

**VIRGINIA LAND RECORD COVER SHEET  
FORM A - COVER SHEET CONTENT**

Instrument Date: 1/26/2017  
Instrument Type: ODU  
Number of Parcels: 0 Number of Pages: 19  
 City  County

RUSSELL

TAX EXEMPT? VIRGINIA/FEDERAL LAW  
 Grantor: VIRGINIA GAS & OIL BOARD  
 Grantee: CNX GAS COMPANY, LLC  
Consideration: \$0.00  
Existing Debt: \$0.00  
Actual Value/Assumed: \$0.00

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*PRIOR INSTRUMENT UNDER § 58.1-803(D):*  
Original Principal: \$0.00  
Fair Market Value Increase: \$0.00

(Area Above Reserved For Deed Stamp Only)

Original Book Number: 802 Original Page Number: 927 Original Instrument Number: \_\_\_\_\_  
Prior Recording At:  City  County

Percentage In This Jurisdiction: \_\_\_\_\_

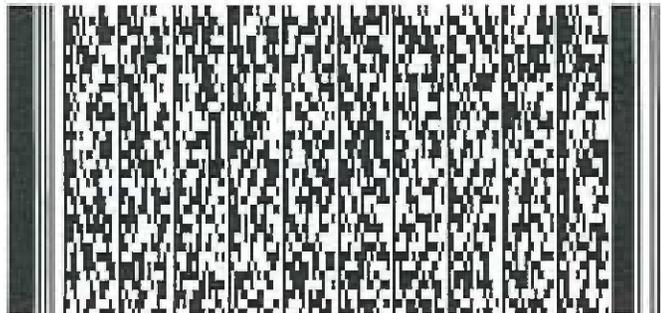
**BUSINESS / NAME**

1  Grantor: VIRGINIA GAS & OIL BOARD  
 Grantor: \_\_\_\_\_  
1  Grantee: CNX GAS COMPANY, LLC  
2  Grantee: WARREN, VICTORIA

**GRANTEE ADDRESS**

Name: CNX GAS COMPANY, LLC  
Address: 1000 CONSOL ENERGY DRIVE  
City: CANNONSBURG State: PA Zip Code: 15317-6506  
Book Number: \_\_\_\_\_ Page Number: \_\_\_\_\_ Instrument Number: \_\_\_\_\_  
Parcel Identification Number (PIN): \_\_\_\_\_ Tax Map Number: \_\_\_\_\_  
Short Property Description: \_\_\_\_\_

Current Property Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Instrument Prepared By: VIRGINIA GAS & OIL BOARD Recording Paid By: DMME  
Recording Returned To: DMME - DIVISION OF GAS AND OIL  
Address: P. O. DRAWER 159  
City: LEBANON State: VA Zip Code: 24266



**VIRGINIA LAND RECORD COVER SHEET  
FORM B – ADDITIONAL GRANTORS/GRANTEES**

Instrument Date: 1/26/2017

Instrument Type: ODU

Number of Parcels: 0 Number of Pages: 19

City  County  
RUSSELL

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**GRANTOR BUSINESS / NAME**

*(Area Above Reserved For Deed Stamp Only)*

- .....  Grantor: .....

**GRANTEE BUSINESS / NAME**

- 3  Grantee: LOCKHART, DALLAS
- 4  Grantee: HOLMES, BENITA R.
- 5  Grantee: FERGUSON, SUSAN
- 6  Grantee: JUSTICE, BARBARA J
- 7  Grantee: WARREN, VICTORIA
- 8  Grantee: LOCKHART, DALLAS
- 9  Grantee: PERKINS, YVONNE EVELYN
- 10  Grantee: PERKINS, YVONNE EVELYN



**VIRGINIA LAND RECORD COVER SHEET  
FORM B – ADDITIONAL GRANTORS/GRANTEES**

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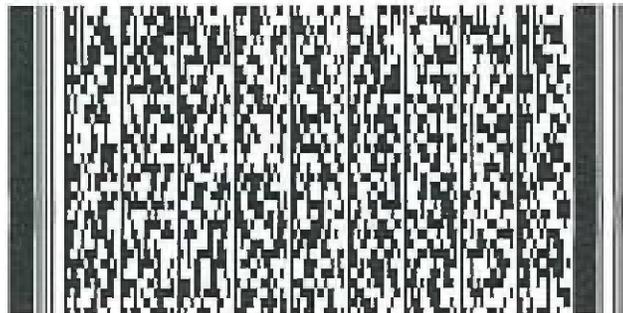
**GRANTOR BUSINESS / NAME**

*(Area Above Reserved For Deed Stamp Only)*

- .....  Grantor: .....

