

1299

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 04-0615-1296

ELECTIONS: UNIT AY-120
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on December 14, 2004 which was recorded at Deed Book 622, Page 361 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on December 15, 2004 (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AY-120;

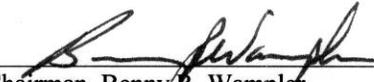
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, Attn: Judy Barger or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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

DONE AND EXECUTED this 20th day of March, 2008, by a majority of the Virginia Gas and Oil Board.

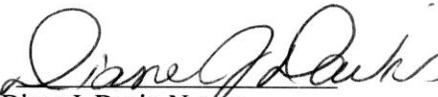

Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 20th day of March, 2008, by Order of the Board.


B. R. Wilson,
Director of the Division of Gas & Oil Board and
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 20th day of March, 2008, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: September 30, 2009

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit AY-120
VGOB 04-0615-1296 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Manager – Environmental Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on December 14, 2004 by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on December 15, 2004;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of December 14, 2004;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

Mildred J. Wilson

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

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

Dated at Mercer, West Virginia, this 3rd day of March, 2008.

Leslie K. Arrington
Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager – Environmental Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 3rd day of March, 2008.

Melissa Cumbow
Notary

My commission expires: April 9, 2013.



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

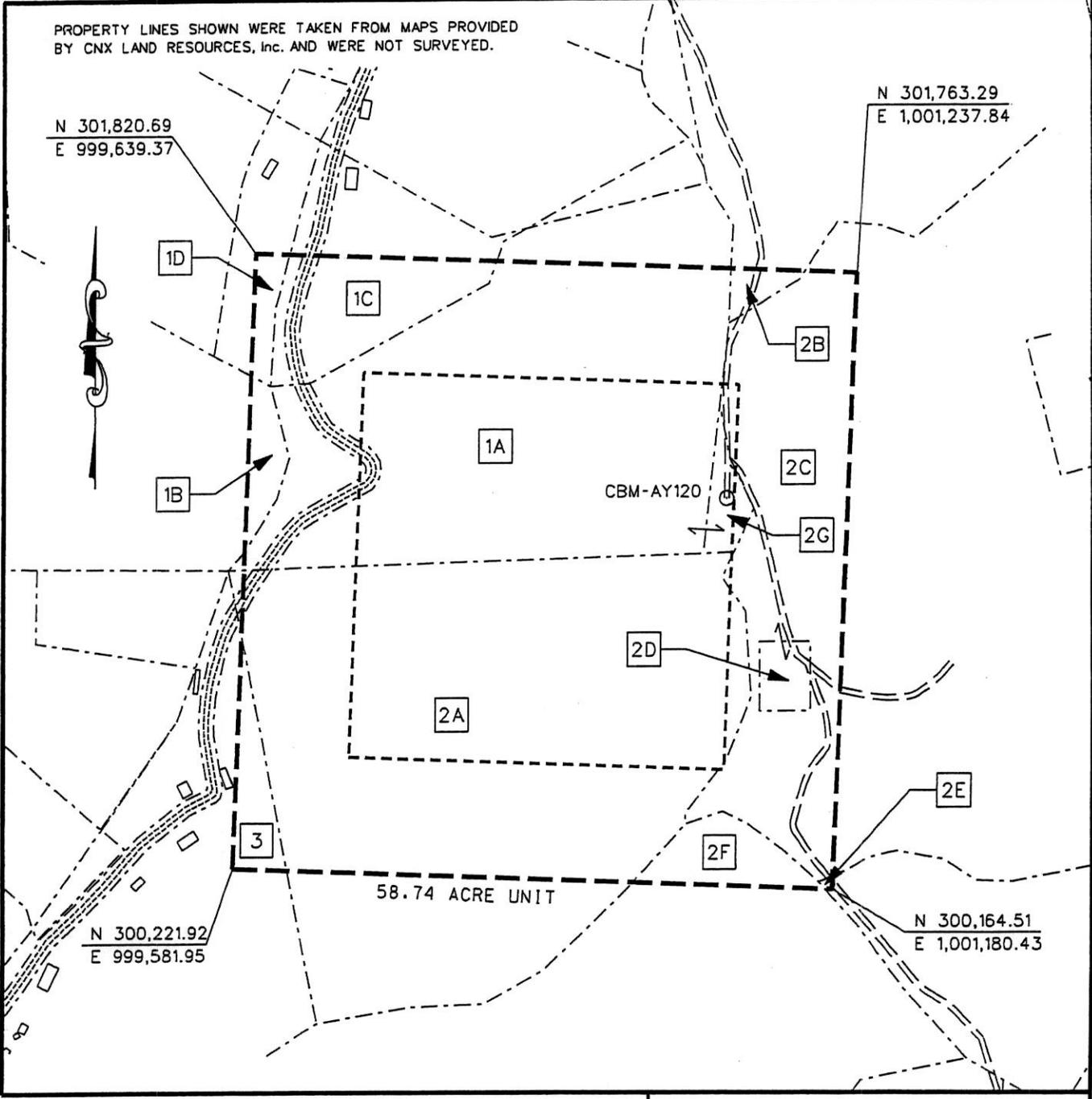
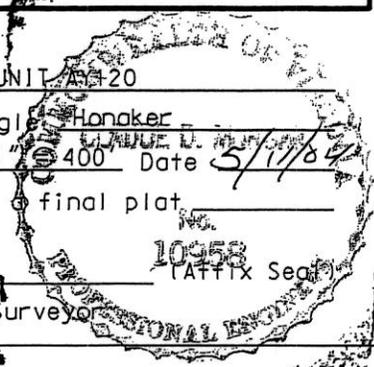


