

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: BD119

TRACT(S): 1A, A portion of 1B, A portion of 1D, 1F

LOCATION: RUSSELL County, Virginia

DOCKET NUMBER: VGOB-04-0720-1310-01

APPLICANTS:

CNX Gas Company LLC on behalf of Betty Cole, Charlie Powell, David Whitaker, Donna Plaster, Dorothy J. Keene, HC Bostic Coal Company Inc., Judy W. Miller, L. Karen Webb, Lanny Dale Miller, Jr., Lilly Keen Whited, Linda Lowman, Lolita Lockhart, Loretta Mae Richardson, Mark Cordle, Ralph Carter Lockhart, Rita Powell, Swords Creek Land Partnership

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia
April 19, 2016 and May 10, 2016

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 12/14/2004, Recorded on 12/15/2004, Deed Book/Instrument No. 622, Page 431.
2. Supplemental Order, Recorded on 01/28/2008, Deed Book/Instrument No. 684, Page 706.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the April 19, 2016 hearing and was continued to May 10, 2016 where the Board 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) 1A, A portion of 1B, A portion of 1D, 1F identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1A, A portion of 1B, A portion of 1D, 1F 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 and David Whittaker & Swords Creek Land Partnership and Rita Powell 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. Swords Creek Land Partnership, HC Bostic Coal Company, Dorothy J. Keene, David Whittaker, Linda Lowman, Betty Cole, Judy Miller, L. Karen Webb, Donna Plaster, Lilly Keen Whited, Lanny Dale Miller, Jr., Mark Cordle, Lolita Lockhart, Ralph Carter Lockhart, Charlie Powell, Rita Powell, Loretta Mae Richardson is the gas claimants in Tract 1A, portion of 1B, portion of 1C & 1F. 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, HC Bostic Coal Company, Dorothy J. Keene, David Whittaker, Linda Lowman, Betty Cole, Judy Miller, L. Karen Webb, Donna Plaster, Lilly Keen Whited, Lanny Dale Miller, Jr., Mark Cordle, Lolita Lockhart, Ralph Carter Lockhart, Charlie Powell, Rita Powell, Loretta Mae Richardson and not escrow same. See Exhibit EE annexed hereto.

VGOB Disbursement

Unit BD119

Table 1 (pay exact dollar amount based on account balance of 9/30/2009)

Tracts: 1A, A portion of 1B, A portion of 1D, 1F

BOOK 0302 PAGE 0904

VGOB Disbursement
Unit BD119

VGOB-04-0720-1310-01

Table 2 (pay percentage on balance after deducting the above balance)
Tracts: 1A, A portion of 1B, A portion of 1D, 1F

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split	Escrowed Acres	Percent of Escrowed Funds	Adjustment Amount
			in Tract	inTract	Agreement	Disbursed	Disbursed	
		Total acreage in escrow before disbursement				56.89500		
1A Tract 1A (total acreage)			17.4800					
1	1A	HC Bostic Coal Company Inc.\PO Box 220, Swords Creek, VA 24649		17.4800	100.00%	17.4800	30.7233%	
1B Tract 1B (total acreage)			13.6200					
1	1B	Swords Creek Land Partnership\PO Box 29, Tazewell, VA 24651	1/18	0.7567	50.00%	0.3783	0.6650%	
2	1B	David Whittaker\1100 Flat Lick Road, London, KY 40744	1/18	0.7567	50.00%	0.3783	0.6650%	
3	1B	Dorothy J. Keene\2774 Wardell Road, Pounding Mill, VA 24637	1/9	1.5133	100.00%	1.5133	2.6599%	
4	1B	Linda Lowman\206 Austin Street, North Tazewell, VA 24630	1/18	0.7567	100.00%	0.7567	1.3299%	
5	1B	Betty Cole\1100 N. Ironwood Place, Broken Arrow, OK 74012	1/12	1.1350	100.00%	1.1350	1.9949%	
6	1B	Judy W. Miller\1254 Lynn Springs Rd., Swords Creek, VA 24649	1/12	1.1350	100.00%	1.1350	1.9949%	
7	1B	L. Karen Webb\825 Big Creek Road, Richlands, VA 24641	1/12	1.1350	100.00%	1.1350	1.9949%	
8	1B	Donna Plaster\105 Shannon Heights, Richlands, VA 24641	1/12	1.1350	100.00%	1.1350	1.9949%	
9	1B	Lilly Keen Whited\184 Calcasieu Drive, Parkton, NC 38271-8441	1/12	1.1350	100.00%	1.1350	1.9949%	
1D Tract 1D (total acreage)			11.5200					
1	1D	Lanny Dale Miller, Jr.\PO Box 173, Swords Creek, VA 24649	1/2100	0.0055	100.00%	0.0055	0.0096%	
2	1D	Mark Cordle\5920 New Watermelon Rd., Tuscaloosa, AL 35406	1/200	0.0576	100.00%	0.0576	0.1012%	
3	1D	Ralph Carter Lockhart\2459 Lynn Springs Rd., Swords Creek, VA 24649	1/100	0.1152	100.00%	0.1152	0.2025%	
4	1D	Lanny Dale Miller, Jr.\PO Box 173, Swords Creek, VA 24649	1/280	0.0411	100.00%	0.0411	0.0723%	
5	1D	Mark Cordle\5920 New Watermelon Rd., Tuscaloosa, AL 35406	1/20	0.5760	100.00%	0.5760	1.0124%	
6	1D	Lolita Lockhart\2459 Lynn Springs Rd., Swords Creek, VA 24649	1/200	0.0576	100.00%	0.0576	0.1012%	\$55.43
7	1D	Ralph Carter Lockhart\2459 Lynn Springs Rd., Swords Creek, VA 24649	1/200	0.0576	100.00%	0.0576	0.1012%	\$55.43
8	1D	Lolita Lockhart\2459 Lynn Springs Rd., Swords Creek, VA 24649	1/20	0.5760	100.00%	0.5760	1.0124%	\$554.35
9	1D	Ralph Carter Lockhart\2459 Lynn Springs Rd., Swords Creek, VA 24649	1/20	0.5760	100.00%	0.5760	1.0124%	\$554.35
1F Tract 1F (total acreage)			1.1700					
1	1F	Charlie Powell\2671 Lynn Springs Rd., Swords Creek, VA 24649	1/2	0.5850	100.00%	0.5850	1.0282%	

