

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

BOOK - 731 PAGE 0935

Order recorded under:

**CODE OF VIRGINIA
§ 45.1-361.26**

VIRGINIA:

BEFORE THE GAS AND OIL BOARD

APPLICANTS:

CNX Gas Company on behalf of Swords Creek Land Partnership and Jerry W. Dye relative to a royalty split agreement for Tract 1C and gas unit AZ-121.

DOCKET NO.

04-1116-1359-01

RELIEF SOUGHT:

Issuance: **A Supplemental Order for Disbursement of Escrowed Funds**

Action: **Amending Prior Orders Affecting Drilling Unit AZ-121, Tract 1C (Referenced herein as "the Subject Drilling Unit")**

Location: **Russell County, Virginia**

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit **AZ-121** by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's Escrow Subaccount for **VGOB Tract(s) identified in Table 1.**

REPORT OF THE BOARD

FINDINGS AND ORDER

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on January 25, 2011, at the Russell County Government Conference Center, 139 Highland Drive, Lebanon, VA.
2. **Appearances:** Mark A. Swartz of Swartz Law Offices appeared for the Applicant; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of **the coalbed methane gas drilling units established by the Board through its field rules** that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of **the Coalbed Methane Gas** produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between

the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and authority to disburse funds from the Escrow Account** provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of **coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein or a decision from a court appointed Arbitrator.**

4. **Prior Proceedings:**

- 4.1 (a) On November 16, 2004, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of **Russell County on April 20, 2005, in Deed Book 629, Pages 635 to 673 Instrument 0501263.** The Supplemental Order was executed and recorded in with the Clerk of the Court, **Russell County on February 8, 2008, in Deed Book 685, Pages 0534 to 0568 Instrument 0800372.**
- 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, **Swords Creek Land Partnership and Jerry W. Dye have entered into a split agreement (50% / 50%)** in the Subject Drilling Unit relative to **18.13 acres in Tract 1C** that became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding **Tract 1C**, a copy of which is attached to and made a part hereof, states under oath that **Swords Creek Land Partnership and Jerry W. Dye** should be disbursed for a portion of **Tract 1C**, and escrow regarding this individual claim detailed herein, **is no longer required and monthly royalty payments are to be made direct to the parties based on the royalty agreement between the parties herein described.**
- 4.4 The Unit Operator gave notice to **Swords Creek Land Partnership and Jerry W. Dye** that the board would consider its disbursement authorization at its hearing on January 25, 2011, and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to **Tract 1C**, as identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said **Tract 1C**, the interests of Applicant identified in the miscellaneous petition in the Escrow Account, and (3) **continue the escrow account** under this docket number because parties other than those seeking disbursement under this order are subject to continued payments in the escrow.
- 4.5 The Unit Operator filed the attached accounting (**Exhibit A**) for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

- (1) Swords Creek Land Partnership and Jerry W. Dye are the owners of the gas and oil acreage estate underlying 18.13 acres in VGOB Tract 1C, of the Subject Drilling Unit; AZ-121.
- (2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

VGOB Approved Disbursement
04-1116-1359-01 Disbursement
Unit AZ-121

Item No	Tract	Fractional Ownership in Tract	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
					32.57309	
1	1C Swords Creek Land Partnership / P.O. Box 29 / Tazewell, VA 24651		18.1300	50.0%	9.065	27.8297%
2	1C Jerry W. Dye / 2191 Pine Creek Rd. Swords Creek, VA 24649	1.00	18.1300	50.0%	9.065	27.8297%

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

8. **Appeals:**

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

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

DONE AND EXECUTED this 4th day of March, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 4th day of March, 2011, by an Order of this Board.

David E. Asbury Jr.
David E. Asbury Jr.,
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF RUSSELL)

Acknowledged on this 4th day of March, 2011, 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 **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

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

My commission expires: 09/30/2013



PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 04-1116-1359-01

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

HEARING DATE: January 25, 2011

DRILLING UNIT: AZ-121

RUSSELL COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.
2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 1C as depicted upon the annexed Exhibit A-1; and (2) authorization to begin paying royalties directly to the parties to the royalty split between **Swords Creek Land Partnership and Jerry W. Dye**
3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.
4. **Type of well(s):** Coalbed methane.
5. **Factual basis for relief requested:** **Swords Creek Land Partnership and Jerry W. Dye** have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A-1, further, specifies how said royalties are to be divided and paid.
6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: _____


Anita D. Duty
Pooling Supervisor
CNX Land Resources, Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701