EXHIBIT A
 MIDDLE RIDGE 1 FIELD
 UNIT AY-120
 FORCE POOLING
 VGOB-04-0615-1296

Company CNX Gas Company LLC Well Name and Number UNIT AY-120
 Tract No. _____ Elevation _____ Quadrangle Honaker
 County Russell District New Garden Scale: 1" = 400' Date 5/17/04
 This plat is a new plat ; an updated plat _____ ; or a final plat _____

Form DGO-GO-7 _____
 Rev. 9/91 _____
 Licensed Professional Engineer or Licensed Land Surveyor



CNX GAS COMPANY LLC
UNIT AY120
Tract Identifications
(58.74 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 19 – All Minerals
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Kyle Brown, et al – Surface
 18.35 acres 31.2394%
- 1B. Swords Creek Land Partnership Tr. 19 – All Minerals
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Jeffrey Dye, et ux – Surface
 0.72 acres 1.2257%
- 1C. Swords Creek Land Partnership Tr. 19 – All Minerals
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Alvie Hess, et ux – Surface
 2.85 acres 4.8519%
- 1D. Swords Creek Land Partnership Tr. 19 – All Minerals
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Jeffrey Dye, et ux – Surface
 0.48 acres 0.8172%
- 2A. Swords Creek Land Partnership Tr. 23 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Kyle Brown, et al – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 23.07 acres 39.2748%
- 2B. Swords Creek Land Partnership Tr. 23 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Stuart Richardson Heirs – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.35 acres 0.5958%

CNX GAS COMPANY LLC**UNIT AY120****Tract Identifications****(58.74 Acre Unit)**

- 2C. Swords Creek Land Partnership Tr. 23 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Stuart Richardson Heirs – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 9.42 acres 16.0368%
- 2D. Swords Creek Land Partnership Tr. 23 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Stuart Richardson Heirs – Surface and All Minerals except Coal (Cemetery)
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.55 acres 0.9363%
- 2E. Swords Creek Land Partnership Tr. 23 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Kenneth C. Miller, Jr., et ux - Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.02 acres 0.0340%
- 2F. Swords Creek Land Partnership Tr. 23 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Joseph D. Brown - Surface and All Minerals except Coal
 1.33 acres 2.2642%
- 2G. Swords Creek Land Partnership Tr. 23 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Kyle Brown, et al – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.59 acres 1.0044%
3. W. R. McCall, et al – All Minerals
 Reserve Coal Properties Company - Below Tiller Coal Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased (%)
 Unknown Surface Owner
 1.01 acres 1.7195%