**GRANTEE BUSINESS / NAME**

- 11  Grantee: MILLER, LORETTA K
- 12  Grantee: HOLMES, BENITA R.
- 13  Grantee: FERGUSON, SUSAN
- 14  Grantee: JUSTICE, BARBARA J
- 15  Grantee: MILLER, NELLIE L
- 16  Grantee: LOCKHART, ALLEN D HEIRS
- 17  Grantee: LOCKHART, STEVE
- 18  Grantee: LOCKHART, RANDY



**VIRGINIA LAND RECORD COVER SHEET  
FORM B – ADDITIONAL GRANTORS/GRANTEES**

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City  County  
RUSSELL

BOOK 0814 PAGE 0692

**GRANTOR BUSINESS / NAME**

- .....  Grantor: .....

*(Area Above Reserved For Deed Stamp Only)*

**GRANTEE BUSINESS / NAME**

- 19  Grantee: CAMPBELL, PATRICIA
- 20  Grantee: MILLER, NELLIE G HEIRS
- 21  Grantee: STINSON, JERRY
- 22  Grantee: STINSON, JERRY II
- 23  Grantee: BUCHANAN, CHRISTINA A
- 24  Grantee: BOWMAN, PATTY MILLER
- 25  Grantee: AASGARD-MILLER, SANDY
- 26  Grantee: ROBINSON, CONNIE



**VIRGINIA LAND RECORD COVER SHEET  
FORM B – ADDITIONAL GRANTORS/GRANTEES**

Instrument Date: 1/26/2017

Instrument Type: ODU

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City  County  
RUSSELL

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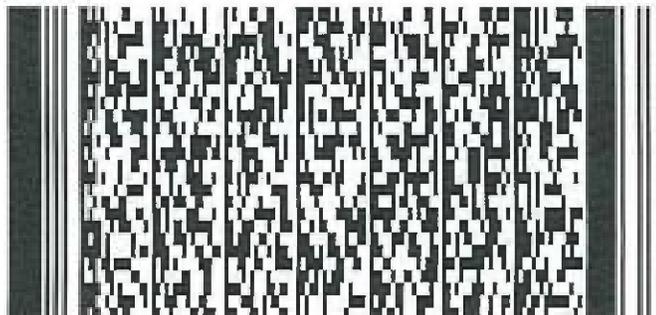
**GRANTOR BUSINESS / NAME**

- .....  Grantor: .....

*(Area Above Reserved For Deed Stamp Only)*

**GRANTEE BUSINESS / NAME**

- 27  Grantee: MILLER, JOE BILL .....
- 28  Grantee: MILLER, LOUIS .....
- 29  Grantee: HUBBARD, GENETTIE G HEIRS .....
- 30  Grantee: SEWARD, PATRICIA .....
- .....  Grantee: .....
- .....  Grantee: .....
- .....  Grantee: .....
- .....  Grantee: .....





**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:** BE118

**TRACT(S):** A portion of 6

**LOCATION:** RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-04-1019-1345-02

**APPLICANTS:** CNX Gas Company LLC on behalf of Barbara J Justice, Benita R. Holmes, Dallas Lockhart, Loretta K Miller, Susan Ferguson, Victoria Warren, Yvonne Evelyn Perkins

**HEARING DATE AND LOCATION:** On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

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

**PRIOR PROCEEDINGS:**

- 1. Original Pooling Order Executed 04/19/2005, Recorded on 04/20/2005, Deed Book/Instrument No. 629, Page 618.
- 2. Supplemental Order, Recorded on 01/28/2008, Deed Book/Instrument No. 684, Page 810.
- 3. Disbursement Order -01 Executed 05/11/2016, Recorded on 05/23/2016, Deed Book/Instrument No. 0802, Page 0927.

**NOTICE:**

- (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 6 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 6 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. Benita R. Holmes, Susan Ferguson, Barbara J. Justice, Victoria Warren, Dallas Lockhart, Yvonne Evelyn Perkins, Loretta K. Miller are the gas claimants in a portion of Tr. 6. As such Benita R. Holmes, Susan Ferguson, Barbara J. Justice, Victoria Warren, Dallas Lockhart, Yvonne Evelyn Perkins, Loretta K. Miller are entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That CNX Gas Company LLC has previously given the notice(s) required by § 45.1-361.22:2.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 04-1019-1345-01, it dismissed the coal claimant Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Island Creek Coal Company was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. 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.
- f. 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 Benita R. Holmes, Susan Ferguson, Barbara J. Justice, Victoria Warren, Dallas Lockhart, Yvonne Evelyn Perkins, Loretta K. Miller and shall not escrow same. See Exhibit EE annexed hereto



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:**

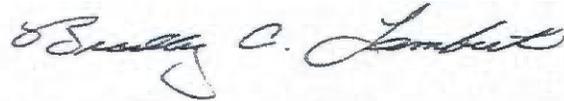
Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

**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 18 day of January, 2017 by a majority of the Virginia Gas and Oil Board.

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Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 18<sup>th</sup> day of January, 2017, 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, that he executed the same and was authorized to do so.



