Ella Mae Vandyke<br>103 Linkous Drive<br>Lebanon, VA 24266                                                | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          |
| (m) Allie Gray Eichelberger Heirs, Devisees,<br>Successors or Assigns                                         |                                     |                  |
| (m.1) John Preston Eichelberger<br>6178 Wesley Chapel Rd.<br>Free Union, VA 22940                             | 0.047 acres<br>1/312 of 14.57 acres | 0.0795%          |
| <i>Affidavit not received</i>                                                                                 |                                     |                  |
| (m.2) Sarah Boyd Tankersley<br>23 Lakeshore Drive<br>Florence, KY 41042                                       | 0.047 acres<br>1/312 of 14.57 acres | 0.0795%          |
| (m.3) Ben Eichelberger, III Heirs, Devisees,<br>Successors or Assigns                                         |                                     |                  |
| (m.3.1) Elizabeth Eichelberger<br>1675 Sleepy Hollow Road<br>Christiansburg, VA 24073                         | 0.047 acres<br>1/312 of 14.57 acres | 0.0795%          |
| (4) Lydia Miller Heirs, Devisees,<br>Successors or Assigns                                                    |                                     |                  |
| (b) Arvel C. Miller Heirs, Devisees,<br>Successors or Assigns                                                 |                                     |                  |
| (b.1) Jessie Miller<br>2420 Baltimore Pike<br>Oxford, PA 19363                                                | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          |

Exhibit E  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

|                                                                                   | Acres in Unit                       | Interest in Unit |
|-----------------------------------------------------------------------------------|-------------------------------------|------------------|
| (c) Helen Arbutus Myers Heirs, Devisees, Successors or Assigns                    |                                     |                  |
| <i>Affidavit not received</i>                                                     |                                     |                  |
| (c.1) Linda Jane Miller<br>1160 Reserve Place<br>Davenport, FL 33896              | 0.091 acres<br>1/160 of 14.57 acres | 0.1650%          |
| (c.2) John Myers, Jr. Heirs, Devisees, Successors or Assigns                      |                                     |                  |
| <i>Affidavit not received</i>                                                     |                                     |                  |
| (c.2.1) Vicki Lynn Myers<br>147 Hollywood Beach Road<br>Chesapeake City, MD 21915 | 0.091 acres<br>1/160 of 14.57 acres | 0.1550%          |
| (5) Peter Parson Keen Heirs, Devisees, Successors or Assigns                      |                                     |                  |
| (c) Chester Wiley Keen<br>PO Box 23<br>Montvale, VA 24122                         | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (e) Carrie Dell Keen<br>1510 Carlisle Ave.<br>Roanoke, VA 24014                   | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (f) Melinda Mayzell Sykes<br>1125 Wasena Ave. SW<br>Roanoke, VA 24015             | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (g) Sylvia Loretta Withrow Andrews<br>359 Hiawatha Dr.<br>Ferrum, VA 24086        | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (h) Donny Sherman Keen<br>1959 Alleghany Spring Rd.<br>Shawsville, VA 24162       | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (i) Shirley Arrington<br>1125 Wasena Ave. SW<br>Roanoke, VA 24015                 | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (j) Wilma Doretta Keen<br>5104 Hwy 25 N<br>Hodges, SC 29653                       | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (k) Parson Junior Keen<br>PO Box 23<br>Montvale, VA 24122                         | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          |
| (6) Charlie A. Keen Heirs, Devisees, Successors or Assigns                        |                                     |                  |
| (d) Mitchell Keene<br>P.O. Box 610<br>Oceana, WV 24870                            | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          |
| (e) James Keene<br>P.O. Box 63<br>Fairdale, WV 25939                              | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          |

Exhibit E  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

|                     | Acres in Unit | Interest in Unit |
|---------------------|---------------|------------------|
| Total tract acres   | 3.1598        |                  |
| Total tract percent |               | 5.3793%          |

Tract #1D, 0.07 acres

*Escrow due to Title Conflict*

COAL OWNERSHIP

|                                                                                                          |            |         |
|----------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Swords Creek Land Partnership<br>Tract 21 (1286.81 Acre Tract)<br>P.O. Box 187<br>Tazewell, VA 24651 | 0.07 acres | 0.1192% |
|----------------------------------------------------------------------------------------------------------|------------|---------|

OIL & GAS OWNERSHIP

|                                                               |            |         |
|---------------------------------------------------------------|------------|---------|
| (1) Ernest Newberry, et ux<br>P.O. Box 533<br>Raven, VA 24639 | 0.07 acres | 0.1192% |
|---------------------------------------------------------------|------------|---------|

- OR -

|                                                                                                      |            |         |
|------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201 | 0.07 acres | 0.1192% |
|------------------------------------------------------------------------------------------------------|------------|---------|