Exhibit B-2
Unit AY-120
Docket #VGOB 04-0615-1296
List of Respondents to be Dismissed
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Reason for Dismissal
I. <u>COAL FEE OWNERSHIP</u>			
<u>Tract #3, 1.01 acres</u>			
(1) W. R. McCall, et al. (12 Acre Tract)	1.01 acres	1.7194%	
(p) Mildred J. Wilson 294 Bottom Road Raven, VA 24639	0.04 acres 5/128 of 1.01 acres	0.0672%	Leased
II. <u>OIL & GAS FEE OWNERSHIP</u>			
<u>Tract #3, 1.01 acres</u>			
(1) W. R. McCall, et al. (12 Acre Tract)	1.01 acres	1.7194%	
(p) Mildred J. Wilson 294 Bottom Road Raven, VA 24639	0.04 acres 5/128 of 1.01 acres	0.0672%	Leased

Exhibit B-3
Unit AY-120
Docket #VGOB 04-0615-1296
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 688 PAGE 0311

	Acres in Unit	Interest in Unit
I. <u>COAL FEE OWNERSHIP</u>		
<u>Tract #3, 1.01 acres</u>		
(1) W. R. McCall, et al. (12 Acre Tract)	1.01 acres	1.7194%
(j) Pearl Wilson Barker 1369 Gillespie Drive N Palm Harbor, FL 34683	0.01 acres 5/384 of 1.01 acres *	0.0224%
(l) George E. Wilson 5432 Trailwood Drive Charleston, SC 29418	0.01 acres 5/384 of 1.01 acres	0.0224%
(m) Charles E. Wilson 1589 Holletts Corner Road Clayton, DE 19938	0.01 acres 5/384 of 1.01 acres	0.0224%
(n) Robert Wilson Rt.1 Box 239B Raven, VA 24639	0.01 acres 5/384 of 1.01 acres	0.0224%
(q) David T. Wilson Rt.1 Box 100D Prockit, VA 24323	0.02 acres 3/160 of 1.01 acres	0.0322%
(r) William Glen Wilson 505 Rogers Court New Bern, NC 23562	0.02 acres 3/160 of 1.01 acres	0.0322%
(t) Myrtle W. Hooker 5236 Rosecliff Avenue Roanoke, VA 24018	0.02 acres 3/160 of 1.01 acres	0.0322%
II. <u>OIL & GAS FEE OWNERSHIP</u>		
<u>Tract #2F, 1.33 acres</u>		
(1) Joseph D. Brown P.O. Box 211 Swords Creek, VA 24649	1.33 acres	2.2642%
<u>Tract #3, 1.01 acres</u>		
(1) W. R. McCall, et al. (12 Acre Tract)	1.01 acres	1.7194%
(j) Pearl Wilson Barker 1369 Gillespie Drive N Palm Harbor, FL 34683	0.01 acres 5/384 of 1.01 acres	0.0224%
(l) George E. Wilson 5432 Trailwood Drive Charleston, SC 29418	0.01 acres 5/384 of 1.01 acres	0.0224%

Exhibit B-3
Unit AY-120
Docket #VGOB 04-0615-1296
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 688 PAGE 0312

	Acres in Unit	Interest in Unit
(m) Charles E. Wilson 1589 Holletts Corner Road Clayton, DE 19938	0.01 acres 5/384 of 1.01 acres	0.0224%
(n) Robert Wilson Rt.1 Box 239B Raven, VA 24639	0.01 acres 5/384 of 1.01 acres	0.0224%
(q) David T. Wilson Rt.1 Box 100D Prockit, VA 24323	0.02 acres 3/160 of 1.01 acres	0.0322%
(r) William Glen Wilson 505 Rogers Court New Bern, NC 23562	0.02 acres 3/160 of 1.01 acres	0.0322%
(t) Myrtle W. Hooker 5236 Rosecliff Avenue Roanoke, VA 24018	0.02 acres 3/160 of 1.01 acres	0.0322%