Sarah Jessee Gilmer, Notary Public  
262946



My Commission expires: July 31, 2017

DONE AND PERFORMED this 19 day of January, 2017 by Order of the Virginia Gas and Oil Board.



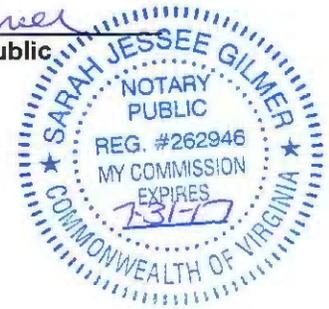
Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 19<sup>th</sup> day of January, 2017, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he 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 04-1019-1345-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 6 (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: On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

DRILLING UNIT: BE118

RUSSELL COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, PO 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(s) attributable to a portion of Tract 6, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Benita R. Holmes, Susan Ferguson, Barbara J. Justice, Victoria Warren, Dallas Lockhart, Yvonne Evelyn Perkins and Loretta K. Miller.

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. Benita R. Holmes, Susan Ferguson, Barbara J. Justice, Victoria Warren, Dallas Lockhart, Yvonne Evelyn Perkins, Loretta K. Miller are the gas claimants in a portion of Tr. 6. As such Benita R. Holmes, Susan Ferguson, Barbara J. Justice, Victoria Warren, Dallas Lockhart, Yvonne Evelyn Perkins, Loretta K. Miller are entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That CNX Gas Company LLC has previously given the notice(s) required by § 45.1-361.22:2.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 04-1019-1345-01, it dismissed the coal claimant Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Island Creek Coal Company was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. 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.
- f. 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 Benita R. Holmes, Susan Ferguson, Barbara J. Justice, Victoria Warren, Dallas Lockhart, Yvonne Evelyn Perkins, Loretta K. Miller and shall 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 WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

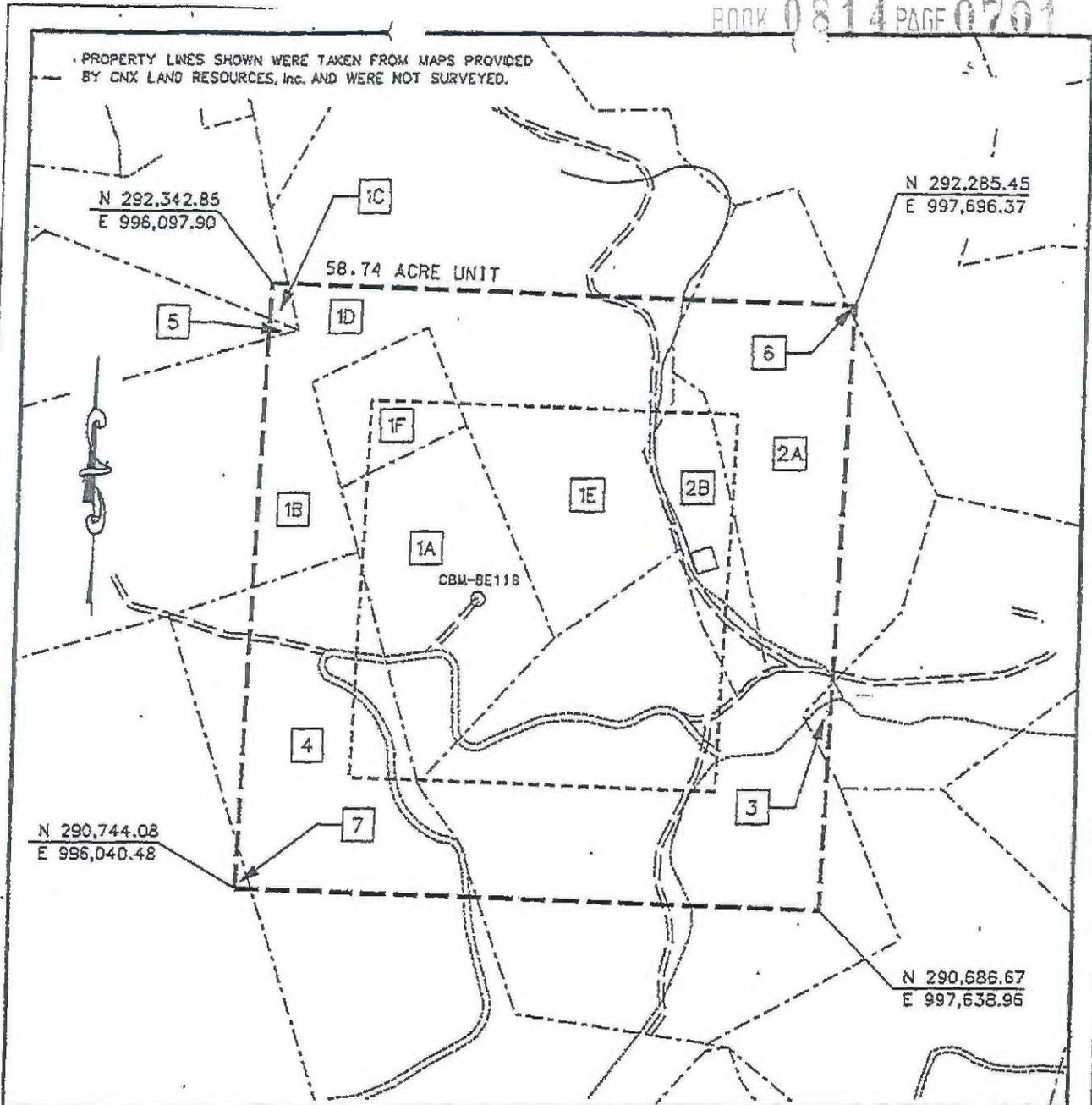
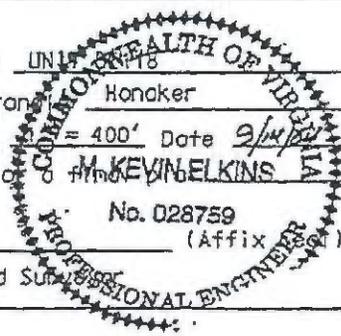