1F Tract 1F (total acreage) 1.1700

2	1F	Swords Creek Land Partnership\PO Box 29, Tazewell, VA 24651	1/2	0.5850	50.00%	0.2925	0.5141%
3	1F	Rita Powell\2671 Lynn Springs Rd., Swords Creek, VA 24649	1/2	0.5850	50.00%	0.2925	0.5141%

Adjustment Comments: Escrow Agent to subtract the amount in the adjustment column after the percentage calculation is made for each person with an adjustment amount listed in the percentage table. The new owner's payment (listed in the percentage table), is subtracted from what was paid in the exact pay table to the old owner.

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 and 2.
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 11 day of May, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

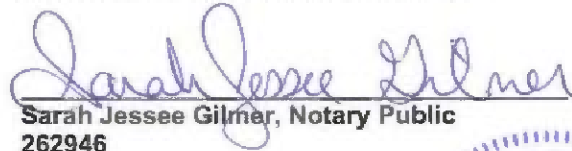
DONE AND PERFORMED this 11 day of May, 2016 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 11th day of May, 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 04-0720-1310-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1A, A portion of 1B, A portion of 1D, 1F (2) AND AUTHORIZATION FOR DIRECT PAYMENT OF ROYALTIES (3) AND DISMISSAL OF COAL OWNERS PURSUANT TO CODE OF VIRGINIA SECTION 45.1-361.22:2.

HEARING DATE: April 19, 2016

DRILLING UNIT: BD119

RUSSELL COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, P. O. Box 570, Pounding Mill, VA 24637, (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 1A, a portion of 1B, a portion of 1D & 1F, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Swords Creek Land Partnership, HC Bostic Coal Company, Dorothy J. Keene, David Whittaker, Linda Lowman, Betty Cole, Judy Miller, L. Karen Webb, Donna Plaster, Lilly Keen Whited, Lanny Dale Miller, Jr., Mark Cordle, Loretta Mae Richardson, Lolita Lockhart, Ralph Carter Lockhart, Charlie Powell, Rita Powell, Loretta Mae Richardson; (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 and David Whittaker & Swords Creek Land Partnership and Rita Powell 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. Swords Creek Land Partnership, HC Bostic Coal Company, Dorothy J. Keene, David Whittaker, Linda Lowman, Betty Cole, Judy Miller, L. Karen Webb, Donna Plaster, Lilly Keen Whited, Lanny Dale Miller, Jr., Mark Cordle, Lolita Lockhart, Ralph Carter Lockhart, Charlie Powell, Rita Powell, Loretta Mae Richardson is the gas claimants in Tract 1A, portion of 1B, portion of 1C & 1F. 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, HC Bostic Coal Company, Dorothy J. Keene, David Whittaker, Linda Lowman, Betty Cole, Judy Miller, L. Karen Webb, Donna Plaster, Lilly Keen Whited, Lanny Dale Miller, Jr., Mark Cordle, Lolita Lockhart, Ralph Carter Lockhart, Charlie Powell, Rita Powell, Loretta Mae Richardson 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.