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

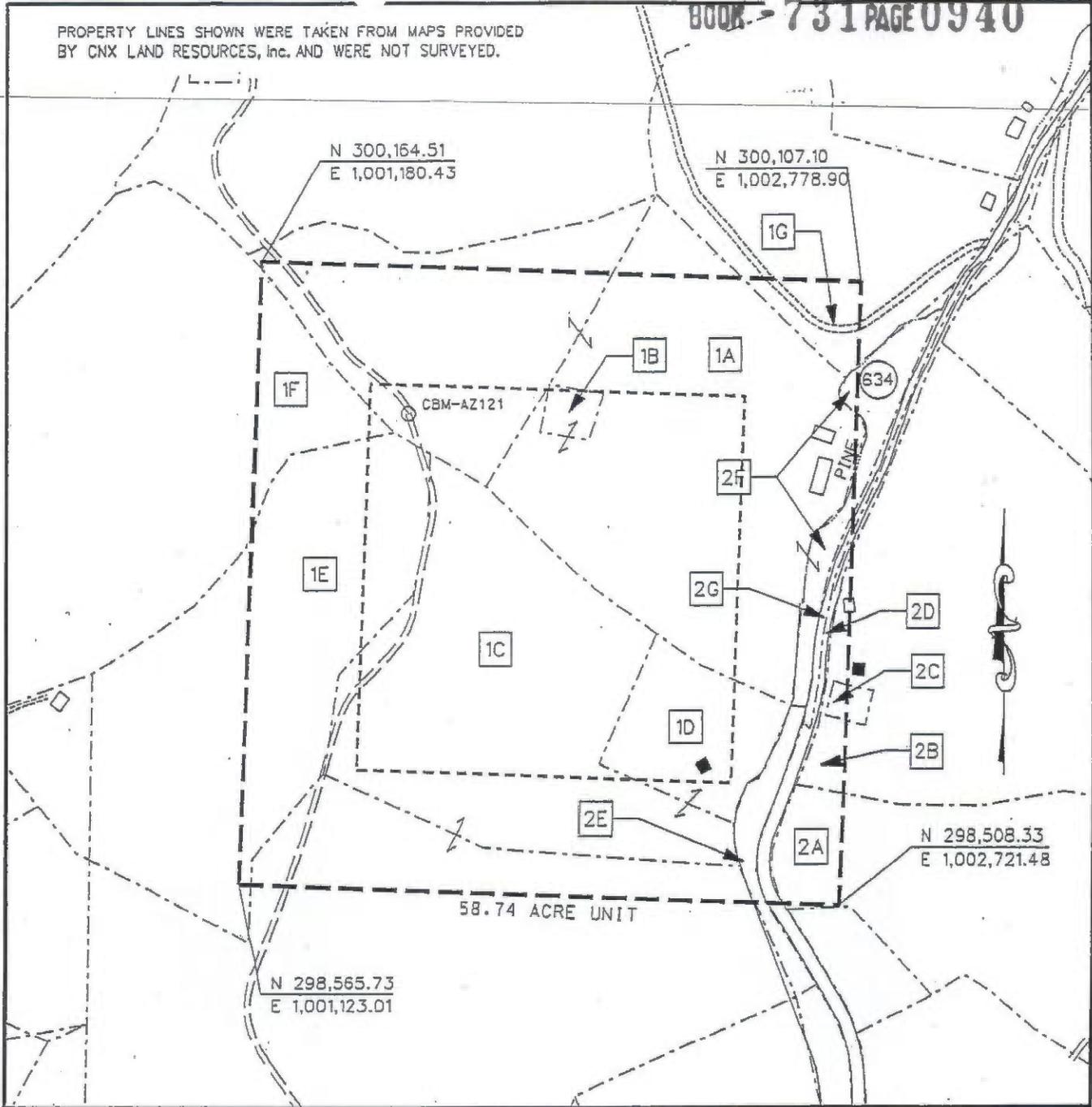
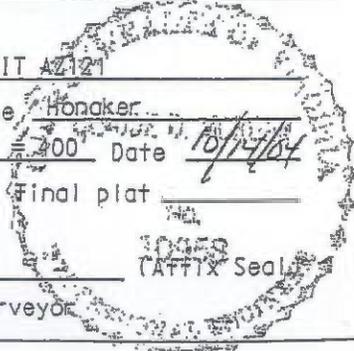


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AZ-121
FORCE POOLING
VGOB-04-1116-1359

Company CNX Gas Company LLC Well Name and Number UNIT AZ121
 Tract No. _____ Elevation _____ Quadrangle Honaker
 County Russell District New Garden Scale: 1" = 200' Date 10/17/04
 This plot is a new plot ; an updated plot _____ ; or a final plot _____

Form DGO-60-7
Rev. 9/91

Charles O. May
Licensed Professional Engineer or Licensed Land Surveyor



CNX GAS COMPANY LLC

UNIT AZ121

Tract Identifications
(58.74 Acre Unit)

