

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**

An Order for Disbursement of Escrowed Funds  
(and Authorization for Direct Payment of Royalties)

**SOUGHT:**

**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: BE120

TRACT(S):

A portion of 1D

LOCATION:

RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-05-1115-1525-02

**APPLICANTS:**

CNX Gas Company LLC on behalf of Dallas Lockhart, Loretta K. Miller

**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 08/08/2006, Recorded on 08/16/2006, Deed Book/Instrument No. 658, Page 136.
2. Supplemental Order, Recorded on 10/22/2012, Deed Book/Instrument No. 753, Page 0948.
3. Disbursement Order -01 Executed 04/11/2016, Recorded on 04/15/2016, Deed Book/Instrument No. 0801, Page 0554.

**NOTICE:**

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- (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 1D identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 1D 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. Dallas Lockhart & Loretta K. Miller is the gas claimant in a portion of Tract(s) 1D. As Dallas Lockhart & Loretta K. Miller are 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.
- b. 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.
- c. 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.
- 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 Dallas Lockhart & Loretta K. Miller and not escrow same. See Exhibit EE annexed hereto.

**RELIEF GRANTED:**

VGOB Disbursement  
Unit BE120  
VGOB-05-1115-1525-02

Table 1  
Tracts: A portion of 1D

| Item | Tract | Disbursement Table                                     | Fractional<br>Ownership | Net Acreage<br>Ownership | Royalty<br>Split | Escrowed<br>Acres | Percent of<br>Escrowed<br>Funds | Adjustment<br>Amount |
|------|-------|--------------------------------------------------------|-------------------------|--------------------------|------------------|-------------------|---------------------------------|----------------------|
|      |       |                                                        | in Tract                | in Tract                 | Agreement        | Disbursed         | Disbursed                       |                      |
|      |       |                                                        |                         |                          |                  |                   |                                 |                      |
|      |       |                                                        |                         |                          |                  |                   |                                 |                      |
|      |       |                                                        |                         |                          |                  |                   |                                 |                      |
|      |       |                                                        |                         |                          |                  |                   |                                 |                      |
|      |       |                                                        |                         |                          |                  |                   |                                 |                      |
|      |       |                                                        |                         |                          |                  |                   |                                 |                      |
|      |       | Total acreage in escrow before disbursement            |                         |                          |                  | 5.47490           |                                 |                      |
|      |       |                                                        |                         |                          |                  |                   |                                 |                      |
|      |       | 1D Tract 1D (total acreage)                            | 7.2800                  |                          |                  |                   |                                 |                      |
| 1    | 1D    | Dallas Lockhart\589 Green Acres Rd., Honaker, VA 24260 | 1/100                   | 0.0728                   | 100.00%          | 0.0728            | 1.3297%                         |                      |
| 2    | 1D    | Loretta K. Miller\PO Box 173, Swords Creek, VA 24649   | 1/280                   | 0.0260                   | 100.00%          | 0.0260            | 0.4749%                         |                      |
| 3    | 1D    | Dallas Lockhart\589 Green Acres Rd., Honaker, VA 24260 | 1/10                    | 0.7280                   | 100.00%          | 0.7280            | 13.2970%                        |                      |

Adjustment Comments:

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 21 day of July, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

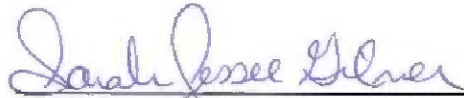
DONE AND PERFORMED this 21 day of July, 2016 by Order of the Virginia Gas and Oil Board.



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

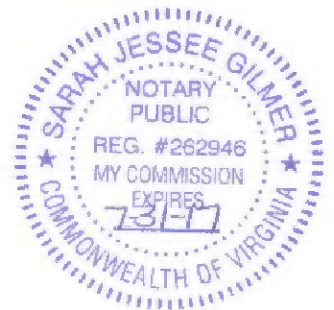
COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 21<sup>st</sup> day of July, 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 05-1115-1525-02

**RELIEF SOUGHT:** (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 1D (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: BE120

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)598-5075. 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(s) 1D as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Dallas Lockhart & Loretta K. Miller; (3) Dismissal of Coal Owner(s): 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. Dallas Lockhart & Loretta K. Miller is the gas claimant in a portion of Tract(s) 1D. As Dallas Lockhart & Loretta K. Miller are 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.
- b. 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.
- c. 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.
- 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 Dallas Lockhart & Loretta K. Miller 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.