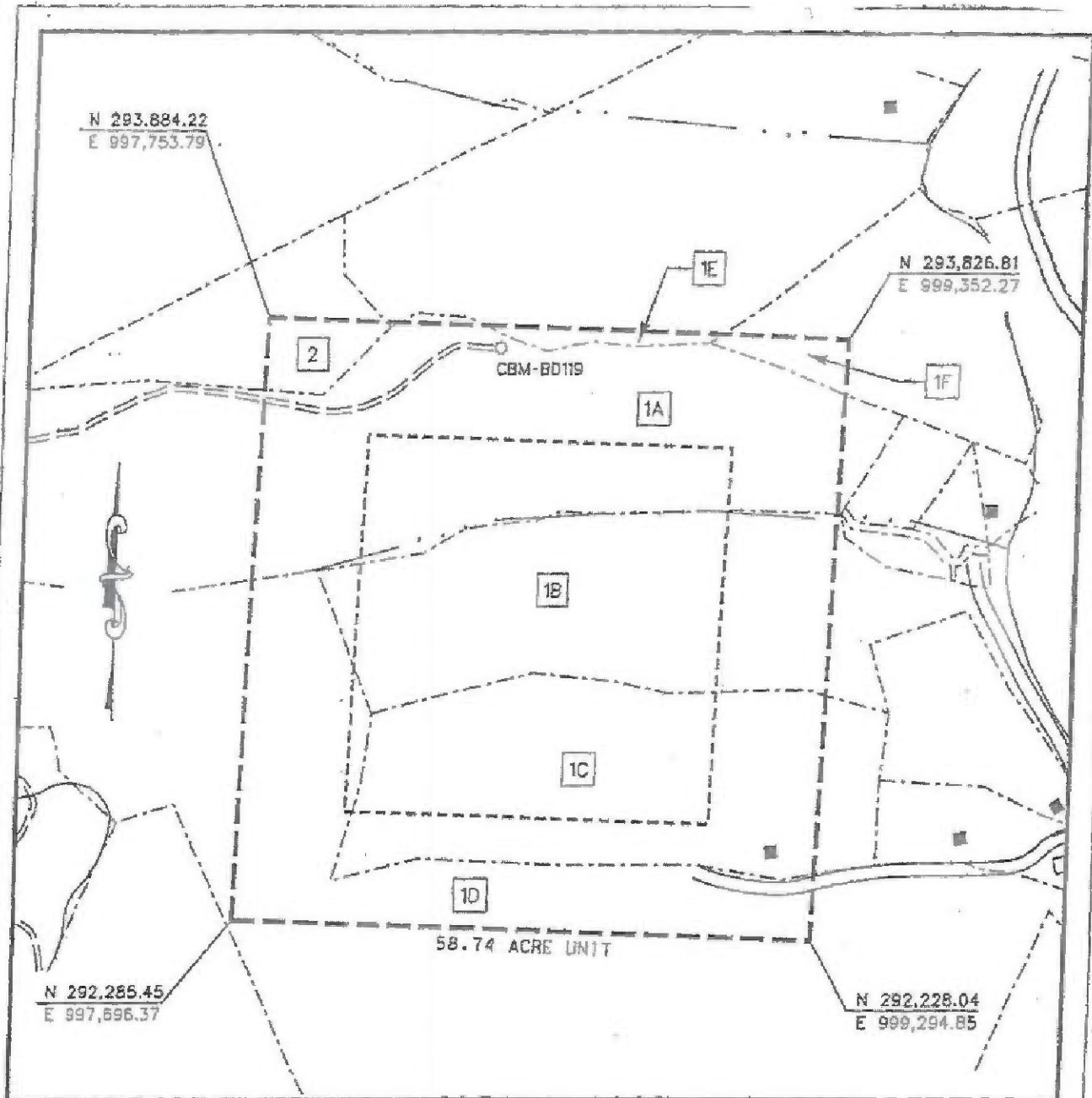


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BD-119
FORCE POOLING
VGOB-04-0720-1310

Company CNX Gas Company LLC Well Name and Number UNIT BD-119
 Tract No. _____ Elevation _____ Quadrangle Honaker
 County Russell District New Garden Scale: 1" = 400' Date 6/7/91
 This plot is a new plat X ; an updated plat _____ ; or a final plat _____
 Form DGD-GO-7 Claude D. Mayes No. 10055
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC

Unit BD-119

Tract Identifications

(58.74 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
H.C. Bostic Coal Company, Inc. - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
17.48 acres 29.7584%
- 1B. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Pearl Whited, et al - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
Albert Joseph Jones - Surface
13.62 acres 23.1869%
- 1C. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Gladys Hubbard - Surface and All Minerals except Coal
13.70 acres 23.3231%
- 1D. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Nellie L. Miller, et al - Surface and All Minerals except Coal
11.52 acres 19.6118%
- 1E. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
James Plaster Heirs, Successors or Assigns - Surface and All Minerals except Coal
0.64 acres 0.9193%
- 1F. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Charlie Powell, et ux. - Surface and All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased
1.17 acres 1.9918%

CNX Gas Company LLC
Unit BD-119
Tract Identifications
(58.74 Acre Unit)

2. E. P. Whitel Helrs, Successors or Assigns - All Minerals Except Coal in Red Ash Seam
Swords Creek Land Partnership Tr. 53 - Coal in Red Ash Seam Only
Knox Creek Coal Corporation - Tiller and Above Coal Leased (73%)
CNX Gas Company, LLC - Oil, Gas and CBM Leased (99.21%)
Thomas D. Keen, et al - Surface
0.71 acres 1.2087%

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents requiring escrow
(58.74 Acre Unit)