- 1A. 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
Jonathan A. Miller, et ux – Surface and Oil
Kenneth C. Miller, Jr., et ux - Gas
CNX Gas Company LLC – Gas and CBM Leased
22.17 acres 37.7426%
- 1B. 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 Miller, et ux – Surface and All Minerals except Coal (Cemetery)
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.40 acres 0.6810%
- 1C. 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
Jerry W. Dye – Surface and All Minerals except Coal
18.13 acres 30.8648%
- 1D. Jerry W. Dye OR Dorothy Childress, et al (Hannah Vance Dye Heirs) – Fee
3.15 acres 5.3626%
- 1E. 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
CNX Gas Company LLC – Oil, Gas and CBM Leased
7.41 acres 12.6149%
- 1F. 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
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.20 acres 3.7453%

CNX GAS COMPANY LLC

UNIT AZ121

Tract Identifications

(58.74 Acre Unit)

- 1G. 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
0.97 acres 1.6513%
- 2A. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Fred Richardson, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
1.10 acres 1.8727%
- 2B. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Billy J. Richardson, et ux - Surface and All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased
0.73 acres 1.2428%
- 2C. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Billy J. Richardson, et ux OR Russell County School Board - Surface and
All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased (If owned by Billy Richardson, et ux)
0.10 acres 0.1702%
- 2D. Swords Creek Land Partnership Tr. 21 - Coal
Reserve Coal Properties Company - Below Tiller Coal Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
J. W. Houchins OR Commonwealth of Virginia - All Minerals except Coal
Commonwealth of Virginia - Surface
0.65 acres 1.1066%

CNX GAS COMPANY LLC

UNIT AZ121

Tract Identifications
(58.74 Acre Unit)

- 2E. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Dorothy Childress, et al (Hannah Vance Dye Heirs) – Surface and All Minerals except Coal
0.70 acres 1.1917%
- 2F. Swords Creek Land Partnership Tr. 21 - 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 Miller, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.78 acres 1.3279%
- 2G. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Jonathan A. Miller, et ux OR Commonwealth of Virginia – Oil
Kenneth C. Miller, Jr., et ux OR Commonwealth of Virginia – Gas
CNX Gas Company LLC – Gas and CBM Leased (If owned by
Kenneth C. Miller, Jr., et ux)
Commonwealth of Virginia - Surface
0.25 acres 0.4256%

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1D, 3.15 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Jerry W. Dye 2191 Pine Creek Rd. Swords Creek, VA 24649	3.15 acres	5.3626%
- OR -		
Dorothy Childress, et al. (Fredrick Vance / Hannah Vance Dye Heirs, Devisees, Successors or Assigns)	3.15 acres	5.3626%
(1) Ada Keen Heirs, Devisees, Successors or Assigns		
(a) Virginia Spiva 3140 State HWY 325 Blairsville, GA 30512	0.0088 acres 1/360 of 3.15 acres	0.0149%
(b) Alice Albert 152 Westfield Drive Rockingham, NC 28379	0.0088 acres 1/360 of 3.15 acres	0.0149%
(c) Ada Ruth Byrd P.O. Box 174 Doran, VA 24612	0.0088 acres 1/360 of 3.15 acres	0.0149%
(d) Danny Keen 48 Daisy Lane Swords Creek, VA 24649	0.0088 acres 1/360 of 3.15 acres	0.0149%
(2) Victoria Slate Heirs, Devisees, Successors or Assigns		
(a) Raymond Slate, Jr. 1829 Lynn Sprins Rd. Swords Creek, VA 24649	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(b) Jeffery Wayne Slate P.O. Box 33 Swords Creek, VA 24649	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(c) Sheila Gail Lofton HC69 Box 1828 White Sulphur Springs, WV 24986	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(d) Jackie Dale Slate 84229 Reedy Ck. Bristol, VA 24201	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(e) Dorothy Childress Rt. 1 Box 295 Swords Creek, VA 24649	0.0438 acres 1/72 of 3.15 acres	0.0745%

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01

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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(f) Queen Jackson P.O. Box 94 Jewell Ridge, VA 24622	0.0438 acres 1/72 of 3.15 acres	0.0745%
(g) Trevert Vance 2548 Pistol Branch Road Swords Creek, VA 24649	0.0438 acres 1/72 of 3.15 acres	0.0745%
(h) Carvel Jack Vance <i>Address Unknown</i>	0.0438 acres 1/72 of 3.15 acres	0.0745%
(i) Truedale Ringstaff 230 Bland Street North Tazewell, VA 24630	0.0438 acres 1/72 of 3.15 acres	0.0745%
(j) Dorothy Vance Box 86 Jewell Ridge, VA 24622	0.0438 acres 1/72 of 3.15 acres	0.0745%
(k) Nella Vance <i>Address Unknown</i>	0.0438 acres 1/72 of 3.15 acres	0.0745%
(3) Elizabeth Christian Heirs, Devisees, Successors or Assigns		
(a) James Michael Christian 103 Beverly Hills Drive North Tazewell, VA 24630	0.0109 acres 1/288 of 3.15 acres	0.0186%
(b) Neely William Christian Rt.2 Box 106 North Tazewell, VA 24630	0.0109 acres 1/288 of 3.15 acres	0.0186%
(c) Joyce C. Jarrett 613 Vernon Street Bristol, TN 37620	0.0109 acres 1/288 of 3.15 acres	0.0186%
(d) Sue C. Tibbs 534 Carter Hill Road North Tazewell, VA 24630	0.0109 acres 1/288 of 3.15 acres	0.0186%
(4) John H. Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.3938 acres 1/8 of 3.15 acres	0.6703%
(5) H. Kelly Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.3938 acres 1/8 of 3.15 acres	0.6703%
(6) W. A. Vance Heirs, Devisees, Successors or Assigns		
(a) Viola Franks <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%
(b) Iolent Jackson <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%