**GNX Gas Company LLC**  
**Unit BE-120**  
**Tract Identifications**  
**(88.74 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  
 Samuel L. Broadlove, et al. - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 33.47 acres 56.9788%
- 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  
 Frankie D. Casey - Surface and All Minerals except Coal  
 GNX Gas Company LLC - Oil, Gas and CBM Leased  
 0.21 acres 0.3575%
- 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  
 Ralph C. Lockhart, et ux - Surface and All Minerals except Coal  
 4.36 acres 7.4225%
- 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  
 7.28 acres 12.3836%
- 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 P. Steele, et al - Surface and All Minerals except Coal  
 0.05 acres 0.1021%

**CNX Gas Company LLC**  
**Unit BE-120**  
**Tract Identifications**  
**(58.74 Acres Unit)**

- 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  
 Stanley E. Keene, et ux - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 1.25 acres 2.1280%
- 1G. Swords Creek Land Partnership Tr. 13 - Coal  
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased  
 CNX Gas Company LLC - CBM Leased  
 Commonwealth of Virginia - Surface and All Minerals except Coal  
 1.04 acres 1.7705%
2. Pamela Wolfe - Fee  
 Reserve Coal Properties Company - Coal in and Below Tiller Seam Leased  
 Swords Creek Leasing, Inc. - Coal in Widow Kennedy, Red Ash, Upper Banner and Lower  
 Banner Seams Leased  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 7.11 acres 12.1042%
3. Henry Shupe - Fee  
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
 Swords Creek Leasing, Inc. - Coal in Red Ash, Widow Kennedy, Upper Banner  
 and Lower Banner Seams Leased  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 3.95 acres 6.7245%
4. Betty Wells, et al - All Minerals  
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 Dallas James Whitford - Surface  
 0.01 acres 0.0170%

Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-02  
List of Respondents that require escrow  
(58.74 Acre Unit)

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|                                                                                                                         | Acres In Unit                      | Interest in Unit |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------|
| <u>Tract #1D, 7.28 acres</u>                                                                                            |                                    |                  |
| <u>COAL OWNERSHIP</u>                                                                                                   |                                    |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651                                           | 7.28 acres                         | 12.3936%         |
| <u>OIL &amp; GAS OWNERSHIP</u>                                                                                          |                                    |                  |
| (1) Nellie L. Miller, et al.<br>53.3 Acres T001117<br>(a.k.a. Floyd Lockhart Heirs, Devisees,<br>Successors or Assigns) | 7.28 acres                         | 12.3936%         |
| (a) Allen D. Lockhart Heirs, Devisees,<br>Successors or Assigns<br>(heirship documentation requested 10/28/15)          | 0.662 acres<br>1/11 of 7.28 acres  | 1.1267%          |
| <i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i>      |                                    |                  |
| (a.1) Margaret Peck<br>Address Unknown                                                                                  |                                    |                  |
| (a.2) Steve Lockhart<br>29 Danforth Dr<br>Weyers Cave, VA 24486                                                         | 0.022 acres<br>1/330 of 7.28 acres | 0.0376%          |
| (a.3) Randy Lockhart<br>13602 New Harmony Shiloh Rd<br>Mt Orab, OH 45154                                                | 0.022 acres<br>1/330 of 7.28 acres | 0.0376%          |
| (a.4) Patricia Campbell<br>1817 Churchville Rd<br>Staunton, VA 24401                                                    | 0.022 acres<br>1/330 of 7.28 acres | 0.0376%          |
| (b) William L. Lockhart Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 1/7/16)                   |                                    |                  |
| (b.1) Allen D. Lockhart - predeceased b<br>1/100 of 7.28 acres                                                          | 0.073 acres<br>1/100 of 7.28 acres | 0.1239%          |
| <i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i>      |                                    |                  |
| (b.1.1) Steve Lockhart<br>29 Danforth Dr<br>Weyers Cave, VA 24486                                                       |                                    |                  |
| (b.1.2) Randy Lockhart<br>13602 New Harmony Shiloh Rd<br>Mt Orab, OH 45154                                              |                                    |                  |
| (b.1.3) Patricia Campbell<br>1817 Churchville Rd<br>Staunton, VA 24401                                                  |                                    |                  |
| (b.2) Nellie G. Miller Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 1/7/16)                    | 0.073 acres<br>1/100 of 7.28 acres | 0.1239%          |
| <i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i>      |                                    |                  |
| (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 24809                                                         |                                    |                  |

Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-02  
List of Respondents that require escrow  
(58.74 Acre Unit)

|                                                                     | Acres in Unit                       | Interest in Unit |
|---------------------------------------------------------------------|-------------------------------------|------------------|
| (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>160 Tunnel 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.3.1.1) Jerry Stinson<br>PO Box 123<br>Lebanon, VA 24266          | 0.005 acres<br>1/1400 of 7.28 acres | 0.0089%          |
| (b.3.1.2) Jerry Stinson II<br>PO Box 3173<br>Lebanon, VA 24266      | 0.005 acres<br>1/1400 of 7.28 acres | 0.0089%          |
| (b.3.2) Lanny D. Miller Heirs, Devisees,<br>Successors or Assign    |                                     |                  |
| (b.3.2.1) Christina A Buchanan<br>Address Unknown                   | 0.003 acres<br>1/2100 of 7.28 acres | 0.0059%          |
| (b.3.2.2) Benita R. Holmes<br>Address Unknown                       | 0.003 acres<br>1/2100 of 7.28 acres | 0.0059%          |
| (b.3.3) Patty Miller Bowman<br>Address Unknown                      | 0.010 acres<br>1/700 of 7.28 acres  | 0.0177%          |
| (b.3.4) Sandy Aasgard-Miller<br>Address Unknown                     | 0.010 acres<br>1/700 of 7.28 acres  | 0.0177%          |
| (b.3.5) Connie Robinson<br>Address Unknown                          | 0.010 acres<br>1/700 of 7.28 acres  | 0.0177%          |
| (b.3.6) Joe Bill Miller<br>Address Unknown                          | 0.010 acres<br>1/700 of 7.28 acres  | 0.0177%          |

Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-02  
List of Respondents that require escrow  
(58.74 Acre Unit)

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|                                                                                                                    | Acres in Unit                      | Interest in Unit |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------|
| (b.3.7) Louis Miller<br>Address Unknown                                                                            | 0.010 acres<br>1/700 of 7.28 acres | 0.0177%          |
| (b.5) Genettie G. Hubbard Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 12/29/15)          | 0.073 acres<br>1/100 of 7.28 acres | 0.1239%          |
| <i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i> |                                    |                  |
| (b.5.1) Fairley Lockhart<br>Address Unknown<br>Germany                                                             |                                    |                  |
| (b.6) Freda Cordle Heirs, Devisees,<br>Successors or Assigns                                                       |                                    |                  |
| (b.6.2) Patricia Seward<br>5920 New Watermelon Rd<br>Tuscaloosa, AL 35406                                          | 0.036 acres<br>1/200 of 7.28 acres | 0.0620%          |
| (c) Nellie G. Miller Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 1/7/16)                 | 0.728 acres<br>1/10 of 7.28 acres  | 1.2394%          |
| <i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i> |                                    |                  |
| (c.1) David Miller<br>951 J Frank Taylor Rd<br>Cedar Bluff, VA 24609                                               |                                    |                  |
| (c.2) Dawayne Miller<br>96 Perry Dr<br>Swords Creek, VA 24609                                                      |                                    |                  |
| (c.3) Judy Hess<br>53 Miller Church Ln<br>Swords Creek, VA 24609                                                   |                                    |                  |
| (c.4) Peggy Hess<br>63 Miller Church Ln<br>Swords Creek, VA 24609                                                  |                                    |                  |
| (c.5) Betty Keen<br>PO Box 372<br>Swords Creek, VA 24609                                                           |                                    |                  |
| (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 Mahogany Dr<br>Abingdon, VA 24210                                                  |                                    |                  |
| (c.6.3) Vincent Miller<br>160 Tunnell Hill Dr<br>Honaker, VA 24260                                                 |                                    |                  |
| (c.7) Oia 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                                                        |                                    |                  |

Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-02  
List of Respondents that require escrow  
(58.74 Acre Unit)