Tract #1E, 0.02 acres

*Escrow due to Title Conflict*

COAL OWNERSHIP

|                                                                                                          |            |         |
|----------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Swords Creek Land Partnership<br>Tract 21 (1286.81 Acre Tract)<br>P.O. Box 187<br>Tazewell, VA 24651 | 0.02 acres | 0.0340% |
|----------------------------------------------------------------------------------------------------------|------------|---------|

OIL & GAS OWNERSHIP

|                                                                   |            |         |
|-------------------------------------------------------------------|------------|---------|
| (1) Joann Richardson<br>122 Kimcora Dr.<br>Bucyrus, OH 44820-8643 | 0.02 acres | 0.0340% |
|-------------------------------------------------------------------|------------|---------|

- OR -

|                                                                                                      |            |         |
|------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201 | 0.02 acres | 0.0340% |
|------------------------------------------------------------------------------------------------------|------------|---------|

TOTAL CONFLICTS:

|                    |        |         |
|--------------------|--------|---------|
| Acres in Unit      | 3.2498 |         |
| Percentage of Unit |        | 5.5325% |

Exhibit EE  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058  
(58.74 Acre Unit)

|                                                                                                          | Acres in Unit                       | Interest in Unit | Percent of Escrow          |
|----------------------------------------------------------------------------------------------------------|-------------------------------------|------------------|----------------------------|
| <b><u>Tract #1A, 22.33 acres</u></b>                                                                     |                                     |                  |                            |
| <b><u>COAL OWNERSHIP</u></b>                                                                             |                                     |                  |                            |
| (1) Swords Creek Land Partnership<br>Tract 21 (1286.81 Acre Tract)<br>P.O. Box 187<br>Tazewell, VA 24661 | 22.33 acres                         | 38.0150%         | n/a                        |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                    |                                     |                  |                            |
| (1) Joann Richardson<br>122 Kimcora Dr.<br>Bucyrus, OH 44820-8643                                        | 22.33 acres                         | 38.0150%         | n/a                        |
| <b><u>Tract #1B, 8.30 acres</u></b>                                                                      |                                     |                  |                            |
| <b><u>COAL OWNERSHIP</u></b>                                                                             |                                     |                  |                            |
| (1) Swords Creek Land Partnership<br>Tract 21 (1286.81 Acre Tract)<br>P.O. Box 187<br>Tazewell, VA 24651 | 8.30 acres                          | 14.1301%         | n/a                        |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                    |                                     |                  |                            |
| (1) Joseph Horton & Amy Horton<br>3619 Clarke Valley Rd.<br>Swords Creek, VA 24649-7692                  | 8.30 acres                          | 14.1301%         | n/a                        |
| Previously Ernest Newberry, et ux, Deeded to Joseph Horton and Amy Horton 5/25/2012                      |                                     |                  |                            |
| <b><u>Tract #1C, 14.57 acres</u></b>                                                                     |                                     |                  |                            |
| <b><u>COAL OWNERSHIP</u></b>                                                                             |                                     |                  |                            |
| (1) Swords Creek Land Partnership<br>Tract 21 (1286.81 Acre Tract)<br>P.O. Box 187<br>Tazewell, VA 24651 | 14.57 acres                         | 24.8042%         | 4.5714%<br>(Royalty Split) |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                                    |                                     |                  |                            |
| Ralph J. Childress, et al.<br>(Arnold Keen Heirs, et al. 81 acre tract)                                  | 14.57 acres                         | 24.8042%         |                            |
| (1) Willie D. and Donald E. Keen Heirs, Devisees,<br>Successors or Assigns                               |                                     |                  |                            |
| (a) Ralph Childress<br>373 Williams Street<br>Bluefield, VA 24605                                        | 1.821 acres<br>1/8 of 14.57 acres   | 3.1005%          | n/a                        |
| (2) Robert L. Keen Heirs, Devisees,<br>Successors or Assigns                                             |                                     |                  |                            |
| (a) Nancy Carol Ball<br>P.O. Box 1256<br>Honaker, VA 24260                                               | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          | n/a                        |