Exhibit E
Unit AZ-121
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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(c) Willey Marie Hall <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%
(d) Juanita Miller <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%
(7) Mary Jane Newberry and S.L. Vance Heirs, Devisees, Successors or Assigns		
(a) Jessie Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(b) Pauline V. Blankenship <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(c) Edith Compton <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(d) Dora Barnes <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(e) Eula Jackson <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(f) Clinton Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(g) Ocie Yates <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(h) Lola Dye <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(i) Nora Hackney <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(j) Albert Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(k) Verland Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(8) Laudie Vance Heirs, Devisees, Successors or Assigns		
(a) Charlotte Robinette 12617 Archbold Whitehouse Road Whitehouse, OH 43571	0.0164 acres 1/192 of 3.15 acres	0.0279%
(b) Loretta Tabor P.O. Box 285 Doran, VA 24612	0.0164 acres 1/192 of 3.15 acres	0.0279%
(c) Tex Vance <i>Address Unknown</i>	0.0164 acres 1/192 of 3.15 acres	0.0279%

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01

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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(d) Ann Humphrey P.O. Box 681 Cedar Bluff, VA 24609	0.0164 acres 1/192 of 3.15 acres	0.0279%
(9) C.T. Vance Heirs, Devisees, Successors or Assigns		
(a) Beulah V. Kline <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%
(b) Charlie Albert Vance <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%
(c) Virginia V. Sherwood <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%
(d) Jacqueline Barnes <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%
(10) Andy J. Vance Heirs, Devisees, Successors or Assigns		
(a) Gladys Vance <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(b) Shirley Saunders <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(c) Richard Wayne Vance <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(d) Andy Lee Vance <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(e) Barbara V. Umberger <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(11) F.A. Vance Heirs, Devisees, Successors or Assigns		
(a) Lacy L. Vance <i>Address Unknown</i>	0.1313 acres 1/24 of 3.15 acres	0.2234%
(b) Herbert Arnold Vance <i>Address Unknown</i>	0.1313 acres 1/24 of 3.15 acres	0.2234%
(c) Zeola Vance Sisk <i>Address Unknown</i>	0.1313 acres 1/24 of 3.15 acres	0.2234%
<u>OIL & GAS OWNERSHIP</u>		
(1) Jerry W. Dye 2191 Pine Creek Rd. Swords Creek, VA 24649	3.15 acres	5.3626%

- OR -

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
Dorothy Childress, et al. (Fredrick Vance / Hannah Vance Dye Heirs, Devisees, Successors or Assigns)	3.15 acres	5.3626%
(1) Ada Keen Heirs, Devisees, Successors or Assigns		
(a) Virginia Spiva 3140 State HWY 325 Blairsville, GA 30512	0.0088 acres 1/360 of 3.15 acres	0.0149%
(b) Alice Albert 152 Westfield Drive Rockingham, NC 28379	0.0088 acres 1/360 of 3.15 acres	0.0149%
(c) Ada Ruth Byrd P.O. Box 174 Doran, VA 24612	0.0088 acres 1/360 of 3.15 acres	0.0149%
(d) Danny Keen 48 Daisy Lane Swords Creek, VA 24649	0.0088 acres 1/360 of 3.15 acres	0.0149%
(2) Victoria Slate Heirs, Devisees, Successors or Assigns		
(a) Raymond Slate, Jr. 1829 Lynn Sprins Rd. Swords Creek, VA 24649	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(b) Jeffery Wayne Slate P.O. Box 33 Swords Creek, VA 24649	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(c) Sheila Gail Lofton HC69 Box 1828 White Sulphur Springs, WV 24986	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(d) Jackie Dale Slate 84229 Reedy Ck. Bristol, VA 24201	0.0022 acres 1/1440 of 3.15 acres	0.0037%
(e) Dorothy Childress Rt. 1 Box 295 Swords Creek, VA 24649	0.0438 acres 1/72 of 3.15 acres	0.0745%
(f) Queen Jackson P.O. Box 94 Jewell Ridge, VA 24622	0.0438 acres 1/72 of 3.15 acres	0.0745%
(g) Trevert Vance 2548 Pistol Branch Road Swords Creek, VA 24649	0.0438 acres 1/72 of 3.15 acres	0.0745%
(h) Carvel Jack Vance Address Unknown	0.0438 acres 1/72 of 3.15 acres	0.0745%