BOOK 0802 PAGE 0914

	Acres in Unit	Interest in Unit
<u>Tract #1B, 13.62 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	13.62 acres	23.1869%
<u>OIL & GAS OWNERSHIP</u>		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		
(1) Pearl Whited, et al. 4 Acres T011381 (s.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	13.62 acres	23.1869%
(a) Pearl Helen Whited Heirs, Devisees, Successors or Assigns		
(a.2) Shirley Hess Heirs, Devisees, Successors or Assigns		
(a.2.1) Joetta Whalen 402 Point Drive Pounding Mill, VA 24637	0.76 acres 1/18 of 13.62 acres	1.2882%
(a.2.2) Charlene Altizer 4385 5th Avenue North Little River, SC 29566	0.76 acres 1/18 of 13.62 acres	1.2882%
(d) James P. Whited Heirs, Devisees, Successors or Assigns		
(d.1) Helen Whited 2830 E. Sprague Street Winston-Salem, NC 27107	1.14 acres 1/12 of 13.62 acres	1.9322%
(h) David A. Whited Heirs, Devisees, Successors or Assigns		
(h.1) Alita A. Whited P.O. Box 215 Richlands, VA 24641	1.14 acres 1/12 of 13.62 acres	1.9322%
Total Tract Acres		3.7833
Total Tract Percent		6.4408%

Tract #1C, 13.70 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	13.70 acres	23.3231%
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OIL & GAS OWNERSHIP

The ownership listed below is currently being reviewed and documentation is being requested to verify title

(1) Gladys & Clyde Hubbard Heirs, Devisees, Successors or Assigns	13.70 acres	23.3231%
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Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents requiring escrow
(58.74 Acre Unit)

BOOK 0802 PAGE 0915

	Acres in Unit	Interest in Unit
(a) Fairley Lockhart		
Mantel, Germany		
Total Tract Acres 13.7000		
Total Tract Percent 23.3231%		

Tract #1D, 11.52 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 20 Tazewell, VA 24651	11.52 acres	19.6118%
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OIL & GAS OWNERSHIP

(1) Nellie L. Miller, et al. 53.3 Acres T001117 (a.k.a. Floyd Lockhart Heirs, Deviseses, Successors or Assigns)	11.52 acres	19.6118%
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(a) Allen D. Lockhart Heirs, Deviseses, Successors or Assigns (heirship documentation requested 10/28/15)	1.047 acres 1/11 of 11.52 acres	1.7829%
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The ownership listed below is currently being reviewed and documentation is being requested to verify title

(a.1) Margaret Peck
Address Unknown

(a.2) Steve Lockhart 29 Danforth Dr Weyers Cave, VA 24486	0.035 acres 1/330 of 11.52 acres	0.0594%
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(a.3) Randy Lockhart 13602 New Harmony Shiloh Rd Mt Orab, OH 45154	0.035 acres 1/330 of 11.52 acres	0.0594%
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(a.4) Patricia Campbell 1817 Churchville Rd Staunton, VA 24401	0.035 acres 1/330 of 11.52 acres	0.0594%
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(b) William L. Lockhart Heirs, Deviseses,
Successors or Assigns
(documentation requested 1/7/16)

(b.1) Allen D. Lockhart - predeceased b	0.115 acres 1/100 of 11.52 acres	0.1961%
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The ownership listed below is currently being reviewed and documentation is being requested to verify title

(b.1.1) Steve Lockhart
29 Danforth Dr
Weyers Cave, VA 24486

(b.1.2) Randy Lockhart
13602 New Harmony Shiloh Rd
Mt Orab, OH 45154

(b.1.3) Patricia Campbell
1817 Churchville Rd
Staunton, VA 24401

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents requiring escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(b.2) Nellie G. Miller Heirs, Devisees, Successors or Assigns (documentation requested 1/7/16)	0.115 acres 1/100 of 11.52 acres	0.1961%

The ownership listed below is currently being reviewed and documentation is being requested to verify title

(b.2.1) David Miller
951 J Frank Taylor Rd
Cedar Bluff, VA 24609

(b.2.2) Dewayne Miller
96 Perry Dr
Swords Creek, VA 24609

(b.2.3) Judy Hess
53 Miller Church Ln
Swords Creek, VA 24609

(b.2.4) Peggy Hess
53 Miller Church Ln
Swords Creek, VA 24609

(b.2.5) Betty Keen
PO Box 372
Swords Creek, VA 24609

(b.2.6) Cecil Miller - predeceased b.2

(b.2.6.1) Scott Miller
21132 Bermuda Dr
Abingdon, VA 24210

(b.2.6.2) Anthony Miller
17592 Mohogany Dr
Abingdon, VA 24210

(b.2.6.3) Vincent Miller
160 Tunnell Hill Dr
Honaker, VA 24260

(b.2.7) Ola G. Strouth Heirs, Devisees,
Successors or Assigns

(b.2.7.1) Ricky Strouth
PO Box 78
Swords Creek, VA 24649

(b.3) Thelma Miller Heirs, Devisees,
Successors or Assigns

(b.3.1) Linda Stinson Heirs, Devisees,
Successors or Assigns

(b.3.1.1) Jerry Stinson
PO Box 123
Lebanon, VA 24266

(b.3.1.2) Jerry Stinson II
PO Box 3173
Lebanon, VA 24266

(b.3.2) Lanny D. Miller Heirs, Devisees,
Successors or Assign

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents requiring escrow
(58.74 Acre Unit)

BOOK 0502 PAGE 0917

	Acres in Unit	Interest in Unit
(b.3.2.1) Christina A Buchanan <i>Address Unknown</i>	0.005 acres 1/2100 of 11.52 acres	0.0093%
(b.3.2.2) Benita R. Holmes <i>Address Unknown</i>	0.005 acres 1/2100 of 11.52 acres	0.0093%
(b.3.3) Patty Miller Bowman <i>Address Unknown</i>	0.016 acres 1/700 of 11.52 acres	0.0280%
(b.3.4) Sandy Aasgard-Miller <i>Address Unknown</i>	0.016 acres 1/700 of 11.52 acres	0.0280%
(b.3.5) Connie Robinson <i>Address Unknown</i>	0.016 acres 1/700 of 11.52 acres	0.0280%
(b.3.6) Joe Bill Miller <i>Address Unknown</i>	0.016 acres 1/700 of 11.52 acres	0.0280%
(b.3.7) Louis Miller <i>Address Unknown</i>	0.016 acres 1/700 of 11.52 acres	0.0280%
(b.4) Arbutus Plaster Heirs, Devisees, Successors or Assigns		
(b.4.1) Susan Ferguson 8029 Longbay Blvd Sarasota, FL 34243	0.038 acres 1/300 of 11.52 acres	0.0654%
(b.4.2) Barbara J Justice PO Box 459 Rosedale, VA 24280	0.038 acres 1/300 of 11.52 acres	0.0654%
(b.4.3) Victoria Warren 205 Tyler Dr Bristol, TN 37620	0.038 acres 1/300 of 11.52 acres	0.0654%
(b.5) Genettie G. Hubbard Heirs, Devisees, Successors or Assigns (documentation requested 12/29/15)	0.115 acres 1/100 of 11.52 acres	0.1961%
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i>		
(b.5.1) Fairley Lockhart <i>Address Unknown</i> Germany		
(b.6) Freda Cordle Heirs, Devisees, Successors or Assigns		
(b.6.2) Patricia Seward 5920 New Watermelon Rd Tuscaloosa, AL 35406	0.053 acres 1/200 of 11.52 acres	0.0981%
(b.9) Dallas Lockhart 589 Green Acres Rd Honaker, VA 24260	0.115 acres 1/100 of 11.52 acres	0.1961%
(b.10) Evelyn Perkins 2407 S 1st St Richlands, VA 24641	0.115 acres 1/100 of 11.52 acres	0.1961%

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents requiring escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(c) Nellie G. Miller Heirs, Devisees, Successors or Assigns <i>(documentation requested 1/7/16)</i>	1.152 acres 1/10 of 11.52 acres	1.9612%

The ownership listed below is currently being reviewed and documentation is being requested to verify title

- (c.1) David Miller
951 J Frank Taylor Rd
Cedar Bluff, VA 24609
- (c.2) Dewayne Miller
96 Perry Dr
Swords Creek, VA 24609
- (c.3) Judy Hess
53 Miller Church Ln
Swords Creek, VA 24609
- (c.4) Peggy Hess
53 Miller Church Ln
Swords Creek, VA 24609
- (c.5) Betty Keen
PO Box 372
Swords Creek, VA 24609
- (c.6) Cecil Miller - predeceased b.2
 - (c.6.1) Scott Miller
21132 Bermuda Dr
Abingdon, VA 24210
 - (c.6.2) Anthony Miller
17592 Mohogany Dr
Abingdon, VA 24210
 - (c.6.3) Vincent Miller
160 Tunnell Hill Dr
Honaker, VA 24260
- (c.7) Ola G. Strouth Heirs, Devisees,
Successors or Assigns
 - (c.7.1) Ricky Strouth
PO Box 78
Swords Creek, VA 24649
- (d) Thelma Miller Heirs, Devisees,
Successors or Assigns
 - (d.1) Linda Stinson Heirs, Devisees,
Successors or Assigns
 - (d.1.1) Jerry Stinson
PO Box 123
Lebanon, VA 24266
 - (d.1.2) Jerry Stinson II
PO Box 3173
Lebanon, VA 24266
 - (d.2) Lanny D. Miller Heirs, Devisees,
Successors or Assigns

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents requiring escrow
(58.74 Acre Unit)

BOOK 0802 PAGE 0919

	Acres in Unit	Interest in Unit
(d.2) Loretta K. Miller Address Unknown	0.041 acres 1/280 of 11.52 acres	0.0700%
(d.2.1) Christina A Buchanan Address Unknown	0.041 acres 1/280 of 11.52 acres	0.0700%
(d.2.2) Benita R. Holmes Address Unknown	0.041 acres 1/280 of 11.52 acres	0.0700%
(d.3) Patty Miller Bowman Address Unknown	0.165 acres 1/70 of 11.52 acres	0.2802%
(d.4) Sandy Aasgard-Miller Address Unknown	0.165 acres 1/70 of 11.52 acres	0.2802%
(d.5) Connie Robinson Address Unknown	0.165 acres 1/70 of 11.52 acres	0.2802%
(d.6) Joe Bill Miller Address Unknown	0.165 acres 1/70 of 11.52 acres	0.2802%
(d.7) Louis Miller Address Unknown	0.165 acres 1/70 of 11.52 acres	0.2802%
(e) Arbutus Piaster Heirs, Devisees, Successors or Assigns		
(e.1) Susan Ferguson 8029 Longbay Blvd Sarasota, FL 34243	0.384 acres 1/30 of 11.52 acres	0.6537%
(e.2) Barbara J Justice PO Box 459 Rosedale, VA 24280	0.384 acres 1/30 of 11.52 acres	0.6537%
(e.3) Victoria Warren 205 Tyler Dr Bristol, TN 37620	0.384 acres 1/30 of 11.52 acres	0.6537%
(f) Genettie G. Hubbard Heirs, Devisees, Successors or Assigns (documentation requested 12/29/15)	1.152 acres 1/10 of 11.52 acres	1.9812%
<i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i>		
(f.1) Fairley Lockhart Address Unknown Germany		
(g) Freda Cordle Heirs, Devisees, Successors or Assigns		
(g.2) Patricia Seward 5920 New Watermelon Rd Tuscaloosa, AL 35406	0.576 acres 1/20 of 11.52 acres	0.9806%
(j) Dallas Lockhart 589 Green Acres Rd Honaker, VA 24260	1.152 acres 1/10 of 11.52 acres	1.9812%
(k) Evelyn Perkins 2407 S 1st St Richlands, VA 24641	1.152 acres 1/10 of 11.52 acres	1.9812%

Exhibit E
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents requiring escrow
(58.74 Acre Unit)

BOOK 0802 PAGE 0920

	Acres in Unit	Interest in Unit
(i) Ralph Carter Lockhart	conveyed 1/11 to all other heirs	
	Total Tract Acres	9.4574
	Total Tract Percent	16.1004%

Tract #1E, 0.54 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	0.54 acres	0.9193%
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OIL & GAS OWNERSHIP

The ownership listed below is currently being reviewed and documentation is being requested to verify title

(1) James Plaster Heirs, Devisees, Successors or Assigns 23.70 Acres T001132 <i>(list of heirs affidavit requested 1/20/16)</i>	0.54 acres	0.9193%
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(a) Margaret Viola Cole Heirs, Devisees,
Successors or Assigns

(a.1) Kay Copple
6356 US Hwy 220 S
Asheboro, NC 27205

(a.2) Teresa "Kathy" Gillispie
3740 Whitaker Rd
Asheboro, NC 27205

(a.3) Barry Cole
324 Copples Rd Ext
Asheboro, NC 27205

(a.4) James Cole
2937 Old Lexington Rd Apt 14
Asheboro, NC 27205

(b) Ellen Cora Saunders Heirs, Devisees,
Successors or Assigns

(b.1) Alice Fay Shelton Heirs, Devisees,
Successors or Assigns

(b.1.1) Harold Lloyd Shelton Heirs, Devisees,
Successors or Assigns

(b.1.1.1) Jeffery Shelton
PO Box 183
Raven, VA 24639

(b.1.1.2) William Bryan Shelton
PO Box 84
N. Tazewell, VA 24630

(b.1.1.3) Robert O. Shelton
276 Alex Ave or 2491 Wardell Rd
Cedar Bluff, VA 24609

Exhibit E
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	Acres in Unit	Interest in Unit
(b.1.1.4) Shirley Joann Plaster 2314 A Smith Ave Pensacola, FL 32507		
(b.1.1.5) Dreama Justus 2488 Mountain Rd Cedar Bluff, VA 24609		
(b.1.1.6) Beverly Shelton 138 1/2 Hill St Tazewell, VA 24651		
(b.1.1.7) Linda Lou Shelton Heirs, Devisees, Successors or Assigns		
(b.1.1.7.1) Alice Faye Shelton 2488 Mountain Rd Cedar Bluff, VA 24609		
(b.2) Anthony Wayne Saunders Heirs, Devisees, Successors or Assigns		
(b.2.1) Stanley Lee Saunders PO Box 1702 Honaker, VA 24260		
(b.3) Steve Saunders 171 Hudson St Richlands, VA 24641		
(b.4) Stanley Saunders 7285 US Hwy 421 N Vilas, NC 28692		
(b.5) David Saunders PO Box 878 Pounding Mill, VA 24637		
(b.6) Rick Saunders 2597 Lynn Springs Rd Swords Creek, VA 24649		
(b.7) Sharon Wicks Heirs, Devisees, Successors or Assigns		
(b.7.1) Alfred E Wicks PO box 789 Doran, VA 24612		
(b.8) Gwen Price Heirs, Devisees, Successors or Assigns		
(b.8.1) Arthur Leon Price 1106 Romans Ridge Rd Honaker, VA 24260		
(b.9) Debbie Horne 233 Taylor Circle Raven, VA 24639		
(b.10) Sandra Osborne 1436 Horton Ridge Rd Swords Creek, VA 24649		

Exhibit E
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(c) Gladys G. Miller Heirs, Devisees, Successors or Assigns		
(c.1) Dallas Eugene Miller 673 Crackers Neck Rd Cleveland, VA 24225		
(c.2) Peggy Crockett 2107 Amy St Mission, TX 78572		
(c.3) Doris Trent 3542 Wardell Rd Pounding Mill, VA 24637		
(c.4) Loretta Hagy 3571 Clarks Valley Rd Swords Creek, VA 24649		
(c.5) Jackie David Miller Heirs, Devisees, Successors or Assigns	List of heirs found in Russell Co will book 47/878	
(c.5.1) Dallas Eugene Miller 673 Crackers Neck Rd Cleveland, VA 24225		
(c.5.2) Peggy Crockett 2107 Amy St Mission, TX 78572		
(c.5.3) Doris Trent 3542 Wardell Rd Pounding Mill, VA 24637		
(c.5.4) Loretta Hagy 3571 Clarks Valley Rd Swords Creek, VA 24649		
(d) Ruth Genelle Alley Heirs, Devisees Successors or Assigns		
(d.1) John H Alley 166 Gorge Rd Cedar Bluff, VA 24609		
(e) Anne N. Alley Heirs, Devisees, Successors or Assigns		
(e.1) Homer Ralph Alley Heirs, Devisees, Successors or Assigns		
(e.1.1) Tim Alley PO Box 3309 Lebanon, VA 24266		
(e.1.2) Clara Novella Reed Alley Heirs, Devisees, Successors or Assigns (Homer's 2nd wife)		
(e.1.2.1) David Reed 18464 Windsor Ln Abingdon, VA 24210		

Exhibit E
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(e.1.2.2) Billy Reed PO Box 1473 Abingdon, VA 24210		
(e.1.2.3) Sharon McCracken 16198 Carousel Rd Abingdon, VA 24210		
(f) Harvey E. Plaster Heirs, Devisees, Successors or Assigns		
(f.1) Arbutus Estelle Plaster Heirs, Devisees, Successors or Assigns		
(f.1.1) Susan Cheryl Ferguson 8029 Longbay Blvd Sarasota, FL 34243		
(f.1.2) Barbara Jean Justice PO Box 459 Rosedale, VA 24280		
(f.1.3) Victoria Ann Warren 205 Tyler Dr Bristol, TN 37620		
(g) Norma Blankenship Heirs, Devisees, Successors or Assigns		
(g.1) Rita rife 1684 Hobbs Branch Rd Grundy, VA 24614		

Total Tract Acres 0.5400
Total Tract Percent 0.9193%

TOTAL ACRES IN ESCROW:

Acreege in Unit	27.4807	
Percentage of Unit		48.7836%

Exhibit EE
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
Tract #1A, 17.48 acres			
COAL OWNERSHIP			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	17.48 acres	29.7583%	n/a
OIL & GAS OWNERSHIP			
(1) H.C. Bostic Coal Company, Inc. P.O. Box 220 Swords Creek, VA 24649	17.48 acres	29.7583%	30.9289% HB2058
	Total Acreage Total Percentage	17.48 29.7583%	
Tract #1B, 13.62 acres			
COAL OWNERSHIP			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	13.62 acres	23.1869%	0.6415% Royalty Split
OIL & GAS OWNERSHIP			
(1) Pearl Whited, et al. 4 Acres T011381 (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	13.62 acres	23.1869%	
<i>The fractional interests below have been adjusted to reflect current ownership as a result of ongoing Due Diligence efforts and receipt of documentation from heirs</i>			
(a) Pearl Helen Whited Heirs, Devisees, Successors or Assigns			
(a.1) Dorothy J. Keene 2774 Wardell Road Pounding Mill, VA 24637	1.51 acres 1/9 of 13.62 acres	2.5763%	2.6219% HB2058
(a.3) Jean Whittaker Heirs, Devisees, Successors, or Assigns			
(a.3.1) David Whittaker 1100 Flat Lick Road London, KY 40744	0.76 acres 1/18 of 13.62 acres	1.2882%	0.6415% Royalty Split
(a.3.2) Linda Lowman 206 Austin Street North Tazewell, VA 24630	0.76 acres 1/18 of 13.62 acres	1.2882%	1.2830% HB2058
(b) Betty Cole 1100 N. Ironwood Place Broken Arrow, OK 74012	1.14 acres 1/12 of 13.62 acres	1.9322%	1.9525% HB2058
(c) Anita W. Ray 505 Brighton Way Castleberry, FL 32707	1.14 acres 1/12 of 13.62 acres	1.9322%	n/a
(d) James P. Whited Heirs, Devisees, Successors or Assigns			
(e) Judy W. Miller 1264 Lynn Springs Road Swords Creek, VA 24649	1.14 acres 1/12 of 13.62 acres	1.9322%	1.9525% HB2058
(f) L. Karen Webb 825 Big Creek Road Richlands, VA 24641	1.14 acres 1/12 of 13.62 acres	1.9322%	1.9525% HB2058