Exhibit EE  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058  
(58.74 Acre Unit)

|                                                                                                  | Acres in Unit                       | Interest in Unit | Percent of Escrow |
|--------------------------------------------------------------------------------------------------|-------------------------------------|------------------|-------------------|
| (c) David Wylie Keen<br>236 Raven Ridge<br>Raven, VA 24639                                       | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          | n/a               |
| (e) Howell Preston Keen<br>3389 Lynn Springs Rd.<br>Swords Creek, VA 24649                       | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          | n/a               |
| (f) Harvey Douglas Keen Heirs, Devisees, Successors or Assigns                                   |                                     |                  |                   |
| (f.1) Debora G. Keen<br>3619 Clarks Valley Rd.<br>Swords Creek, VA 24649                         | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          | n/a               |
| (g) Terry Linkous Keen<br><i>Conveyed by Deed of Gift to Oma Jane Ferebee DB 590/100, 8/2003</i> |                                     |                  |                   |
| (g.1) (Oma) Jane Keen Ferebee<br>107 Jonathan Trail<br>Shelby, NC 28150                          | 0.280 acres<br>1/52 of 14.57 acres  | 0.4770%          | n/a               |
| (i) Eunice Beatrice Ray<br>202 Hill Creek<br>Richlands, VA 24641-2015                            | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          | n/a               |
| (j) Robert Elden Keen<br>3585 Lynn Springs Rd.<br>Swords Creek, VA 24649                         | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          | n/a               |
| (k) Alfred Lee Keen<br>P.O. Box 207<br>Cedar Bluff, VA 24609                                     | 0.140 acres<br>1/104 of 14.57 acres | 0.2385%          | n/a               |
| (3) Bascom Keen Heirs, Devisees, Successors or Assigns                                           |                                     |                  |                   |
| (a) Virginia Spiva Heirs, Devisees, Successors or Assigns                                        |                                     |                  |                   |
| (a.1) Angela M. Thomas<br>2004 Clear Creek Rd<br>Ellijay, GA 30536-7816                          | 0.121 acres<br>1/120 of 14.57 acres | 0.2067%          | n/a               |
| (a.2) Michael K. Spiva<br>319 N. Briar Ridge<br>Woodstock, GA 30189-5105                         | 0.121 acres<br>1/120 of 14.57 acres | 0.2067%          | n/a               |
| (a.3) Warren Kelvin Long<br>PO Box 2236<br>Blairsville, GA 30514-2236                            | 0.121 acres<br>1/120 of 14.57 acres | 0.2067%          | n/a               |
| (b) Alice Albert<br>152 Westfield Drive<br>Rockingham, NC 28379                                  | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          | n/a               |
| (c) Ada Ruth Byrd<br><i>Conveyed by Quitclaim Deed to Daniel Lee Keen DB 593/809, 9/26/2003</i>  |                                     |                  |                   |
| (c.1) Daniel Lee Keen<br>48 Daisy Lane<br>Swords Creek, VA 24649                                 | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          | n/a               |

Exhibit EE  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058  
(58.74 Acre Unit)

|                                                                                                           | Acres in Unit                       | Interest in Unit | Percent of Escrow          |
|-----------------------------------------------------------------------------------------------------------|-------------------------------------|------------------|----------------------------|
| (d) Daniel Lee Keen<br>48 Daisy Lane<br>Swords Creek, VA 24649                                            | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          | 3.6571%<br>(Royalty Split) |
| (e) Victoria Slate Heirs, Devisees,<br>Successors or Assigns                                              |                                     |                  |                            |
| (e.1) Raymond Slate, Jr.<br>1829 Lynn Springs Rd.<br>Swords Creek, VA 24649                               | 0.091 acres<br>1/160 of 14.57 acres | 0.1550%          | 0.9143%<br>(Royalty Split) |
| (e.2) Jeffery Wayne Slate<br>PO Box 33<br>Swords Creek, VA 24649                                          | 0.091 acres<br>1/160 of 14.57 acres | 0.1550%          | n/a                        |
| (e.3) Sheila Gail (Slate) Lofton<br>HC69 Box 1828<br>White Sulphur Springs, WV 24986                      | 0.091 acres<br>1/160 of 14.57 acres | 0.1550%          | n/a                        |
| (e.4) Jackie Dale Slate<br>c/o Keen Mountain Correctional Ctr.<br>PO Box 860 / B-138<br>Oakwood, VA 24631 | 0.091 acres<br>1/160 of 14.57 acres | 0.1550%          | n/a                        |
| (4) Lydia Miller Heirs, Devisees,<br>Successors or Assigns                                                |                                     |                  |                            |
| (a) Annis Roten Heirs, Devisees,<br>Successors or Assigns                                                 |                                     |                  |                            |
| (a.1) Ralph Roten<br>270 Bethel Road<br>Oxford, PA 19383                                                  | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          | 7.3143%<br>HB2058          |
| (c) Helen Arbutus Myers Heirs, Devisees,<br>Successors or Assigns                                         |                                     |                  |                            |
| (c.3) Donald Myers<br>4302 Holly Park Court<br>Kissimmee, FL 34746                                        | 0.091 acres<br>1/160 of 14.57 acres | 0.1550%          | 1.8286%<br>HB2058          |
| (c.4) James Alan Myers<br>309 Cecil Street<br>Chesapeake City, MD 21915                                   | 0.091 acres<br>1/160 of 14.57 acres | 0.1550%          | 1.8286%<br>HB2058          |
| (d) Hubert Dexter Miller Heirs, Devisees, Successors or Assigns                                           |                                     |                  |                            |
| (d.1) Jean H. Miller<br>8 Viola Circle<br>Middletown, DE 19709                                            | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          | 7.3143%<br>HB2058          |
| (a) Lois Briggs<br>345 Camation Drive<br>New Providence, PA 17560                                         | 0.364 acres<br>1/40 of 14.57 acres  | 0.6201%          | n/a                        |
| (5) Peter Parson Keen Heirs, Devisees,<br>Successors or Assigns                                           |                                     |                  |                            |
| (a) Jessie Mildred Ward<br>P.O. Box 244<br>Raven, VA 24639                                                | 0.166 acres<br>1/88 of 14.57 acres  | 0.2819%          | n/a                        |

Exhibit EE  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058  
(58.74 Acre Unit)

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|                                                                                                                    | Acres in Unit                      | Interest in Unit | Percent of Escrow |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------|-------------------|
| (b) Paul Keen Heirs, Devisees, Successors or Assigns                                                               |                                    |                  |                   |
| (b.1) Linda Keen<br>PO Box 72<br>Swords Creek, VA 24649                                                            | 0.166 acres<br>1/88 of 14.57 acres | 0.2819%          | n/a               |
| (d) Oris Thomas Keen<br>RL1 Box 228C<br>Honaker, VA 24260                                                          | 0.166 acres<br>1/88 of 14.57 acres | 0.2819%          | n/a               |
| (6) Charlie A. Keen Heirs, Devisees, Successors or Assigns                                                         |                                    |                  |                   |
| (a) Betty Lou Meadows Heirs, Devisees, Successors or Assigns<br>(Sent check to Greensboro Clerk of Courts 7/29/15) | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | n/a               |
| (a.1) Barbara Jean Harris<br>4449 Burlington Road, Lot # 60<br>Greensboro, NC 27406-8600                           |                                    |                  |                   |
| (a.2) Jerome V. Meadows<br>Address Unknown                                                                         |                                    |                  |                   |
| (a.3) Name pending - per clerk at courthouse<br>All Unknown                                                        |                                    |                  |                   |
| (b) Ronald Keene<br>PO Box 63<br>Fairdale, WV 25839                                                                | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | n/a               |
| (c) Harley Keene<br>1741 Pexton Ave<br>Salem, VA 24153-4107                                                        | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | n/a               |
| (7) John T. Keen Heirs, Devisees, Successors or Assigns                                                            |                                    |                  |                   |
| (a) Thomas Dean Keen<br>PO Box 372<br>Swords Creek, VA 24649                                                       | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | n/a               |
| (b) John B. Keen<br>P.O. Box 15<br>Pounding Mill, VA 24637                                                         | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | n/a               |
| (c) Stanley E. Keen<br>2271 Lynn Springs Rd<br>Swords Creek, VA 24649                                              | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | n/a               |
| (d) Francis Gaynell Street<br>P.O. Box 506<br>Honaker, VA 24260                                                    | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | n/a               |
| (e) Lydia Jane Honaker<br>Conveyed by Quitclaim Deed to Stanley E. Keen DB 596-609 10/20/2003                      |                                    |                  |                   |
| (e.1) Stanley E. Keen<br>2271 Lynn Springs Rd.<br>Swords Creek, VA 24649                                           | 0.364 acres<br>1/40 of 14.57 acres | 0.6201%          | 7.3143%<br>HB2058 |

Exhibit EE  
Unit AX-124  
Docket #VGOB 03-1118-1226-03  
List of Conflicting Owners/Claimants with Royalty Split Agreements/HB2058  
(58.74 Acre Unit)

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|                                                                                                                                      | Acres in Unit                     | Interest in Unit | Percent of Escrow |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------|-------------------|
| (8) Donald E. Keen Heirs, Devisees,<br>Successors or Assigns<br><i>Conveyed by Deed of Gift to Ralph Childress, et ux DB 516-375</i> |                                   |                  |                   |
| (a) Ralph Childress, et ux<br>373 Williams Street<br>Bluefield, VA 24605                                                             | 1.821 acres<br>1/8 of 14.57 acres | 3.1005%          | n/a               |
| Total tract acres                                                                                                                    | 11.4102                           |                  |                   |
| Total tract percent                                                                                                                  |                                   | 19.4249%         |                   |
| <b><u>TOTAL RESOLVED:</u></b>                                                                                                        |                                   |                  |                   |
| Acreage in Unit                                                                                                                      | 42.0402                           |                  |                   |
| Percentage of Unit                                                                                                                   |                                   | 71.5700%         |                   |

1600512

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 3-21, 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:38 o'clock P. M, after payment of \$        tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: S. Gilmer

BY: Nickie Colley D. CLERK