Exhibit E
Unit AZ-121

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Docket #VGOB 04-1116-1359-01

List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(i) Truedale Ringstaff 230 Bland Street North Tazewell, VA 24630	0.0438 acres 1/72 of 3.15 acres	0.0745%
(j) Dorothy Vance Box 86 Jewell Ridge, VA 24622	0.0438 acres 1/72 of 3.15 acres	0.0745%
(k) Nella Vance <i>Address Unknown</i>	0.0438 acres 1/72 of 3.15 acres	0.0745%
(3) Elizabeth Christian Heirs, Devisees, Successors or Assigns		
(a) James Michael Christian 103 Beverly Hills Drive North Tazewell, VA 24630	0.0109 acres 1/288 of 3.15 acres	0.0186%
(b) Neely William Christian Rt.2 Box 106 North Tazewell, VA 24630	0.0109 acres 1/288 of 3.15 acres	0.0186%
(c) Joyce C. Jarrett 613 Vernon Street Bristol, TN 37620	0.0109 acres 1/288 of 3.15 acres	0.0186%
(d) Sue C. Tibbs 534 Carter Hill Road North Tazewell, VA 24630	0.0109 acres 1/288 of 3.15 acres	0.0186%
(4) John H. Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.3938 acres 1/8 of 3.15 acres	0.6703%
(5) H. Kelly Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.3938 acres 1/8 of 3.15 acres	0.6703%
(6) W. A. Vance Heirs, Devisees, Successors or Assigns		
(a) Viola Franks <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%
(b) Iolent Jackson <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%
(c) Willey Marie Hall <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%
(d) Juanita Miller <i>Address Unknown</i>	0.0984 acres 1/32 of 3.15 acres	0.1676%
(7) Mary Jane Newberry and S.L. Vance Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(a) Jessie Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(b) Pauline V. Blankenship <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(c) Edith Compton <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(d) Dora Barnes <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(e) Eula Jackson <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(f) Clinton Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(g) Ocie Yates <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(h) Lola Dye <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(i) Nora Hackney <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(j) Albert Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(k) Verland Vance <i>Address Unknown</i>	0.0656 acres 1/48 of 3.15 acres	0.1117%
(8) Laudie Vance Heirs, Devisees, Successors or Assigns		
(a) Charlotte Robinette 12617 Archbold Whitehouse Road Whitehouse, OH 43571	0.0164 acres 1/192 of 3.15 acres	0.0279%
(b) Loretta Tabor P.O. Box 285 Doran, VA 24612	0.0164 acres 1/192 of 3.15 acres	0.0279%
(c) Tex Vance <i>Address Unknown</i>	0.0164 acres 1/192 of 3.15 acres	0.0279%
(d) Ann Humphrey P.O. Box 681 Cedar Bluff, VA 24609	0.0164 acres 1/192 of 3.15 acres	0.0279%
(9) C.T. Vance Heirs, Devisees, Successors or Assigns		
(a) Beulah V. Kline <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(b) Charlie Albert Vance <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%
(c) Virginia V. Sherwood <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%
(d) Jacqueline Barnes <i>Address Unknown</i>	0.0788 acres 1/40 of 3.15 acres	0.1341%
(10) Andy J. Vance Heirs, Devisees, Successors or Assigns		
(a) Gladys Vance <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(b) Shirley Saunders <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(c) Richard Wayne Vance <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(d) Andy Lee Vance <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(e) Barbara V. Umberger <i>Address Unknown</i>	0.0158 acres 1/200 of 3.15 acres	0.0268%
(11) F.A. Vance Heirs, Devisees, Successors or Assigns		
(a) Lacy L. Vance <i>Address Unknown</i>	0.1313 acres 1/24 of 3.15 acres	0.2234%
(b) Herbert Arnold Vance <i>Address Unknown</i>	0.1313 acres 1/24 of 3.15 acres	0.2234%
(c) Zeola Vance Sisk <i>Address Unknown</i>	0.1313 acres 1/24 of 3.15 acres	0.2234%

Tract #1E, 7.41 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	7.41 acres	12.6149%
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OIL & GAS OWNERSHIP