Exhibit E
Unit AY-120
Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 688 PAGE 0313

	Acres in Unit	Interest in Unit
<u>Tract #2A, 23.07 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	23.07 acres	39.2748%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Kyle Brown, et al. (W.H. Brown Heirs)	23.07 acres	39.2748%
(a) Ada Reedy P.O. Box 159 Davin, WV 25617	2.0971 acres 1/11 of 23.07 acres	3.5701%
(b) Idinia Perkins 103 North Trimble Road Mansfield, OH 44906	2.0971 acres 1/11 of 23.07 acres	3.5701%
(c) Kyle Brown Rt.1 Box 231 Swords Creek, VA 24649	2.0971 acres 1/11 of 23.07 acres	3.5701%
(d) Elizabeth Brown P.O. Box 187 Swords Creek, VA 24649	2.0971 acres 1/11 of 23.07 acres	3.5701%
(e) Bernice Matney 4526 CR29 Galion, OH 44833	1.0486 acres 1/22 of 23.07 acres	1.7852%
(f) Geraldine Smith 295 W. Bucyrus Street Apt.22 Crestline, OH 44827	1.0486 acres 1/22 of 23.07 acres	1.7852%
(g) Beulah Brown Rt.1 Box 247 Swords Creek, VA 24649	0.6991 acres 1/33 of 23.07 acres	1.1901%
(h) Roger Brown Rt.1 Box 247 Swords Creek, VA 24649	0.4661 acres 2/99 of 23.07 acres	0.7934%
(i) Danny Brown P.O. Box 65 Swords Creek, VA 24649	0.4661 acres 2/99 of 23.07 acres	0.7934%
(j) Angela B. Bain 550 Chrisman Street Christiansburg, VA 24073	0.4661 acres 2/99 of 23.07 acres	0.7934%
(k) Mary Ann Bishop 1354 Rustic Ridge Road Riner, VA 24149	0.6991 acres 1/33 of 23.07 acres	1.1901%
(l) Connie M. Gillespie Rt.1 Box 462 Lebanon, VA 24266	0.6991 acres 1/33 of 23.07 acres	1.1901%

Exhibit E
Unit AY-120
Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 688 PAGE 0314

	Acres in Unit	Interest in Unit
(m) Joyce J. Doss 348 Green Drive Blountville, TN 37617	0.6991 acres 1/33 of 23.07 acres	1.1901%
(n) Lillian Murray 6123 Steve Street Salisbury, MD 21801	0.5243 acres 1/44 of 23.07 acres	0.8926%
(r) R.C. Miller 16194 Richardson Avenue Abingdon, VA 24211	0.3495 acres 1/66 of 23.07 acres	0.5951%
(s) Sandra Gale Miller P.O. Box 308 Rosedale, VA 24280	0.3495 acres 1/66 of 23.07 acres	0.5951%
(t) Freda Mae Owens Rt.1 Box 980 Swords Creek, VA 24649	0.3495 acres 1/66 of 23.07 acres	0.5951%
(u) Judy Darlene Cordle P.O. Box 625 Raven, VA 24639	0.3495 acres 1/66 of 23.07 acres	0.5951%
(v) Alverda Ray 309 Hawthorne Street Bluefield, VA 24605	0.3495 acres 1/66 of 23.07 acres	0.5951%
(w) James Dallas Miller Rt.1 Box 440 Lebanon, VA 24266	0.3495 acres 1/66 of 23.07 acres	0.5951%
(x) Kenny Brown 222 Douglas Chapel Road Jonesborough, TN 37659	2.0973 acres 1/11 of 23.07 acres	3.5704%
(y) Pauline Duston 303 Howard Street Mount Vernon, OH 43050	0.5243 acres 1/44 of 23.07 acres	0.8926%
(z) Fay Ray 13376 Old Mansfield Road Mount Vernon, OH 43050	0.5243 acres 1/44 of 23.07 acres	0.8926%
(aa) Connie Harding 13376 Old Mansfield Road Mount Vernon, OH 43050	0.5243 acres 1/44 of 23.07 acres	0.8926%
(bb) Dr. Herbert Jordan 314 South 5th Street Ironton, OH 45638	0.5243 acres 1/44 of 23.07 acres	0.8926%