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|                                                                                                                    | Acres in Unit                      | Interest in Unit |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------|
| (d.1) Linda Stinson Heirs, Devisees, Successors or Assigns                                                         |                                    |                  |
| (d.1.1) Jerry Stinson<br>PO Box 123<br>Lebanon, VA 24266                                                           | 0.052 acres<br>1/140 of 7.28 acres | 0.0885%          |
| (d.1.2) Jerry Stinson II<br>PO Box 3173<br>Lebanon, VA 24266                                                       | 0.052 acres<br>1/140 of 7.28 acres | 0.0885%          |
| (d.2) Lanny D. Miller Heirs, Devisees, Successors or Assign                                                        |                                    |                  |
| (d.2.1) Christina A Buchanan<br>Address Unknown                                                                    | 0.026 acres<br>1/280 of 7.28 acres | 0.0443%          |
| (d.2.2) Benita R. Holmes<br>Address Unknown                                                                        | 0.026 acres<br>1/280 of 7.28 acres | 0.0443%          |
| (d.3) Patty Miller Bowman<br>Address Unknown                                                                       | 0.104 acres<br>1/70 of 7.28 acres  | 0.1771%          |
| (d.4) Sandy Aasgard-Miller<br>Address Unknown                                                                      | 0.104 acres<br>1/70 of 7.28 acres  | 0.1771%          |
| (d.5) Connie Robinson<br>Address Unknown                                                                           | 0.104 acres<br>1/70 of 7.28 acres  | 0.1771%          |
| (d.6) Joe Bill Miller<br>Address Unknown                                                                           | 0.104 acres<br>1/70 of 7.28 acres  | 0.1771%          |
| (d.7) Louis Miller<br>Address Unknown                                                                              | 0.104 acres<br>1/70 of 7.28 acres  | 0.1771%          |
| (e) Arbutus Plaster Heirs, Devisees, Successors or Assigns                                                         |                                    |                  |
| (f) Genettie G. Hubbard Heirs, Devisees, Successors or Assigns<br>(documentation requested 12/29/15)               | 0.728 acres<br>1/10 of 7.28 acres  | 1.2394%          |
| <i>The ownership listed below is currently being reviewed and documentation is being requested to verify title</i> |                                    |                  |
| (f.1) Fairley Lockhart<br>Address Unknown<br>Germany                                                               |                                    |                  |
| (g) Freda Cordie Heirs, Devisees, Successors or Assigns                                                            |                                    |                  |
| (g.2) Patricia Seward<br>8920 New Watermelon Rd<br>Tuscaloosa, AL 35406                                            | 0.364 acres<br>1/20 of 7.28 acres  | 0.6197%          |
| (h) Ralph Carter Lockhart                                                                                          | conveyed 1/11 to all other heirs   |                  |
| Total tract acres                                                                                                  | 3.5221                             |                  |
| Total tract percent                                                                                                |                                    | 6.0404%          |

Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-02  
List of Respondents that require escrow  
(58.74 Acre Unit)

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|                                                                                                                | Acres in Unit | Interest in Unit |
|----------------------------------------------------------------------------------------------------------------|---------------|------------------|
| <u>Tract #1E, 0.06 acres</u>                                                                                   |               |                  |
| <i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed.</i> |               |                  |
| <u>COAL OWNERSHIP</u>                                                                                          |               |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651                                  | 0.06 acres    | 0.1021%          |
| <u>OIL &amp; GAS OWNERSHIP</u>                                                                                 |               |                  |
| (1) James P. Steele<br>11 Rutter Road<br>Bristol, VA 24201                                                     | 0.06 acres    | 0.1021%          |
| <u>Tract #1G, 1.04 acres</u>                                                                                   |               |                  |
| <i>Escrow due to title conflict</i>                                                                            |               |                  |
| <u>COAL OWNERSHIP</u>                                                                                          |               |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651                                  | 1.04 acres    | 1.7705%          |
| <u>OIL &amp; GAS OWNERSHIP</u>                                                                                 |               |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002      | 1.04 acres    | 1.7705%          |
| -OR-                                                                                                           |               |                  |
| (1) Samuel Breedlove<br>956 State Route 314S<br>Mansfield, OH 44903                                            | 1.04 acres    | 1.7705%          |
| Total Acreage in Unit                                                                                          |               | 4.6221           |
| Total Percentage of Unit                                                                                       |               | 7.9131%          |

Exhibit EE  
Unit BE-120  
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(58.74 Acres Unit)