(1) Joseph D. Brown P.O. Box 211 Swords Creek, VA 24649	7.41 acres	12.6149%
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Exhibit E
 Unit AZ-121
 Docket #VGOB 04-1116-1359-01
 List of Conflicting Owners/Claimants that require escrow
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1F, 2.20 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	2.20 acres	3.7453%
<u>OIL & GAS OWNERSHIP</u>		
(1) Joseph D. Brown P.O. Box 211 Swords Creek, VA 24649	2.20 acres	3.7453%
<u>Tract #2C, 0.10 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.10 acres	0.1702%
<u>OIL & GAS OWNERSHIP</u>		
(1) Billy J. Richardson, et ux. 2240 Pine Creek Rd. Swords Creek, VA 24649	0.10 acres	0.1702%
- OR -		
(1) Russell County School Board P.O. Box 8 Lebanon, VA 24266	0.10 acres	0.1702%
<u>Tract #2D, 0.65 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.65 acres	1.1066%
<u>OIL & GAS OWNERSHIP</u>		
(1) J.W. Houchins <i>Address Unknown</i>	0.65 acres	1.1066%
- OR -		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201	0.65 acres	1.1066%

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #2E, 0.70 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.70 acres	1.1917%
<u>OIL & GAS OWNERSHIP</u>		
Dorothy Childress, et al. (Fredrick Vance / Hannah Vance Dye Heirs, Devisees, Successors or Assigns)	0.70 acres	1.1917%
(1) Ada Keen Heirs, Devisees, Successors or Assigns		
(d) Danny Keen 48 Daisy Lane Swords Creek, VA 24649	0.0019 acres 1/360 of 0.70 acres	0.0033%
(2) Victoria Slate Heirs, Devisees, Successors or Assigns		
(a) Raymond Slate, Jr. 1829 Lynn Sprins Rd. Swords Creek, VA 24649	0.0005 acres 1/1440 of 0.70 acres	0.0008%
(e) Dorothy Childress Rt.1 Box 295 Swords Creek, VA 24649	0.0097 acres 1/72 of 0.70 acres	0.0166%
(f) Queen Jackson P.O. Box 94 Jewell Ridge, VA 24622	0.0097 acres 1/72 of 0.70 acres	0.0166%
(h) Carvel Jack Vance <i>Address Unknown</i>	0.0097 acres 1/72 of 0.70 acres	0.0166%
(i) Truedale Ringstaff 230 Bland Street North Tazewell, VA 24630	0.0097 acres 1/72 of 0.70 acres	0.0166%
(j) Dorothy Vance Box 86 Jewell Ridge, VA 24622	0.0097 acres 1/72 of 0.70 acres	0.0166%
(k) Nella Vance <i>Address Unknown</i>	0.0097 acres 1/72 of 0.70 acres	0.0166%
(3) Elizabeth Christian Heirs, Devisees, Successors or Assigns		
(a) James Michael Christian 103 Beverly Hills Drive North Tazewell, VA 24630	0.0024 acres 1/288 of 0.70 acres	0.0041%

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01

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List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(b) Neely William Christian Rt.2 Box 106 North Tazewell, VA 24630	0.0024 acres 1/288 of 0.70 acres	0.0041%
(c) Joyce C. Jarrett 613 Vernon Street Bristol, TN 37620	0.0024 acres 1/288 of 0.70 acres	0.0041%
(d) Sue C. Tibbs 534 Carter Hill Road North Tazewell, VA 24630	0.0024 acres 1/288 of 0.70 acres	0.0041%
(4) John H. Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.0875 acres 1/8 of 0.70 acres	0.1490%
(5) H. Kelly Vance Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.0875 acres 1/8 of 0.70 acres	0.1490%
(6) W. A. Vance Heirs, Devisees, Successors or Assigns		
(a) Viola Franks <i>Address Unknown</i>	0.0219 acres 1/32 of 0.70 acres	0.0372%
(b) Iolent Jackson <i>Address Unknown</i>	0.0219 acres 1/32 of 0.70 acres	0.0372%
(c) Willey Marie Hall <i>Address Unknown</i>	0.0219 acres 1/32 of 0.70 acres	0.0372%
(d) Juanita Miller <i>Address Unknown</i>	0.0219 acres 1/32 of 0.70 acres	0.0372%
(7) Mary Jane Newberry and S.L. Vance Heirs, Devisees, Successors or Assigns		
(a) Jessie Vance <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(b) Pauline V. Blankenship <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(c) Edith Compton <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(d) Dora Barnes <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(e) Eula Jackson <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(f) Clinton Vance <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%