EXHIBIT A  
MIDDLE RIDGE 1 FIELD  
UNIT BE-118  
FORCE POOLING  
VGGB-04-1019-1345

Company CNX Gas Company LLC Well Name and Number UNIT BE-118  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrant \_\_\_\_\_ Honaker \_\_\_\_\_  
 County Russell District New Garden Scale: \_\_\_\_\_ = 400' Date 9/14/11  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; of \_\_\_\_\_

Form DGO-GO-7 M. Kevin Elkins  
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor  
 No. 028759 (Affix)  
 PROFESSIONAL ENGINEER



Force Pooling BE-118 POOL.dgn 09/10/2004 01:23:47 PM

**CNX Gas Company LLC**

Unit BE 118

Tract Identifications  
(58.74 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 1 - Fee  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
6.97 acres 11.8658%
- 1B. Swords Creek Land Partnership Tr. 1 - Fee  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
2.78 acres 4.7327%
- 1C. Swords Creek Land Partnership Tr. 1 - 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  
Clarence Hess - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
0.15 acres 0.2554%
- 1D. Swords Creek Land Partnership Tr. 1 - 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  
Swords Creek Land Partnership - Surface and All Minerals except Coal (50%)  
Dallas Whited - Surface and All Minerals except Coal (50%)  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
1.81 acres 3.0814%
- 1E. Swords Creek Land Partnership Tr. 1 - 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  
Swords Creek Land Partnership - Surface and All Minerals except Coal (25%)  
Dallas Whited - Surface and All Minerals except Coal (75%)  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
9.46 acres 16.1049%
- 1F. Swords Creek Land Partnership Tr. 1 - Fee  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
2.39 acres 4.0688%

**CNX Gas Company LLC**

Unit BE 118

Tract Identifications

(58.74 Acre Unit)

- 2A. Swords Creek Land Partnership Tr. 47 - Fee  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
2.86 acres 4.8689%
- 2B. Swords Creek Land Partnership Tr. 47 - All Minerals  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Dallas Whitel - Surface  
0.22 acres 0.3745%
3. Swords Creek Land Partnership Tr. 52 - Fee  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
8.94 acres 15.2198%
4. Swords Creek Land Partnership Tr. 9 - Fee  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
0.06 acres 0.1021%
5. Swords Creek Land Partnership Tr. 7 - All Minerals  
Reserve Coal Properties Company - Coal In and Above the Tiller Seam Leased  
Knox Creek Coal Corporation - Coal Above Drainage Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Unknown Surface Owner  
0.05 acres 0.0851%
6. 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  
0.01 acres 0.0170%
7. Swords Creek Land Partnership Tr. 8 - Coal  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
Buckhorn Coal Company - All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Delmer S. Vencil, et al (Directors as Trustees in Liquidation of Kelsa Corporation) - Surface  
23.04 acres 39.2237%

Exhibit E  
 Unit BE-118  
 Docket #VGOB 04-1019-1345-02  
 List of Respondents in escrow  
 (58.74 Acre Unit)

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|  | Acres in Unit | Interest in Unit |
|--|---------------|------------------|
|--|---------------|------------------|

Tract #6, 0.01 acres

COAL OWNERSHIP

|   |            |         |
|---|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651 | 0.01 acres | 0.0170% |
|---|------------|---------|

OIL & GAS OWNERSHIP

*Unresolved Heirship*

|   |                                     |         |
|---|-------------------------------------|---------|
| (1) Nellie L. Miller, et al.<br>53.3 Acres T001117<br>(a.k.a. Floyd Lockhart Heirs, Devisees,<br>Successors or Assigns) | 0.01 acres                          | 0.0170% |
| (a) Allen D. Lockhart Heirs, Devisees,<br>Successors or Assigns<br>(heirship documentation requested 10/28/15)          | 0.00091 acres<br>1/11 of 0.01 acres | 0.0015% |