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|                                                                                                                         | Acres in Unit                     | Interest in Unit | Percent of Escrow |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------|-------------------|
| <u>Tract #1A, 33.47 acres</u>                                                                                           |                                   |                  |                   |
| <u>COAL OWNERSHIP</u>                                                                                                   |                                   |                  |                   |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651                                           | 33.47 acres                       | 56.9799%         | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>                                                                                          |                                   |                  |                   |
| (1) Samuel L. Breedlove, et al.                                                                                         | 33.47 acres                       | 56.9799%         |                   |
| (a) Samuel L. Breedlove<br>956 State Rt. 314<br>Mansfield, OH 44903                                                     | 28.69 acres<br>6/7 of 33.47 acres | 48.8399%         | n/a               |
| (b) Herbert J. Breedlove Heirs, Devisees,<br>Successors or Assigns                                                      |                                   |                  |                   |
| (b.1) Warren H. Breedlove<br>347 Bluebird Hills Rd.<br>Millers Creek, NC 28651                                          | 4.78 acres<br>1/7 of 33.47 acres  | 8.1400%          | n/a               |
| <u>Tract #1B, 0.21 acres</u>                                                                                            |                                   |                  |                   |
| <u>COAL OWNERSHIP</u>                                                                                                   |                                   |                  |                   |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651                                           | 0.21 acres                        | 0.3575%          | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>                                                                                          |                                   |                  |                   |
| (1) Frankie D. Casey<br>PO Box 673<br>Pounding Mill, VA 24637                                                           | 0.21 acres                        | 0.3575%          | n/a               |
| <u>Tract #1C, 4.36 acres</u>                                                                                            |                                   |                  |                   |
| <u>COAL OWNERSHIP</u>                                                                                                   |                                   |                  |                   |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651                                           | 4.36 acres                        | 7.4225%          | n/a               |
| <u>OIL &amp; GAS OWNERSHIP</u>                                                                                          |                                   |                  |                   |
| (1) Ralph C. & Lolita Lockhart<br>2459 Lynn Springs Rd.<br>Swords Creek, VA 24649                                       | 4.36 acres                        | 7.4225%          | n/a               |
| <u>Tract #1D, 7.28 acres</u>                                                                                            |                                   |                  |                   |
| <u>COAL OWNERSHIP</u>                                                                                                   |                                   |                  |                   |
| (1) Swords Creek Land Partnership, Tr.13<br>P.O. Box 29<br>Tazewell, VA 24651                                           | 7.28 acres                        | 12.3936%         | 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, Devisees,<br>Successors or Assigns) | 7.28 acres                        | 12.3936%         | n/a               |
| (b) William L. Lockhart Heirs, Devisees,<br>Successors or Assigns<br>(documentation requested 1/7/16)                   |                                   |                  |                   |
| (b.3) Thelma Miller Heirs, Devisees,<br>Successors or Assigns                                                           |                                   |                  |                   |

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|                                                                                 | Acres in Unit                                                                                                      | Interest in Unit | Percent of Escrow |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|------------------|-------------------|
| (b.3.2) Lanny D. Miller Heirs, Devisees, Successors or Assign                   |                                                                                                                    |                  |                   |
| (b.3.2.3) Lanny Dale Miller, Jr<br>PO Box 173<br>Swords Creek, VA 24649         | 0.003 acres<br>1/2100 of 7.28 acres                                                                                | 0.0059%          | n/a               |
| (b.4) Arbutus Plaster Heirs, Devisees, Successors or Assigns                    |                                                                                                                    |                  |                   |
| (b.4.1) Susan Ferguson<br>8029 Longbay Blvd<br>Sarasota, FL 34243               | 0.024 acres<br>1/300 of 7.28 acres                                                                                 | 0.0413%          | n/a               |
| (b.4.2) Barbara J Justice<br>PO Box 459<br>Rosedale, VA 24280                   | 0.024 acres<br>1/300 of 7.28 acres                                                                                 | 0.0413%          | n/a               |
| (b.4.3) Victoria Warren<br>205 Tyler Dr<br>Bristol, TN 37620                    | 0.024 acres<br>1/300 of 7.28 acres                                                                                 | 0.0413%          | n/a               |
| (b.6) Freda Cordle Heirs, Devisees, Successors or Assigns                       |                                                                                                                    |                  |                   |
| (b.6.1) Mark Cordle<br>5920 New Watermelon Rd<br>Tuscaloosa, AL 35406           | 0.036 acres<br>1/200 of 7.28 acres                                                                                 | 0.0620%          | n/a               |
| (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<br>PO Box 1282<br>Honaker, VA 24260                      | Will receive a one-time payout up until the date the property was conveyed - SEE TABLE                             |                  |                   |
| (b.7.1) Lolita Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649       | 0.036 acres<br>1/200 of 7.28 acres                                                                                 | 0.0620%          | n/a               |
| (b.7.2) Ralph Carter Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649 | 0.036 acres<br>1/200 of 7.28 acres                                                                                 | 0.0620%          | n/a               |
| (b.8) Ralph Carter Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649   | 0.073 acres<br>1/100 of 7.28 acres                                                                                 | 0.1239%          | n/a               |
| (b.9) Dallas Lockhart<br>589 Green Acres Rd<br>Honaker, VA 24260                | 0.073 acres<br>1/100 of 7.28 acres                                                                                 | 0.1239%          | 1.3297%<br>HB2058 |
| (b.10) Yvonne Evelyn Perkins<br>2407 S 1st St<br>Richlands, VA 24641            | 0.073 acres<br>1/100 of 7.28 acres                                                                                 | 0.1239%          | n/a               |
| (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                 | 0.026 acres<br>1/280 of 7.28 acres                                                                                 | 0.0443%          | 0.4749%<br>HB2058 |