List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(g) Ocie Yates <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(h) Lola Dye <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(i) Nora Hackney <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(j) Albert Vance <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(k) Verland Vance <i>Address Unknown</i>	0.0146 acres 1/48 of 0.70 acres	0.0248%
(8) Laudie Vance Heirs, Devisees, Successors or Assigns		
(a) Charlotte Robinette 12617 Archbold Whitehouse Road Whitehouse, OH 43571	0.0036 acres 1/192 of 0.70 acres	0.0062%
(b) Loretta Tabor P.O. Box 285 Doran, VA 24612	0.0036 acres 1/192 of 0.70 acres	0.0062%
(c) Tex Vance <i>Address Unknown</i>	0.0036 acres 1/192 of 0.70 acres	0.0062%
(d) Ann Humphrey P.O. Box 681 Cedar Bluff, VA 24609	0.0036 acres 1/192 of 0.70 acres	0.0062%
(9) C.T. Vance Heirs, Devisees, Successors or Assigns		
(a) Beulah V. Kline <i>Address Unknown</i>	0.0175 acres 1/40 of 0.70 acres	0.0298%
(b) Charlie Albert Vance <i>Address Unknown</i>	0.0175 acres 1/40 of 0.70 acres	0.0298%
(c) Virginia V. Sherwood <i>Address Unknown</i>	0.0175 acres 1/40 of 0.70 acres	0.0298%
(d) Jacqueline Barnes <i>Address Unknown</i>	0.0175 acres 1/40 of 0.70 acres	0.0298%
(10) Andy J. Vance Heirs, Devisees, Successors or Assigns		
(a) Gladys Vance <i>Address Unknown</i>	0.0035 acres 1/200 of 0.70 acres	0.0060%
(b) Shirley Saunders <i>Address Unknown</i>	0.0035 acres 1/200 of 0.70 acres	0.0060%

Exhibit E
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(c) Richard Wayne Vance <i>Address Unknown</i>	0.0035 acres 1/200 of 0.70 acres	0.0060%
(d) Andy Lee Vance <i>Address Unknown</i>	0.0035 acres 1/200 of 0.70 acres	0.0060%
(e) Barbara V. Umberger <i>Address Unknown</i>	0.0035 acres 1/200 of 0.70 acres	0.0060%
(11) F.A. Vance Heirs, Devisees, Successors or Assigns		
(a) Lacy L. Vance <i>Address Unknown</i>	0.0292 acres 1/24 of 0.70 acres	0.0497%
(b) Herbert Arnold Vance <i>Address Unknown</i>	0.0292 acres 1/24 of 0.70 acres	0.0497%
(c) Zeola Vance Sisk <i>Address Unknown</i>	0.0292 acres 1/24 of 0.70 acres	0.0497%

Tract #2G, 0.25 acres

Escrow due to title conflict

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.25 acres	0.4256%
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OIL & GAS OWNERSHIP

(1) Kenneth C. Miller, Jr. et ux. 2677 Pine Creek Rd. Swords Creek, VA 24649	0.25 acres	0.4256%
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- OR -

(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201	0.25 acres	0.4256%
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Exhibit EE
 Unit AZ-121
 Docket #VGOB 04-1116-1359-01
 List of Conflicting Owners/Claimants with Royalty Split Agreements
 (58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A, 22.17 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	22.17 acres	37.7426%	N/A
<u>OIL & GAS OWNERSHIP</u>			
(1) Kenneth C. Miller, Jr. et ux. 2677 Pine Creek Rd. Swords Creek, VA 24649	22.17 acres	37.7426%	N/A
<u>Tract #1B, 0.40 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	0.40 acres	0.6810%	N/A
<u>OIL & GAS OWNERSHIP</u>			
(1) Kenneth C. Miller, Jr. et ux. 2677 Pine Creek Rd. Swords Creek, VA 24649	0.40 acres	0.6810%	N/A
<u>Tract #1C, 18.13 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	18.13 acres	30.8648%	27.8297%
<u>OIL & GAS OWNERSHIP</u>			
(1) Jerry W. Dye 2191 Pine Creek Rd. Swords Creek, VA 24649	18.13 acres	30.8648%	27.8297%
<u>Tract #1G, 0.97 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	0.97 acres	1.6513%	N/A
<u>OIL & GAS OWNERSHIP</u>			
(1) Stuart Richardson Heirs, Devisees, Successors or Assigns	0.97 acres	1.6513%	
(a) Betty Jo Richardson 2479 Pine Creek Rd. Swords Creek, VA 24649	0.32 acres 1/3 of 0.97 acres	0.5504%	N/A

Exhibit EE
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
(b) Harold D. Richardson 2479 Pine Creek Road Swords Creek, VA 24649 <i>(requests his royalties be paid to Betty Jo throughout her lifetime)</i>	0.11 acres 1/9 of 0.97 acres	0.1835%	N/A
(c) Billy W. Richardson 298 Jackson Street Raven, VA 24639	0.11 acres 1/9 of 0.97 acres	0.1835%	N/A
(d) William W. Richardson 946 Call Valley Rd. Swords Creek, VA 24649 <i>(Bad Address)</i>	0.11 acres 1/9 of 0.97 acres	0.1835%	N/A
(e) Douglas Richardson <i>(requests his royalties be paid to Rosa Lee Jackson throughout her lifetime)</i>			
(f) Michael D. Richardson 119 Edgemont Dr. Princeton, WV 24740	0.11 acres 1/9 of 0.97 acres	0.1835%	N/A
(g) Alice J. Martin 66 Kents Ridge Road Honaker, VA 24260	0.11 acres 1/9 of 0.97 acres	0.1835%	N/A
(h) Rosa Lee Jackson 2517 Pine Creek Rd. Swords Creek, VA 24649-7600	0.11 acres 1/9 of 0.97 acres	0.1835%	N/A