Exhibit EE
Unit BD-119
Docket #VGOB 04-0720-1310-01
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
(g) Donna Plaster 106 Shannon Heights Richlands, VA 24641	1.14 acres 1/12 of 13.62 acres	1.9322%	1.9525% HB2058
(i) Randall G. Whited Heirs, Devisees, Successors or Assigns			
(i.1) Lilly Keen Whited 164 Calcasieu Drive Parkton, NC 38271-8441	1.14 acres 1/12 of 13.62 acres	1.9322%	1.9525% HB2058
Total Acreage		9.84	
Total Percentage		16.7461%	

Tract #1D, 11.52 acres

COAL OWNERSHIP

- (1) Swords Creek Land Partnership, Tr.13
P.O. Box 29
Tazewell, VA 24651

11.52 acres 19.6116% n/a

OIL & GAS OWNERSHIP

- (1) Nellie L. Miller, et al.
53.3 Acres T001117
(a.k.a. Floyd Lockhart Heirs, Devisees,
Successors or Assigns)

11.52 acres 19.6116%

- (b) William L. Lockhart Heirs, Devisees,
Successors or Assigns
(documentation requested 1/7/16)

- (b.3) Thelma Miller Heirs, Devisees,
Successors or Assigns

- (b.3.2) Lanny D. Miller Heirs, Devisees,
Successors or Assign

- (b.3.2.3) Lanny Dale Miller, Jr
PO Box 173
Swords Creek, VA 24649

0.005 acres 0.0093% 0.0097%
1/2100 of 11.52 acres HB2058

- (b.6) Freda Cordle Heirs, Devisees,
Successors or Assigns

- (b.6.1) Mark Cordle
5920 New Watermelon Rd
Tuscaloosa, AL 35406

0.058 acres 0.0981% 0.1019%
1/200 of 11.52 acres HB2058

- (b.7) Loretta Mae Richardson

Conveyed all rights, title & interest to Lolita & Ralph Carter Lockhart
on 9/17/2009, recorded at DB 711, Page 423

Loretta Mae Richardson
PO Box 1282
Honaker, VA 24260

Will receive a one-time payout up until the date the
property was conveyed - SEE TABLE

- (b.7.1) Lolita Lockhart
2459 Lynn Springs Rd
Swords Creek, VA 24649

0.058 acres 0.0981% 0.1019%
1/200 of 11.52 acres HB2058

- (b.7.2) Ralph Carter Lockhart
2459 Lynn Springs Rd
Swords Creek, VA 24649

0.058 acres 0.0981% 0.1019%
1/200 of 11.52 acres HB2058

- (b.8) Ralph Carter Lockhart
2459 Lynn Springs Rd
Swords Creek, VA 24649

0.115 acres 0.1961% 0.2038%
1/100 of 11.52 acres HB2058

Exhibit EE
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List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
(d) Thelma Miller Heirs, Devisees, Successors or Assigns			
(d.2) Lanny D. Miller Heirs, Devisees, Successors or Assign			
(d.2.3) Lanny Dale Miller, Jr PO Box 173 Swords Creek, VA 24649	0.041 acres 1/260 of 11.52 acres	0.0700%	0.0728% HB2058
(g) Freda Cordie Heirs, Devisees, Successors or Assigns			
(g.1) Mark Cordie 5920 New Watermelon Rd Tuscaloosa, AL 35406	0.576 acres 1/20 of 11.52 acres	0.9806%	1.0192% HB2058
(h) Loretta Mae Richardson	Conveyed all rights, title & interest to Lolita & Ralph Carter Lockhart on 9/17/2009, recorded at DB 711, Page 423		
Loretta Mae Richardson PO Box 1282 Honaker, VA 24260	Will receive a one-time payout up until the date the property was conveyed - SEE TABLE		
(h.1) Lolita Lockhart 2459 Lynn Springs Rd Swords Creek, VA 24649	0.576 acres 1/20 of 11.52 acres	0.9806%	1.0192% HB2058
(h.2) Ralph Carter Lockhart 2459 Lynn Springs Rd Swords Creek, VA 24649	0.576 acres 1/20 of 11.52 acres	0.9806%	1.0192% HB2058
Total Acreage	2.06		
Total Percentage		3.5115%	

Tract #1F, 1.17 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	1.17 acres	1.9918%	0.5175% Royalty Split
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OIL & GAS OWNERSHIP

(1) Charlie Powell, et ux	1.17 acres	1.9918%	
(a) Charlie Powell 2671 Lynn Springs Road Swords Creek, VA 24649	0.585 acres 1/2 of 1.17 acres	0.9959%	1.0351% HB2058
(b) Rita Powell 2671 Lynn Springs Road Swords Creek, VA 24649	0.585 acres 1/2 of 1.17 acres	0.9959%	0.5175% Royalty Split

Total Acreage 1.17
Total Percentage 1.9918%

Total Acreage in Unit 30.55
Total Percentage in Unit 52.0077%

1600934

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 5-23 2016, This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:57 o'clock P M, after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: Sarah Gilmer TESTE: ANN S. McREYNOLDS, CLERK
BY: Shirley Patton D. CLERK