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

(a.1) Margaret Peck  
Address Unknown

*The respondents listed below did not respond timely to the W9 request and will continue to be escrowed*

|   |                                      |         |
|---|--------------------------------------|---------|
| (a.2) Steve Lockhart<br>29 Danforth Dr<br>Weyers Cave, VA 24486                                       | 0.00003 acres<br>1/330 of 0.01 acres | 0.0001% |
| (a.3) Randy Lockhart<br>13602 New Harmony Shiloh Rd<br>Mt Orab, OH 45154                              | 0.00003 acres<br>1/330 of 0.01 acres | 0.0001% |
| (a.4) Patricia Campbell<br>1817 Churchville Rd<br>Staunton, VA 24401                                  | 0.00003 acres<br>1/330 of 0.01 acres | 0.0001% |
| (b) William L. Lockhart Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 1/7/16) |                                      |         |
| (b.1) Allen D. Lockhart - predeceased b   | 0.00010 acres<br>1/100 of 0.01 acres | 0.0002% |

*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 BE-118  
 Docket #VGOB 04-1019-1345-02  
 List of Respondents in escrow  
 (58.74 Acre Unit)

BOOK 0814 PAGE 0705

|  | Acres in Unit                         | Interest in Unit |
|--|---------------------------------------|------------------|
| (b.2) Nellie G. Miller Heirs, Devisees,<br>Successors or Assigns<br><i>(documentation requested 1/7/16)</i>          | 0.00010 acres<br>1/100 of 0.01 acres  | 0.0002%          |
| (b.2.1) David Miller<br>951 J Frank Taylor Rd<br>Cedar Bluff, VA 24609   |                                       |                  |
| (b.2.2) Dewayne Miller<br>96 Perry Dr<br>Swords Creek, VA 24609  |                                       |                  |
| (b.2.3) Judy Hess<br>53 Miller Church Ln<br>Swords Creek, VA 24609   |                                       |                  |
| (b.2.4) Peggy Hess<br>53 Miller Church Ln<br>Swords Creek, VA 24609  |                                       |                  |
| (b.2.5) Betty Keen<br>PO Box 372<br>Swords Creek, VA 24609   |                                       |                  |
| (b.2.6) Cecil Miller - predeceased b.2   |                                       |                  |
| (b.2.6.1) Scott Miller<br>21132 Bermuda Dr<br>Abingdon, VA 24210   |                                       |                  |
| (b.2.6.2) Anthony Miller<br>17592 Mohogany Dr<br>Abingdon, VA 24210  |                                       |                  |
| (b.2.6.3) Vincent Miller<br>180 Tunnell Hill Dr<br>Honaker, VA 24260   |                                       |                  |
| (b.2.7) Ola G. Strouth Heirs, Devisees,<br>Successors or Assigns   |                                       |                  |
| (b.2.7.1) Ricky Strouth<br>PO Box 78<br>Swords Creek, VA 24649   |                                       |                  |
| (b.3) Thelma Miller Heirs, Devisees,<br>Successors or Assigns  |                                       |                  |
| (b.3.1) Linda Stinson Heirs, Devisees,<br>Successors or Assigns  |                                       |                  |
| <b><i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i></b> |                                       |                  |
| (b.3.1.1) Jerry Stinson<br>PO Box 123<br>Lebanon, VA 24266   | 0.00001 acres<br>1/1400 of 0.01 acres | 0.0000%          |
| (b.3.1.2) Jerry Stinson II<br>PO Box 3173<br>Lebanon, VA 24266   | 0.00001 acres<br>1/1400 of 0.01 acres | 0.0000%          |
| (b.3.2) Lanny D. Miller Heirs, Devisees,<br>Successors or Assign   |                                       |                  |

Exhibit E  
Unit BE-118  
Docket #VGOB 04-1019-1345-02  
List of Respondents in escrow  
(58.74 Acre Unit)

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|   | Acres in Unit                         | Interest in Unit |
|---|---------------------------------------|------------------|
| (b.3.2.1) Christina A Buchanan<br><i>Address Unknown</i>  | 0.00000 acres<br>1/2100 of 0.01 acres | 0.0000%          |
| (b.3.3) Patty Miller Bowman<br><i>Address Unknown</i>   | 0.00001 acres<br>1/700 of 0.01 acres  | 0.0000%          |
| (b.3.4) Sandy Aasgard-Miller<br><i>Address Unknown</i>  | 0.00001 acres<br>1/700 of 0.01 acres  | 0.0000%          |
| (b.3.5) Connie Robinson<br><i>Address Unknown</i>   | 0.00001 acres<br>1/700 of 0.01 acres  | 0.0000%          |
| (b.3.6) Joe Bill Miller<br><i>Address Unknown</i>   | 0.00001 acres<br>1/700 of 0.01 acres  | 0.0000%          |
| (b.3.7) Louis Miller<br><i>Address Unknown</i>  | 0.00001 acres<br>1/700 of 0.01 acres  | 0.0000%          |
| (b.5) Genettie G. Hubbard Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 12/29/15) | 0.00010 acres<br>1/100 of 0.01 acres  | 0.0002%          |

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

- (b.5.1) Fairley Lockhart  
*Address Unknown*  
Germany
- (b.6) Freda Cordle Heirs, Devisees,  
Successors or Assigns

*The respondents listed below did not respond timely to the W9 request and will continue to be escrowed*

- |  |                                      |         |
|--|--------------------------------------|---------|
| (b.6.2) Patricia Seward<br>5920 New Watermelon Rd<br>Tuscaloosa, AL 35406                          | 0.00005 acres<br>1/200 of 0.01 acres | 0.0001% |
| (c) Nellie G. Miller Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 1/7/16) | 0.00100 acres<br>1/10 of 0.01 acres  | 0.0017% |

*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

Exhibit E  
 Unit BE-118  
 Docket #VGOB 04-1019-1345-02  
 List of Respondents in escrow  
 (58.74 Acre Unit)

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|  | Acres in Unit                        | Interest in Unit |
|--|--------------------------------------|------------------|
| (c.6) Cecil Miller - predeceased b.2   |                                      |                  |
| (c.6.1) Scott Miller<br>21132 Bermuda Dr<br>Abingdon, VA 24210   |                                      |                  |
| (c.6.2) Anthony Miller<br>17592 Mohogany Dr<br>Abingdon, VA 24210  |                                      |                  |
| (c.6.3) Vincent Miller<br>160 Tunnel Hill Dr<br>Honaker, VA 24260  |                                      |                  |
| (c.7) Ola G. Strouth Heirs, Devisees,<br>Successors or Assigns   |                                      |                  |
| (c.7.1) Ricky Strouth<br>PO Box 78<br>Swords Creek, VA 24649   |                                      |                  |
| (d) Thelma Miller Heirs, Devisees,<br>Successors or Assigns  |                                      |                  |
| (d.1) Linda Stinson Heirs, Devisees,<br>Successors or Assigns  |                                      |                  |
| <b><i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i></b> |                                      |                  |
| (d.1.1) Jerry Stinson<br>PO Box 123<br>Lebanon, VA 24266   | 0.00007 acres<br>1/140 of 0.01 acres | 0.0001%          |
| (d.1.2) Jerry Stinson II<br>PO Box 3173<br>Lebanon, VA 24266   | 0.00007 acres<br>1/140 of 0.01 acres | 0.0001%          |
| (d.2) Lanny D. Miller Heirs, Devisees,<br>Successors or Assign   |                                      |                  |
| (d.2.1) Christina A Buchanan<br>Address Unknown  | 0.00004 acres<br>1/280 of 0.01 acres | 0.0001%          |
| (d.3) Patty Miller Bowman<br>Address Unknown   | 0.00014 acres<br>1/70 of 0.01 acres  | 0.0002%          |
| (d.4) Sandy Aasgard-Miller<br>Address Unknown  | 0.00014 acres<br>1/70 of 0.01 acres  | 0.0002%          |
| (d.5) Connie Robinson<br>Address Unknown   | 0.00014 acres<br>1/70 of 0.01 acres  | 0.0002%          |
| (d.6) Joe Bill Miller<br>Address Unknown   | 0.00014 acres<br>1/70 of 0.01 acres  | 0.0002%          |
| (d.7) Louis Miller<br>Address Unknown  | 0.00014 acres<br>1/70 of 0.01 acres  | 0.0002%          |
| (f) Genettie G. Hubbard Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 12/29/15)              | 0.00100 acres<br>1/10 of 0.01 acres  | 0.0017%          |

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

Exhibit E  
 Unit BE-118  
 Docket #VGOB 04-1019-1345-02  
 List of Respondents in escrow  
 (58.74 Acre Unit)

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|   | Acres in Unit                         | Interest in Unit  |
|---|---------------------------------------|-------------------|
| (f.1) Fairley Lockhart<br>Address Unknown<br>Germany                    |                                       |                   |
| (g) Freda Cordle Heirs, Devisees,<br>Successors or Assigns              |                                       |                   |
| (g.2) Patricia Seward<br>5920 New Watermelon Rd<br>Tuscaloosa, AL 35406 | 0.00050 acres<br>1/20 of 0.01 acres   | 0.0009%           |
| <b><u>TOTAL REMAINING IN ESCROW:</u></b>                                |                                       |                   |
|   | Acreage in Unit<br>Percentage of Unit | 0.0048<br>0.0082% |

Exhibit EE  
Unit BE-118  
Docket #VGOB 04-1019-1345-02  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