Tract #2A, 1.10 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	1.10 acres	1.8727%	N/A
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OIL & GAS OWNERSHIP

(1) Fred Richardson, et ux. 215 Rosedale Heights Lane Rosedale, VA 24280	1.10 acres	1.8727%	N/A
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Tract #2B, 0.73 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.73 acres	1.2428%	N/A
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OIL & GAS OWNERSHIP

(1) Billy J. Richardson, et ux. 2240 Pine Creek Rd. Swords Creek, VA 24649	0.73 acres	1.2428%	N/A
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Exhibit EE
Unit AZ-121
Docket #VGOB 04-1116-1359-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2E, 0.70 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.70 acres	1.1917%	N/A
<u>OIL & GAS OWNERSHIP</u>			
Dorothy Childress, et al. (Fredrick Vance / Hannah Vance Dye Heirs, Devisees, Successors or Assigns)	0.70 acres	1.1917%	
(1) Ada Keen Heirs, Devisees, Successors or Assigns			
(a) Virginia Spiva 3140 State HWY 325 Blairsville, GA 30512	0.0019 acres 1/360 of 0.70 acres	0.0033%	N/A
(b) Alice Albert 152 Westfield Drive Rockingham, NC 28379	0.0019 acres 1/360 of 0.70 acres	0.0033%	N/A
(c) Ada Ruth Byrd P.O. Box 174 Doran, VA 24612	0.0019 acres 1/360 of 0.70 acres	0.0033%	N/A
(2) Victoria Slate Heirs, Devisees, Successors or Assigns			
(b) Jeffery Wayne Slate P.O. Box 33 Swords Creek, VA 24649	0.0005 acres 1/1440 of 0.70 acres	0.0008%	N/A
(c) Sheila Gail Lofton HC69 Box 1828 White Sulphur Springs, WV 24986	0.0005 acres 1/1440 of 0.70 acres	0.0008%	N/A
(d) Jackie Dale Slate 8-4229 Reedy Ck. Bristol, VA 24201	0.0005 acres 1/1440 of 0.70 acres	0.0008%	N/A
(g) Trevert Vance 2548 Pistol Branch Road Swords Creek, VA 24649	0.0097 acres 1/72 of 0.70 acres	0.0166%	N/A
* Money was never escrowed, royalty split was signed after the unit was pooled			

Tract #2F, 0.78 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.78 acres	1.3279%	N/A
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Exhibit EE
Unit AZ-121

Docket #VGOB 04-1116-1359-01

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List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Kenneth C. Miller, Jr. et ux. 2677 Pine Creek Rd. Swords Creek, VA 24649	0.78 acres	1.3279%	N/A

Exhibit A-1
Tract-by-Tract Escrow Calculation
Account Balances as of 10/31/2010

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Unit AZ121
Docket #VGOB 04-1116-1359-01
Acres Escrowed: 32.573090

Owners	Tract #	Acres	Owners' Percent of Escrow (50%)	Amount Due Owners \$49,043.77
Swords Creek Land Partnership - Coal	1C	18.13	27.8297%	\$13,648.74
Jerry W. Dye - Oil & Gas			27.8297%	\$13,648.74

Wells contributing to the escrow account: AZ121

1100589

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 3-21, 2011. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 3:40 o'clock P M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

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

Original returned this date to: VA Gas + 0.1 B&P

CERTIFICATION OF NOTICE
CNX Gas Company LLC

Unit AZ-121
VGOB 04-1116-1359-01
Miscellaneous Petition for Disbursement

NAME	MAILED	RECEIPT #	RECEIVED
Dye Jerry W.	12/17/2010	7010 0290 0003 6708 4764	12/21/2010
Swords Creek Land Partnership	12/17/2010	7010 0290 0003 6708 4771	12/21/2010

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jerry Dye
2191 Pine Creek Rd.
Swords Creek, VA 24649

2. Article Number
(Transfer from se

7010 0290 0003 6708 4764

AZ121Disb

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Jerry Dye*
 Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

12/21/10

 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Swords Creek Land Partnership
P.O. Box 29
Tazewell, VA 24651

2. Article Number
(Transfer from ser

7010 0290 0003 6708 4771

AZ121Disb

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Sharon C. Beatty*
 Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

Sharon C. Beatty
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes