

1525-03

Instrument Control Number

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BOOK 0810 PAGE 0829

# Commonwealth of Virginia Land Record Instruments Cover Sheet - Form A

[ILS VLR Cover Sheet Agent 1.0.66]

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Date of Instrument: [11/10/16 ]

Instrument Type: [ODAR ]

Number of Parcels [ 1 ]

Number of Pages [ 21 ]

City  County  [Russell County ] (Box for Deed Stamp Only)

### First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Gas & Oil Board ]	[	]	]
[	]	]	]

### First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
<input checked="" type="checkbox"/> [Swords Creek Land Par ]	[	]	]
<input checked="" type="checkbox"/> [Miller ]	[Nellie	]	]

Grantee Address (Name) [CNX Gas Company, LLC ]  
 (Address 1) [1000 Consol Energy Drive ]  
 (Address 2) [ ]  
 (City, State, Zip) [Cannonsburg ] [PA ] [15317-6506 ]

Consideration [0.00 ] Existing Debt [0.00 ] Assumption Balance [0.00 ]

Prior Instr. Recorded at: City  County  [Russell County ] Percent. in this Juris. [ 100 ]

Book [0806 ] Page [221 ] Instr. No [ ]

Parcel Identification No (PIN) [ ]

Tax Map Num. (if different than PIN) [ ]

Short Property Description [Report of the Board ]

Current Property Address (Address 1) [ ]

(Address 2) [ ]

(City, State, Zip) [ ] [ ] [ ]

Instrument Prepared by [Virginia Gas & Oil Board ]

Recording Paid for by [DMME ]

Return Recording to (Name) [DMME - Division of Gas & Oil ]

(Address 1) [P. O. Drawer 159 ]

(Address 2) [ ]

(City, State, Zip) [Lebanon ] [VA ] [24266 ]

Customer Case ID [ ] [ ] [ ]



Instrument Control Number

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BOOK 0810 PAGE 0830

Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form B

[ILS VLR Cover Sheet Agent 1.0.66]

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Date of Instrument: [11/10/16 ]

Instrument Type: [ODAR ]

Number of Parcels [ 1]

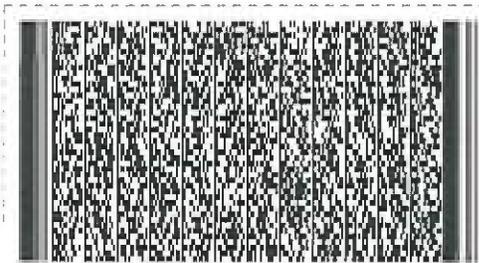
Number of Pages [ 21]

City  County  [Russell County ] (Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form B

Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/>	[Lockhart	][Allen	][D. ]
<input type="checkbox"/>	[Peck	][Margaret	][Heirs ]
<input type="checkbox"/>	[Lockhart	][Steve	][ ]
<input type="checkbox"/>	[Lockhart	][Randy	][ ]
<input type="checkbox"/>	[Campbell	][Patricia	][ ]
<input type="checkbox"/>	[Miller	][David	][ ]
<input type="checkbox"/>	[Hess	][Peggy	][ ]
<input type="checkbox"/>	[Strouth	][Ricky	][ ]
<input type="checkbox"/>	[Holmes	][Benita	][R. ]
<input type="checkbox"/>	[Miller	][Louis	][ ]
<input type="checkbox"/>	[Genettie Gladys Hubba	][ ]	][ ]
<input type="checkbox"/>	[Lockhart	][Fairley	][ ]
<input type="checkbox"/>	[Steele	][James	][ ]
<input type="checkbox"/>	[Commonwealth of Virgi	][ ]	][ ]
<input type="checkbox"/>	[Breedlove	][Samuel	][ ]
<input type="checkbox"/>	[Breedlove	][Warren	][H. ]

Prior Instr. Recorded at: City  County  [ ] Percent. in this Juris. [ ]  
 Book [ ] Page [ ] Instr. No [ ]  
 Parcel Identification No (PIN) [ ]  
 Tax Map Num. (if different than PIN) [ ]  
 Short Property Description [ ]  
 Current Property Address (Address 1) [ ]  
 (Address 2) [ ]  
 (City, State, Zip) [ ] [ ] [ ]



Instrument Control Number

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BOOK 0810 PAGE 0831

Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form B

[ILS VLR Cover Sheet Agent 1.0.66]

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Date of Instrument: [11/10/16 ]

Instrument Type: [ODAR ]

Number of Parcels [ 1]

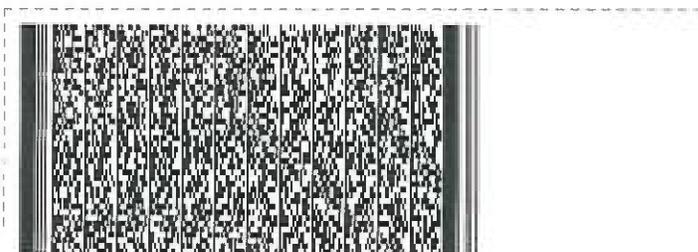
Number of Pages [ 21]

City  County  [Russell County ] (Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form B

Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/>	[Casey ]	[Frankie ]	[ ]
<input type="checkbox"/>	[Lockhart ]	[Ralph & Lolita ]	[ ]
<input type="checkbox"/>	[Miller ]	[Nellie ]	[et.al.]
<input type="checkbox"/>	[Miller ]	[Dewayne ]	[ ]
<input type="checkbox"/>	[Hess ]	[Judy ]	[ ]
<input type="checkbox"/>	[Keen ]	[Betty ]	[ ]
<input type="checkbox"/>	[Miller ]	[Scottie ]	[ ]
<input type="checkbox"/>	[Miller ]	[Anthony ]	[ ]
<input type="checkbox"/>	[Miller ]	[Vincent ]	[ ]
<input type="checkbox"/>	[Stinson ]	[Jerry ]	[ ]
<input type="checkbox"/>	[Stinson ]	[Jerry ]	[II]
<input type="checkbox"/>	[Buchanan ]	[Christina ]	[A.]
<input type="checkbox"/>	[Miller ]	[Lanny ]	[Dale]
<input type="checkbox"/>	[Aasgard-Miller ]	[Sandy ]	[ ]
<input type="checkbox"/>	[Robinson ]	[Connie ]	[ ]
<input type="checkbox"/>	[Miller ]	[Joe ]	[Bill]

Prior Instr. Recorded at: City  County  [ ] Percent. in this Juris. [ ]  
 Book [ ] Page [ ] Instr. No [ ]  
 Parcel Identification No (PIN) [ ]  
 Tax Map Num. (if different than PIN) [ ]  
 Short Property Description [ ]  
 Current Property Address (Address 1) [ ]  
 (Address 2) [ ]  
 (City, State, Zip) [ ] [ ] [ ]



Instrument Control Number

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BOOK 0810 PAGE 0832

Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form B

[ILS VLR Cover Sheet Agent 1.0.66]

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Date of Instrument: [11/10/16 ]

Instrument Type: [ODAR ]

Number of Parcels [ 1]

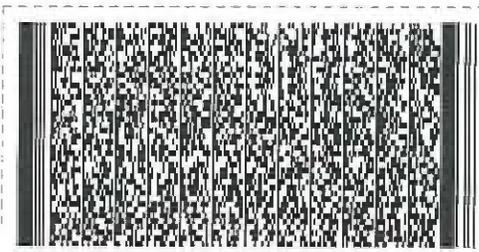
Number of Pages [ 21]

City  County  [Russell County ] (Box for Deed Stamp Only)

Grantors/Grantees/Parcel Continuation Form B

Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/>	[Ferguson ]	[Susan ]	[ ]
<input type="checkbox"/>	[Justice ]	[Barbara ]	[J.]
<input type="checkbox"/>	[Warren ]	[Victoria ]	[ ]
<input type="checkbox"/>	[Cordle ]	[Mark ]	[ ]
<input type="checkbox"/>	[Seward ]	[Patricia ]	[ ]
<input type="checkbox"/>	[Richardson ]	[Loretta ]	[Mae ]
<input type="checkbox"/>	[Lockhart ]	[Lolita ]	[ ]
<input type="checkbox"/>	[Lockhart ]	[Ralph ]	[Carter ]
<input type="checkbox"/>	[Lockhart ]	[Dallas ]	[ ]
<input type="checkbox"/>	[Perkins ]	[Yvonne ]	[Evelyn ]
<input type="checkbox"/>	[Miller ]	[Loretta ]	[K.]
<input type="checkbox"/>	[Buchanan ]	[Christina ]	[A.]
<input type="checkbox"/>	[Miller ]	[Lanny ]	[Dale ]
<input type="checkbox"/>	[Miller ]	[Patty ]	[Jr.]
<input type="checkbox"/>	[Keene ]	[Stanley ]	[E.]
<input type="checkbox"/>	[ ]	[ ]	[et.ux.]
<input type="checkbox"/>	[ ]	[ ]	[ ]

Prior Instr. Recorded at: City  County  [ ] Percent. in this Juris. [ ]  
 Book [ ] Page [ ] Instr. No [ ]  
 Parcel Identification No (PIN) [ ]  
 Tax Map Num. (if different than PIN) [ ]  
 Short Property Description [ ]  
 Current Property Address (Address 1) [ ]  
 (Address 2) [ ]  
 (City, State, Zip) [ ] [ ] [ ]





**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**RELIEF SOUGHT:** An Order for Disbursement of Escrowed Funds (and Authorization for Direct Payment of Royalties)

**JURISDICTION:** Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq) AND § 45.1-361.22:2

**UNIT/WELL NAME:** BE120

**TRACT(S):** A portion of 1D

**LOCATION:** RUSSELL County, Virginia

**DOCKET NUMBER:** VGOB-05-1115-1525-03

**APPLICANTS:** CNX Gas Company LLC on behalf of Anthony Miller, Betty Keen, Christina A. Buchanan, Connie Robinson, Dewayne Miller, Jerry Stinson, Jerry Stinson, II, Joe Bill Miller, Judy Hess, Patricia Seward, Patty Miller, Sandy Aasgard-Miller, Scottie Miller, Vincent 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:**

- (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. Dewayne Miller, Judy Hess, Betty Keen, Scott Miller, Anthony Miller, Vincent Miller, Jerry Stinson, Jerry Stinson II, Christina Buchanan, Patty Miller, Sandy Aasgard-Miller, Connie Robinson, Joe Bill Miller, and Patricia Seward are the gas claimants in a portion of Tr. 1D. As such Dewayne Miller, Judy Hess, Betty Keen, Scott Miller, Anthony Miller, Vincent Miller, Jerry Stinson, Jerry Stinson II, Christina Buchanan, Patty Miller, Sandy Aasgard-Miller, Connie Robinson, Joe Bill Miller, and Patricia Seward are entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That CNX Gas Company LLC has previously given the notice(s) required by § 45.1-361.22:2.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 05-1115-1525-01, it dismissed the coal claimant(s) Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Swords Creek Land Partnership was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement(s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Dewayne Miller, Judy Hess, Betty Keen, Scott Miller, Anthony Miller, Vincent Miller, Jerry Stinson, Jerry Stinson II, Christina Buchanan, Patty Miller, Sandy Aasgard-Miller, Connie Robinson, Joe Bill Miller, and Patricia Seward and shall not escrow same. See Exhibit EE annexed hereto.



7.2800

1D Tract 1D (total acreage)

21	1D	Jerry Stinson\PO Box 1213 Lebanon VA 24266	1/140	0.0520	100.00%	0.0520	1.1187%
22	1D	Jerry Stinson, II\PO Box 3173 Lebanon VA 24266	1/140	0.0520	100.00%	0.0520	1.1187%
23	1D	Christina A. Buchanan\436 East Main Street Abingdon VA 24210	1/280	0.0260	100.00%	0.0260	0.5594%
24	1D	Patty Miller\PO Box 624 Cedar Bluff VA 24609	1/70	0.1040	100.00%	0.1040	2.2375%
25	1D	Sandy Aasgard-Miller\1818 Night Shadow Avenue North Las Vegas NV 89031	1/70	0.1040	100.00%	0.1040	2.2375%
26	1D	Connle Robinson\2407 South 1st Street Lot 18 Richlands VA 24641	1/70	0.1040	100.00%	0.1040	2.2375%
27	1D	Joe Bill Miller\PO Box 196 Swords Creek VA 24649	1/70	0.1040	100.00%	0.1040	2.2375%
28	1D	Patricia Seward\5920 New Watermelon Road Tuscaloosa AL 35406	1/20	0.3640	100.00%	0.3640	7.8312%

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 October, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

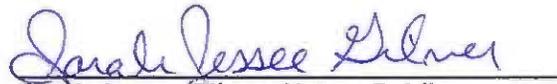
DONE AND PERFORMED this 21 day of October, 2016 by Order of the Virginia Gas and Oil Board.



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 October, 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 05-1115-1525-03

**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)596-5075. Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 122 Capital Street, Suite 201, Charleston, WV 25301.

2. Relief Sought

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract 1D, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Dewayne Miller, Judy Hess, Betty Keen, Scott Miller, Anthony Miller, Vincent Miller, Jerry Stinson, Jerry Stinson II, Christina Buchanan, Patty Miller, Sandy Aasgard-Miller, Connie Robinson, Joe Bill Miller, and Patricia Seward.

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. Dewayne Miller, Judy Hess, Betty Keen, Scott Miller, Anthony Miller, Vincent Miller, Jerry Stinson, Jerry Stinson II, Christina Buchanan, Patty Miller, Sandy Aasgard-Miller, Connie Robinson, Joe Bill Miller, and Patricia Seward are the gas claimants in a portion of Tr. 1D. As such Dewayne Miller, Judy Hess, Betty Keen, Scott Miller, Anthony Miller, Vincent Miller, Jerry Stinson, Jerry Stinson II, Christina Buchanan, Patty Miller, Sandy Aasgard-Miller, Connie Robinson, Joe Bill Miller, and Patricia Seward are entitled to 100% of the CBM royalties attributable to their gas claims that are now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- b. That CNX Gas Company LLC has previously given the notice(s) required by § 45.1-361.22:2.A to all conflicting coal claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 05-1115-1525-01, it dismissed the coal claimant(s) Swords Creek Land Partnership as a Respondent to these proceedings. Accordingly, Swords Creek Land Partnership was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Dewayne Miller, Judy Hess, Betty Keen, Scott Miller, Anthony Miller, Vincent Miller, Jerry Stinson, Jerry Stinson II, Christina Buchanan, Patty Miller, Sandy Aasgard-Miller, Connie Robinson, Joe Bill Miller, and Patricia Seward and shall not escrow same. See Exhibit EE annexed hereto.

#### 6. Attestation

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

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

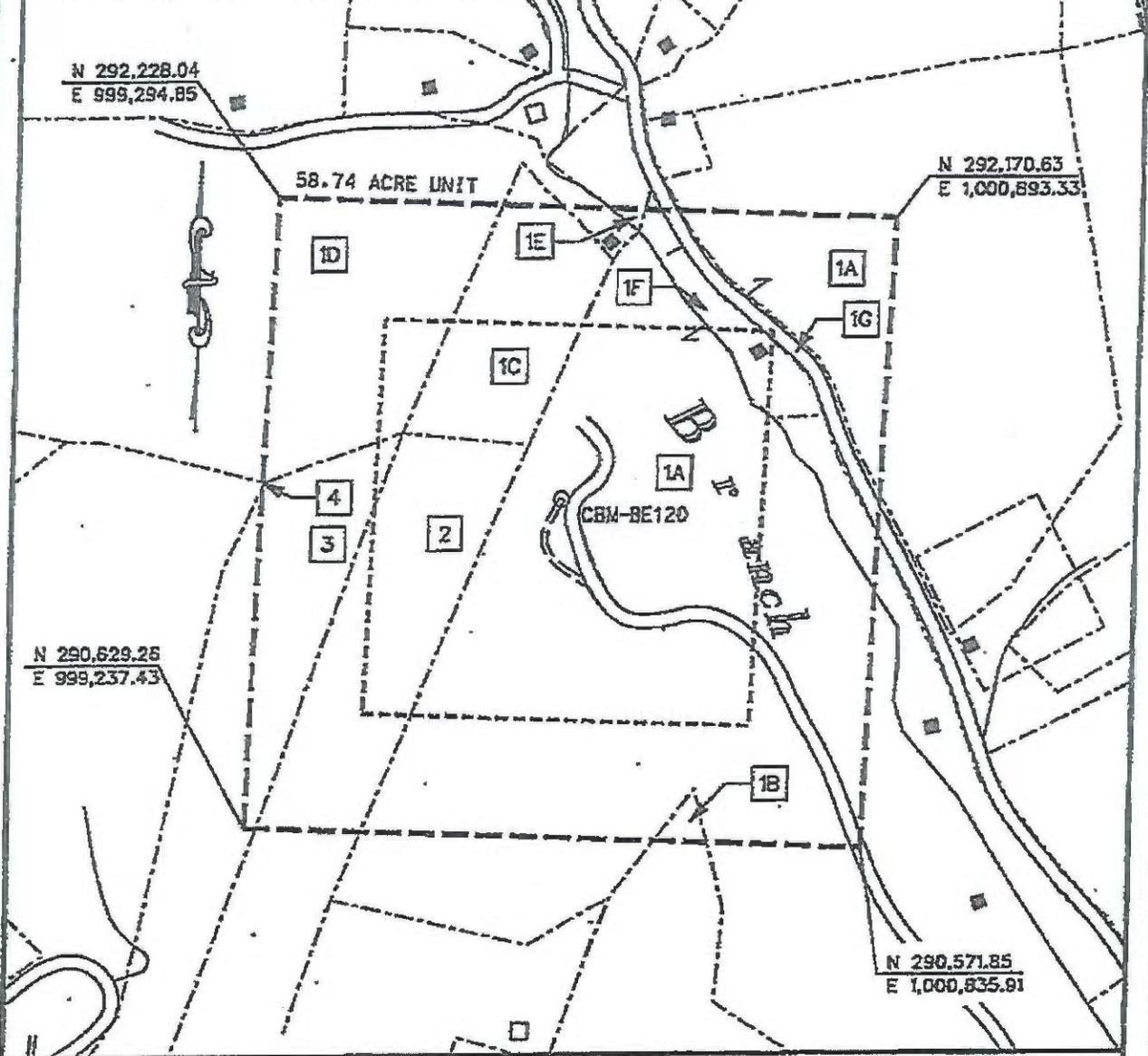
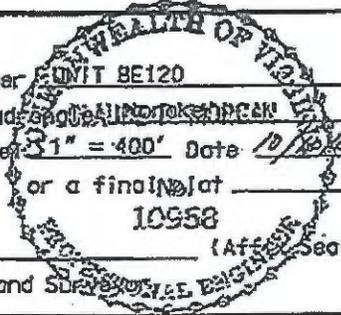


EXHIBIT A  
MIDDLE RIDGE 1 FIELD  
UNIT BE-120  
FORCE POOLING  
VGOB-05-1115-1525

Company CNX Gas Company LLC Well Name and Number UNIT BE120  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quad 10N 07E 03R 02E  
 County Russell District New Garden Scale 1" = 400' Date 10/10/05  
 This plot is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

Charles D. Myer  
Licensed Professional Engineer or Licensed Land Surveyor (Seal)



**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                      56.9759%
- 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                      12.3936%
- 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  
 0.06 acres                      0.1021%

**GNX 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**  
**GNX Gas Company LLC - CBM Leased**  
**Stanley E. Keene, et ux - Surface and All Minerals except Coal**  
**GNX 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**  
**GNX 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**  
**GNX 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**  
**GNX Gas Company LLC - Oil, Gas and CBM Leased**  
 3.95 acres                      6.7245%
4. **Betty Walls, et al - All Minerals**  
**Reserve Coal Properties Company - Coal Below Tiller Seam Leased**  
**GNX Gas Company LLC - Oil, Gas and CBM Leased**  
**Dallas James Whitford - Surface**  
 0.01 acres                      0.0170%

Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-03  
List of Respondents that require escrow  
(58.74 Acre Unit)

BOOK 0810 PAGE 0844

	Acres in Unit	Interest in Unit
<u>Tract #1D, 7.28 acres</u>		
<b>COAL OWNERSHIP</b>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	7.28 acres	12.3936% <b>DISMISSED</b>

**OIL & GAS OWNERSHIP**

(1) Nellie L. Miller, et al. 53.3 Acres T001117 (a.k.a. Floyd Lockhart Heirs, Devisees, Successors or Assigns)	7.28 acres	12.3936%
(a) Allen D. Lockhart Heirs, Devisees, Successors or Assigns (Documentation requested 10/28/2015)	0.728 acres 1/10 of 7.28 acres	1.2394%

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

- (a.1) Margaret Peck  
5161 Rolling Road, Apt. 620  
Scottsville, VA 24590
- (a.2) Steve Lockhart  
29 Danforth Dr  
Weyers Cave, VA 24486
- (a.3) Randy Lockhart  
13602 New Harmony Shiloh Rd  
Mt Orab, OH 45154
- (a.4) Patricia Campbell  
1817 Churchville Rd  
Staunton, VA 24401
- (b) William L. Lockhart Heirs, Devisees,  
Successors or Assigns

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

(b.1) Allen D. Lockhart Heirs, Devisees, Successors or Assigns	<i>Pre-Deceased</i>	
(b.1.1) Steve Lockhart 29 Danforth Dr Weyers Cave, VA 24486	0.024 acres 1/300 of 7.28 acres	0.0413%
(b.1.2) Randy Lockhart 13602 New Harmony Shiloh Rd Mt Orab, OH 45154	0.024 acres 1/300 of 7.28 acres	0.0413%
(b.1.3) Patricia Campbell 1817 Churchville Rd Staunton, VA 24401	0.024 acres 1/300 of 7.28 acres	0.0413%
(b.2) Nellie G. Miller Heirs, Devisees, Successors or Assigns		
(b.2.1) David Miller 951 J Frank Taylor Rd Cedar Bluff, VA 24609	0.010 acres 1/700 of 7.28 acres	0.0177%

Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-03  
List of Respondents that require escrow  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<i>Affidavit not received</i>		
(b.2.4) Peggy Hess 53 Miller Church Ln Swords Creek, VA 24609	0.010 acres 1/700 of 7.28 acres	0.0177%
(b.2.7) Ola G. Strouth Heirs, Devisees, Successors or Assigns		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		
(b.2.7.1) Ricky Strouth PO Box 78 Swords Creek, VA 24649	0.010 acres 1/700 of 7.28 acres	0.0177%
(b.3) Thelma Miller Heirs, Devisees, Successors or Assigns		
(b.3.2) Lanny D. Miller Heirs, Devisees, Successors or Assign		
<i>Removed from 03 Petition due to mail still in transit as of 10/10/2016</i>		
(b.3.2.2) Benita R. Holmes 14079 Countiss Road Abingdon, VA 24210	0.003 acres 1/2100 of 7.28 acres	0.0059%
<i>Unknown/Unlocatable</i>		
(b.3.7) Louis Miller Address Unknown	0.010 acres 1/700 of 7.28 acres	0.0177%
(b.5) Genettie Gladys Hubbard Heirs, Devisees, Successors or Assigns (documentation requested 12/29/15)	0.073 acres 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 CMR 411 Box 6054 APO AE 09112		
(c) Nellie G. Miller Heirs, Devisees, Successors or Assigns		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		
(c.1) David Miller 951 J Frank Taylor Rd Cedar Bluff, VA 24609	0.104 acres 1/70 of 7.28 acres	0.1771%
<i>Affidavit not received</i>		
(c.4) Peggy Hess 53 Miller Church Ln Swords Creek, VA 24609	0.104 acres 1/70 of 7.28 acres	0.1771%
(c.7) Ola G. Strouth Heirs, Devisees, Successors or Assigns		
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>		

**Exhibit E**  
**Unit BE-120**  
**Docket #VGOB 05-1115-1525-03**  
**List of Respondents that require escrow**  
**(58.74 Acre Unit)**

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	Acres in Unit	Interest in Unit
(c.7.1) Ricky Strouth PO Box 78 Swords Creek, VA 24649	0.104 acres 1/70 of 7.28 acres	0.1771%
(d) Thelma Miller Heirs, Devisees, Successors or Assigns		
(d.2) Lanny D. Miller Heirs, Devisees, Successors or Assign		
<i>Removed from 03 Petition due to mail still in transit as of 10/10/2016</i>		
(d.2.3) Benita R. Holmes 14079 Countiss Road Abingdon, VA 24210	0.026 acres 1/280 of 7.28 acres	0.0443%
<i>Unknown/Unlocatable</i>		
(d.7) Louis Miller Address Unknown	0.104 acres 1/70 of 7.28 acres	0.1771%
(f) Genettie Gladys Hubbard Heirs, Devisees, Successors or Assigns (documentation requested 12/29/15)	0.728 acres 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 CMR 411 Box 6054 APO AE 09112		
	<b>Total tract acres</b>	2.0887
	<b>Total tract percent</b>	3.5558%

**Tract #1E, 0.06 acres**

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

**COAL OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	0.06 acres	0.1021% <b>DISMISSED</b>
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**OIL & GAS OWNERSHIP**

(1) James P. Steele 11 Rutter Road Bristol, VA 24201	0.06 acres	0.1021%
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**Tract #1G, 1.04 acres**

*Escrow due to title conflict*

**COAL OWNERSHIP**

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	1.04 acres	1.7705% <b>DISMISSED</b>
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**OIL & GAS OWNERSHIP**

(1) Commonwealth of Virginia	1.04 acres	1.7705%
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Exhibit E  
Unit BE-120  
Docket #VGOB 05-1115-1525-03  
List of Respondents that require escrow  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
Department of Transportation 870 Bonham Road Bristol, VA 24201-2002		
-OR-		
(1) Samuel Breedlove 956 State Route 314S Mansfield, OH 44903	1.04 acres	1.7705%
	<b>Total Acreage in Unit</b>	<b>3.1887</b>
	<b>Total Percentage of Unit</b>	<b>5.4284%</b>

Exhibit EE  
Unit BE-120  
Docket #VGOB 05-1115-1525-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1A, 33.47 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	33.47 acres	56.9799%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Samuel L. Breedlove, et al.	33.47 acres	56.9799%	
(a) Samuel L. Breedlove 956 State Rt. 314 Mansfield, OH 44903	28.69 acres 6/7 of 33.47 acres	48.8399%	n/a
(b) Herbert J. Breedlove Heirs, Devisees, Successors or Assigns			
(b.1) Warren H. Breedlove 137 Hillcrest St. Jonesville, NC 28642-2513	4.78 acres 1/7 of 33.47 acres	8.1400%	n/a
<b><u>Tract #1B, 0.21 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	0.21 acres	0.3575%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Frankie D. Casey PO Box 673 Pounding Mill, VA 24637	0.21 acres	0.3575%	n/a
<b><u>Tract #1C, 4.36 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	4.36 acres	7.4225%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Ralph C. & Lolita Lockhart 2459 Lynn Springs Rd. Swords Creek, VA 24649	4.36 acres	7.4225%	n/a
<b><u>Tract #1D, 7.28 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	7.28 acres	12.3936%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Nellie L. Miller, et al. 53.3 Acres T001117	7.28 acres	12.3936%	