Exhibit E
Unit AY-120
Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 688 PAGE 0315

	Acres in Unit	Interest in Unit
<u>Tract #2F, 1.33 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	1.33 acres	2.2642%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Joseph D. Brown P.O. Box 211 Swords Creek, VA 24649	1.33 acres	2.2642%
<u>Tract #2G, 0.59 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	0.59 acres	1.0044%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Kyle Brown, et al. (W.H. Brown Heirs)	0.59 acres	1.0044%
(a) Ada Reedy P.O. Box 159 Davin, WV 25617	0.0536 acres 1/11 of 0.59 acres	0.0913%
(b) Idinia Perkins 103 North Trimble Road Mansfield, OH 44906	0.0536 acres 1/11 of 0.59 acres	0.0913%
(c) Kyle Brown Rt.1 Box 231 Swords Creek, VA 24649	0.0536 acres 1/11 of 0.59 acres	0.0913%
(d) Elizabeth Brown P.O. Box 187 Swords Creek, VA 24649	0.0536 acres 1/11 of 0.59 acres	0.0913%
(e) Bernice Matney 4526 CR29 Galion, OH 44833	0.0268 acres 1/22 of 0.59 acres	0.0457%
(f) Geraldine Smith 295 W. Bucyrus Street Apt.22 Crestline, OH 44827	0.0268 acres 1/22 of 0.59 acres	0.0457%
(g) Beulah Brown Rt.1 Box 247 Swords Creek, VA 24649	0.0179 acres 1/33 of 0.59 acres	0.0304%
(h) Roger Brown Rt.1 Box 247 Swords Creek, VA 24649	0.0119 acres 2/99 of 0.59 acres	0.0203%

Exhibit E
Unit AY-120
Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 688 PAGE 0316

	Acres in Unit	Interest in Unit
(i) Danny Brown P.O. Box 65 Swords Creek, VA 24649	0.0119 acres 2/99 of 0.59 acres	0.0203%
(j) Angela B. Bain 550 Chrisman Street Christiansburg, VA 24073	0.0119 acres 2/99 of 0.59 acres	0.0203%
(k) Mary Ann Bishop 1354 Rustic Ridge Road Riner, VA 24149	0.0179 acres 1/33 of 0.59 acres	0.0304%
(l) Connie M. Gillespie Rt.1 Box 462 Lebanon, VA 24266	0.0179 acres 1/33 of 0.59 acres	0.0304%
(m) Joyce J. Doss 348 Green Drive Blountville, TN 37617	0.0179 acres 1/33 of 0.59 acres	0.0304%
(n) Lillian Murray 6123 Steve Street Salisbury, MD 21801	0.0134 acres 1/44 of 0.59 acres	0.0228%
(r) R.C. Miller 16194 Richardson Avenue Abingdon, VA 24211	0.0089 acres 1/66 of 0.59 acres	0.0152%
(s) Sandra Gale Miller P.O. Box 308 Rosedale, VA 24280	0.0089 acres 1/66 of 0.59 acres	0.0152%
(t) Freda Mae Owens Rt.1 Box 980 Swords Creek, VA 24649	0.0089 acres 1/66 of 0.59 acres	0.0152%
(u) Judy Darlene Cordle P.O. Box 625 Raven, VA 24639	0.0089 acres 1/66 of 0.59 acres	0.0152%
(v) Alverda Ray 309 Hawthorne Street Bluefield, VA 24605	0.0089 acres 1/66 of 0.59 acres	0.0152%
(w) James Dallas Miller Rt.1 Box 440 Lebanon, VA 24266	0.0089 acres 1/66 of 0.59 acres	0.0152%
(x) Kenny Brown 222 Douglas Chapel Road Jonesborough, TN 37659	0.0536 acres 1/11 of 0.59 acres	0.0913%
(y) Pauline Duston 303 Howard Street Mount Vernon, OH 43050	0.0134 acres 1/44 of 0.59 acres	0.0228%