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(58.74 Acre Unit)

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1601470

|                                                                               | Acres in Unit                                                                                                      | Interest in Unit | Percent of Escrow  |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|------------------|--------------------|
| (d.2.3) Lanny Dale Miller, Jr<br>PO Box 173<br>Swords Creek, VA 24649         | 0.026 acres<br>1/280 of 7.28 acres                                                                                 | 0.0443%          | n/a                |
| (e) Arbutus Plaster Heirs, Devisees,<br>Successors or Assigns                 |                                                                                                                    |                  |                    |
| (e.1) Susan Ferguson<br>8029 Longbay Blvd<br>Sarasota, FL 34243               | 0.243 acres<br>1/30 of 7.28 acres                                                                                  | 0.4131%          | n/a                |
| (e.2) Barbara J Justice<br>PO Box 459<br>Rosedale, VA 24280                   | 0.243 acres<br>1/30 of 7.28 acres                                                                                  | 0.4131%          | n/a                |
| (e.3) Victoria Warren<br>205 Tyler Dr<br>Bristol, TN 37620                    | 0.243 acres<br>1/30 of 7.28 acres                                                                                  | 0.4131%          | n/a                |
| (g) Freda Cordle Heirs, Devisees,<br>Successors or Assigns                    |                                                                                                                    |                  |                    |
| (g.1) Mark Cordle<br>5920 New Watermelon Rd<br>Tuscaloosa, AL 35408           | 0.364 acres<br>1/20 of 7.28 acres                                                                                  | 0.6197%          | n/a                |
| (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<br>PO Box 1282<br>Honaker, VA 24260                    | Will receive a one-time payout up until the date the property was conveyed - SEE TABLE                             |                  |                    |
| (h.1) Lolita Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649       | 0.364 acres<br>1/20 of 7.28 acres                                                                                  | 0.6197%          | n/a                |
| (h.2) Ralph Carter Lockhart<br>2459 Lynn Springs Rd<br>Swords Creek, VA 24649 | 0.364 acres<br>1/20 of 7.28 acres                                                                                  | 0.6197%          | n/a                |
| (j) Dallas Lockhart<br>589 Green Acres Rd<br>Honaker, VA 24260                | 0.728 acres<br>1/10 of 7.28 acres                                                                                  | 1.2394%          | 13.2970%<br>HB2058 |
| (k) Yvonne Evelyn Perkins<br>2407 S 1st St<br>Richlands, VA 24641             | 0.728 acres<br>1/10 of 7.28 acres                                                                                  | 1.2394%          | n/a                |
| Total tract acres                                                             | 3.7319                                                                                                             |                  |                    |
| Total tract percent                                                           |                                                                                                                    | 6.3532%          |                    |

Tract #1F, 1.25 acres

COAL OWNERSHIP

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

1.25 acres 2.1280% n/a

OIL & GAS OWNERSHIP

(1) Stanley E. Keene, et ux.  
2271 Lynn Springs Rd  
Swords Creek, VA 24649

1.25 acres 2.1260% n/a

Total Acreage in Unit 43.0219  
Total Percentage of Unit 73.2412%

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 8-2 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 3:44 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: Sally Ketron