BOOK 0814 PAGE 0709

|  | Acres in Unit                    | Interest in Unit | Percent of Escrow |
|--|----------------------------------|------------------|-------------------|
| <u>Tract #1C, 0.15 acres</u>   |                                  |                  |                   |
| <u>COAL OWNERSHIP</u>  |                                  |                  |                   |
| (1) Swords Creek Land Partnership, Tr.1<br>P.O. Box 29<br>Tazewell, VA 24651   | 0.15 acres                       | 0.2554%          | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>   |                                  |                  |                   |
| (1) Clarence Hess<br>664 Long Branch<br>Swords Creek, VA 24649   | 0.15 acres                       | 0.2554%          | n/a               |
| <u>Tract #1D, 1.81 acres</u>   |                                  |                  |                   |
| <u>COAL OWNERSHIP</u>  |                                  |                  |                   |
| (1) Swords Creek Land Partnership, Tr.1<br>P.O. Box 29<br>Tazewell, VA 24651   | 1.81 acres                       | 3.0814%          | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>   |                                  |                  |                   |
| (1) Swords Creek Land Partnership, et al.  | 1.81 acres                       | 3.0814%          |                   |
| (b) Dallas James Whited<br>1422 Long Branch Road<br>Swords Creek, VA 24649   | 0.905 acres<br>1/2 of 1.81 acres | 1.5407%          | n/a               |
| <u>Tract #1E, 9.46 acres</u>   |                                  |                  |                   |
| <u>COAL OWNERSHIP</u>  |                                  |                  |                   |
| (1) Swords Creek Land Partnership, Tr.1<br>P.O. Box 29<br>Tazewell, VA 24651   | 9.46 acres                       | 16.1049%         | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>   |                                  |                  |                   |
| (1) Swords Creek Land Partnership, et al.  | 9.46 acres                       | 16.1049%         |                   |
| (b) Dallas James Whited<br>1422 Long Branch Road<br>Swords Creek, VA 24649   | 7.095 acres<br>3/4 of 9.46 acres | 12.0787%         | n/a               |
| <u>Tract #6, 0.01 acres</u>  |                                  |                  |                   |
| <u>COAL OWNERSHIP</u>  |                                  |                  |                   |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651  | 0.01 acres                       | 0.0170%          | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>   |                                  |                  |                   |
| (1) Nellie L. Miller, et al.<br>53.3 Acres T001117<br>(a.k.a. Floyd Lockhart Heirs, Devises,<br>Successors or Assigns) | 0.01 acres                       | 0.0170%          |                   |

Exhibit EE  
Unit BE-118  
Docket #VGOB 04-1019-1345-02  
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 |
|--|--|------------------|-------------------|
| (b) William L. Lockhart Heirs, Devisees, Successors or Assigns                         |  |                  |                   |
| (b.3) Thelma Miller Heirs, Devisees, Successors or Assigns                             |  |                  |                   |
| (b.3.2) Lanny D. Miller Heirs, Devisees, Successors or Assigns                         |  |                  |                   |
| (b.3.2.2) Benita R. Holmes<br>14079 Countiss Rd<br>Abingdon, VA 24210                  | 0.000005 acres<br>1/2100 of 0.01 acres | 0.0000%          | 0.0581%<br>HB2058 |
| (b.3.2.3) Lanny Dale Miller, Jr<br>PO Box 173<br>Swords Creek, VA 24649                | 0.000005 acres<br>1/2100 of 0.01 acres | 0.0000%          | n/a               |
| (b.4) Arbutus Plaster Heirs, Devisees, Successors or Assigns                           |  |                  |                   |
| (b.4.1) Susan Ferguson<br>8029 Longbay Blvd<br>Sarasota, FL 34243                      | 0.000033 acres<br>1/300 of 0.01 acres  | 0.0001%          | 0.4065%<br>HB2058 |
| (b.4.2) Barbara J Justice<br>PO Box 459<br>Rosedale, VA 24280                          | 0.000033 acres<br>1/300 of 0.01 acres  | 0.0001%          | 0.4065%<br>HB2058 |
| (b.4.3) Victoria Warren<br>205 Tyler Dr<br>Bristol, TN 37620                           | 0.000033 acres<br>1/300 of 0.01 acres  | 0.0001%          | 0.4065%<br>HB2058 |
| (b.6) Freda Cordle Heirs, Devisees, Successors or Assigns                              |  |                  |                   |
| (b.6.1) Mark Cordle<br>5920 New Watermelon Rd<br>Tuscaloosa, AL 35406                  | 0.000050 acres<br>1/200 of 0.01 acres  | 0.0001%          | n/a               |
| (b.7) Mae Richardson   |  |                  |                   |
| <i>Conveyed all rights, title &amp; interest to Lolita &amp; Ralph Carter Lockhart</i> |  |                  |                   |
| (b.7.1) Lolita Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649              | 0.000050 acres<br>1/200 of 0.01 acres  | 0.0001%          | n/a               |
| (b.7.2) Ralph Carter Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649        | 0.000050 acres<br>1/200 of 0.01 acres  | 0.0001%          | n/a               |
| (b.8) Ralph Carter Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649          | 0.000100 acres<br>1/100 of 0.01 acres  | 0.0002%          | n/a               |
| (b.9) Dallas Lockhart<br>589 Green Acres Rd<br>Honaker, VA 24260                       | 0.000100 acres<br>1/100 of 0.01 acres  | 0.0002%          | 1.2195%<br>HB2058 |
| (b.10) Yvonne Evelyn Perkins<br>2407 S 1st St<br>Richlands, VA 24641                   | 0.000100 acres<br>1/100 of 0.01 acres  | 0.0002%          | 1.2195%<br>HB2058 |