Exhibit E
Unit AY-120
Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(z) Fay Ray 13376 Old Mansfield Road Mount Vernon, OH 43050	0.0134 acres 1/44 of 0.59 acres	0.0228%
(aa) Connie Harding 13376 Old Mansfield Road Mount Vernon, OH 43050	0.0134 acres 1/44 of 0.59 acres	0.0228%
(bb) Dr. Herbert Jordan 314 South 5th Street Ironton, OH 45638	0.0134 acres 1/44 of 0.59 acres	0.0228%

Exhibit EE
Unit AY-120
Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

BOOK 088 PAGE 0318

	Acres in Unit	Interest in Unit
<u>Tract #2A, 23.07 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	23.07 acres	39.2748%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Kyle Brown, et al. (W.H. Brown Heirs)	23.07 acres	39.2748%
(o) Charlie W. Brown Rt.1 Box 233 Swords Creek, VA 24649	0.5243 acres 1/44 of 23.07 acres	0.8926%
(p) Shirley W. Brown P.O. Box 44 Swords Creek, VA 24649	0.5243 acres 1/44 of 23.07 acres	0.8926%
(q) Wilma J. Keen P.O. Box 13 Swords Creek, VA 24649	0.5243 acres 1/44 of 23.07 acres	0.8926%
<u>Tract #2B, 0.35 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	0.35 acres	0.5958%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Stuart Richardson Heirs, Devisees, Successors or Assigns	0.35 acres	0.5958%
(a) Betty Jo Richardson Rt.1 Box 350A Swords Creek, VA 24649	0.117 acres 1/3 of 0.35 acres	0.1986%
(b) Harold D. Richardson RR1 Box 357R Swords Creek, VA 24649 <i>(requests his royalties be paid to Betty Jo throughout her lifetime)</i>	0.033 acres 2/21 of 0.35 acres	0.0567%
(c) Billy W. Richardson 298 Jackson Street Raven, VA 24639	0.033 acres 2/21 of 0.35 acres	0.0567%
(d) William W. Richardson Rt.1 Box 358 Swords Creek, VA 24649	0.033 acres 2/21 of 0.35 acres	0.0567%
(e) Douglas Richardson Rt.1 Box 351 Swords Creek, VA 24649	0.033 acres 2/21 of 0.35 acres	0.0567%

Exhibit EE
Unit AY-120

BOOK 688 PAGE 0319

Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(f) Michael D. Richardson 1899 Knob Creek Road Johnson City, TN 37604	0.033 acres 2/21 of 0.35 acres	0.0567%
(g) Alice J. Martin Rt.2 Box 487 Honaker, VA 24260	0.033 acres 2/21 of 0.35 acres	0.0567%
(h) Rosa Lee Jackson Rt.1 Box 351 Swords Creek, VA 24649	0.033 acres 2/21 of 0.35 acres	0.0567%

Tract #2C, 9.42 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	9.42 acres	16.0368%
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OIL & GAS FEE OWNERSHIP