Exhibit EE  
Unit BE-118  
Docket #VGOB 04-1019-1345-02  
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) Loretta K. Miller<br>PO Box 173<br>Swords Creek, VA 24649   | 0.000036 acres<br>1/280 of 0.01 acres | 0.0001%          | 0.4355%<br>HB2058  |
| (d.2.2) Benita R. Holmes<br>14079 Countiss Rd<br>Abingdon, VA 24210                                       | 0.000036 acres<br>1/280 of 0.01 acres | 0.0001%          | 0.4355%<br>HB2058  |
| (d.2.3) Lanny Dale Miller, Jr<br>PO Box 173<br>Swords Creek, VA 24649                                     | 0.000036 acres<br>1/280 of 0.01 acres | 0.0001%          | <i>n/a</i>         |
| (e) Arbutus Plaster Heirs, Devisees, Successors or Assigns  |                                       |                  |                    |
| (e.1) Susan Ferguson<br>8029 Longbay Blvd<br>Sarasota, FL 34243   | 0.000333 acres<br>1/30 of 0.01 acres  | 0.0006%          | 4.0650%<br>HB2058  |
| (e.2) Barbara J Justice<br>PO Box 459<br>Rosedale, VA 24280   | 0.000333 acres<br>1/30 of 0.01 acres  | 0.0006%          | 4.0650%<br>HB2058  |
| (e.3) Victoria Warren<br>205 Tyler Dr<br>Bristol, TN 37620  | 0.000333 acres<br>1/30 of 0.01 acres  | 0.0006%          | 4.0650%<br>HB2058  |
| (g) Freda Cordle Heirs, Devisees, Successors or Assigns   |                                       |                  |                    |
| (g.1) Mark Cordle<br>5920 New Watermelon Rd<br>Tuscaloosa, AL 35406                                       | 0.000500 acres<br>1/20 of 0.01 acres  | 0.0009%          | <i>n/a</i>         |
| (h) Mae Richardson <i>Conveyed all rights, title &amp; interest to Lolita &amp; Ralph Carter Lockhart</i> |                                       |                  |                    |
| (h.1) Lolita Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649                                   | 0.000500 acres<br>1/20 of 0.01 acres  | 0.0009%          | <i>n/a</i>         |
| (h.2) Ralph Carter Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649                             | 0.000500 acres<br>1/20 of 0.01 acres  | 0.0009%          | <i>n/a</i>         |
| (j) Dallas Lockhart<br>589 Green Acres Rd<br>Honaker, VA 24260  | 0.001000 acres<br>1/10 of 0.01 acres  | 0.0017%          | 12.1951%<br>HB2058 |
| (k) Yvonne Evelyn Perkins<br>2407 S 1st St<br>Richlands, VA 24641   | 0.001000 acres<br>1/10 of 0.01 acres  | 0.0017%          | 12.1951%<br>HB2058 |
| (l) Ralph Carter Lockhart <i>conveyed 1/11 to all other heirs</i>   |                                       |                  |                    |

Acreage in Tract                      0.0052  
Percentage of Tract                      0.0088%

Exhibit EE  
 Unit BE-118  
 Docket #VGOB 04-1019-1345-02  
 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 |
|--|--------------------|------------------|-------------------|
| <u>Tract #7, 23.04 acres</u>   |                    |                  |                   |
| <u>COAL OWNERSHIP</u>  |                    |                  |                   |
| (1) Swords Creek Land Partnership, Tr.8<br>P.O. Box 29<br>Tazewell, VA 24651 | 23.04 acres        | 39.2237%         | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>   |                    |                  |                   |
| (1) Buckhorn Coal Company<br>P. O. Box 187<br>Tazewell, VA 24651             | 23.04 acres        | 39.2237%         | n/a               |
| <u>TOTAL RESOLVED:</u>   |                    |                  |                   |
|  | Acreage in Unit    | 31.1952          |                   |
|  | Percentage of Unit | 53.1072%         |                   |

1700211

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 1-31 2017, This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 9:36 o'clock A M, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to DMME

TESTE: ANN S. McREYNOLDS, CLERK  
 BY: Jennifer Kendrick CLERK