(1) Stuart Richardson Heirs, Devisees, Successors or Assigns	9.42 acres	16.0368%
(a) Betty Jo Richardson Rt.1 Box 350A Swords Creek, VA 24649	3.140 acres 1/3 of 9.42 acres	5.3456%
(b) Harold D. Richardson RR1 Box 357R Swords Creek, VA 24649 <i>(requests his royalties be paid to Betty Jo throughout her lifetime)</i>	0.897 acres 2/21 of 9.42 acres	1.5273%
(c) Billy W. Richardson 298 Jackson Street Raven, VA 24639	0.897 acres 2/21 of 9.42 acres	1.5273%
(d) William W. Richardson Rt.1 Box 358 Swords Creek, VA 24649	0.897 acres 2/21 of 9.42 acres	1.5273%
(e) Douglas Richardson Rt.1 Box 351 Swords Creek, VA 24649	0.897 acres 2/21 of 9.42 acres	1.5273%
(f) Michael D. Richardson 1899 Knob Creek Road Johnson City, TN 37604	0.897 acres 2/21 of 9.42 acres	1.5273%
(g) Alice J. Martin Rt.2 Box 487 Honaker, VA 24260	0.897 acres 2/21 of 9.42 acres	1.5273%

Exhibit EE
Unit AY-120
Docket #VGOB 04-0615-1296
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(h) Rosa Lee Jackson Rt.1 Box 351 Swords Creek, VA 24649	0.897 acres 2/21 of 9.42 acres	1.5273%

Tract #2D, 0.55 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	0.55 acres	0.9363%
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OIL & GAS FEE OWNERSHIP

(1) Stuart Richardson Heirs, Devisees, Successors or Assigns	0.55 acres	0.9363%
(a) Betty Jo Richardson Rt.1 Box 350A Swords Creek, VA 24649	0.183 acres 1/3 of 0.55 acres	0.3121%
(b) Harold D. Richardson RR1 Box 357R Swords Creek, VA 24649 <i>(requests his royalties be paid to Betty Jo throughout her lifetime)</i>	0.052 acres 2/21 of 0.55 acres	0.0892%
(c) Billy W. Richardson 298 Jackson Street Raven, VA 24639	0.052 acres 2/21 of 0.55 acres	0.0892%
(d) William W. Richardson Rt.1 Box 358 Swords Creek, VA 24649	0.052 acres 2/21 of 0.55 acres	0.0892%
(e) Douglas Richardson Rt.1 Box 351 Swords Creek, VA 24649	0.052 acres 2/21 of 0.55 acres	0.0892%
(f) Michael D. Richardson 1899 Knob Creek Road Johnson City, TN 37604	0.052 acres 2/21 of 0.55 acres	0.0892%
(g) Alice J. Martin Rt.2 Box 487 Honaker, VA 24260	0.052 acres 2/21 of 0.55 acres	0.0892%
(h) Rosa Lee Jackson Rt.1 Box 351 Swords Creek, VA 24649	0.052 acres 2/21 of 0.55 acres	0.0892%

Exhibit EE
 Unit AY-120
 Docket #VGOB 04-0615-1296
 List of Conflicting Owners/Claimants with Royalty Split Agreements
 (58.74 Acre Unit)

BOOK 688 PAGE 0321

	Acres in Unit	Interest in Unit
<u>Tract #2E, 0.02 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	0.02 acres	0.0340%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Kenneth C. Miller, Jr., et ux. Rt.1 Box 353K Swords Creek, VA 24649	0.02 acres	0.0340%
<u>Tract #2G, 0.59 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 187 Tazewell, VA 24651	0.59 acres	1.0044%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Kyle Brown, et al. (W.H. Brown Heirs)	0.59 acres	1.0044%
(o) Charlie W. Brown Rt.1 Box 233 Swords Creek, VA 24649	0.0134 acres 1/44 of 0.59 acres	0.0228%
(p) Shirley W. Brown P.O. Box 44 Swords Creek, VA 24649	0.0134 acres 1/44 of 0.59 acres	0.0228%
(q) Wilma J. Keen P.O. Box 13 Swords Creek, VA 24649	0.0134 acres 1/44 of 0.59 acres	0.0228%

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 4-2, 2008. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 11:57 o'clock A.M, after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: ANN S. McREYNOLDS, CLERK
 BY: Ann S. McReynolds D. CLERK

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