Exhibit EE  
Unit BE-120  
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List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
<i>(a.k.a. Floyd Lockhart Heirs, Devisees, Successors or Assigns)</i>			
(b) William L. Lockhart Heirs, Devisees, Successors or Assigns			
(b.2) Nellie G. Miller Heirs, Devisees, Successors or Assigns			
(b.2.2) Dewayne Miller 96 Perry Dr Swords Creek, VA 24609	0.010 acres 1/700 of 7.28 acres	0.0177%	0.2250% HB2058
(b.2.3) Judy Hess 53 Miller Church Ln Swords Creek, VA 24609	0.010 acres 1/700 of 7.28 acres	0.0177%	0.2250% HB2058
(b.2.5) Betty Keen PO Box 372 Swords Creek, VA 24609	0.010 acres 1/700 of 7.28 acres	0.0177%	0.2250% HB2058
(b.2.6) Cecil Miller Heirs, Devisees, Successors or Assigns	<i>Pre-Deceased</i>		
(b.2.6.1) Scottie Miller 21132 Bermuda Dr Abingdon, VA 24210	0.003 acres 1/2100 of 7.28 acres	0.0059%	0.0750% HB2058
(b.2.6.2) Anthony Miller 17592 Mohogany Dr Abingdon, VA 24210	0.003 acres 1/2100 of 7.28 acres	0.0059%	0.0750% HB2058
(b.2.6.3) Vincent Miller 160 Tunnell Hill Dr Honaker, VA 24260	0.003 acres 1/2100 of 7.28 acres	0.0059%	0.0750% HB2058
(b.3) Thelma Miller Heirs, Devisees, Successors or Assigns			
(b.3.1) Linda Stinson Heirs, Devisees, Successors or Assigns			
(b.3.1.1) Jerry Stinson PO Box 1213 Lebanon, VA 24266	0.005 acres 1/1400 of 7.28 acres	0.0089%	0.1125% HB2058
(b.3.1.2) Jerry Stinson II PO Box 3173 Lebanon, VA 24266	0.005 acres 1/1400 of 7.28 acres	0.0089%	0.1125% HB2058
(b.3.2) Lanny D. Miller Heirs, Devisees, Successors or Assign			
(b.3.2.1) Christina A Buchanan 436 East Main Street Abingdon, VA 24210	0.003 acres 1/2100 of 7.28 acres	0.0059%	0.0750% HB2058
(b.3.2.3) Lanny Dale Miller, Jr PO Box 173 Swords Creek, VA 24649	0.003 acres 1/2100 of 7.28 acres	0.0059%	n/a
(b.3.3) Patty Miller	0.010 acres	0.0177%	0.2250%

Exhibit EE  
Unit BE-120

Docket #VGOB 05-1115-1525-03

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

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	Acres in Unit	Interest in Unit	Percent of Escrow
PO Box 624 Cedar Bluff, VA 24609	1/700 of 7.28 acres		HB2058
(b.3.4) Sandy Aasgard-Miller 1818 Night Shadow Avenue North Las Vegas, NV 89031	0.010 acres 1/700 of 7.28 acres	0.0177%	0.2250% HB2058
(b.3.5) Connie Robinson 2407 South 1st Street, Lot 18 Richlands, VA 24641	0.010 acres 1/700 of 7.28 acres	0.0177%	0.2250% HB2058
(b.3.6) Joe Bill Miller PO Box 196 Swords Creek, VA 24649	0.010 acres 1/700 of 7.28 acres	0.0177%	0.2250% HB2058
(b.4) Arbutus Plaster Heirs, Devisees, Successors or Assigns			
(b.4.1) Susan Ferguson 8029 Longbay Blvd Sarasota, FL 34243	0.024 acres 1/300 of 7.28 acres	0.0413%	n/a
(b.4.2) Barbara J Justice PO Box 459 Rosedale, VA 24280	0.024 acres 1/300 of 7.28 acres	0.0413%	n/a
(b.4.3) Victoria Warren 205 Tyler Dr Bristol, TN 37620	0.024 acres 1/300 of 7.28 acres	0.0413%	n/a
(b.6) Freda Cordle Heirs, Devisees, Successors or Assigns			
(b.6.1) Mark Cordle 5920 New Watermelon Rd Tuscaloosa, AL 35406	0.036 acres 1/200 of 7.28 acres	0.0620%	n/a
(b.6.2) Patricia Seward 5920 New Watermelon Rd Tuscaloosa, AL 35406	0.036 acres 1/200 of 7.28 acres	0.0620%	0.7875% HB2058
(b.7) Loretta Mae Richardson			
Loretta Mae Richardson PO Box 1282 Honaker, VA 24260			<i>Conveyed all rights, title &amp; interest to Lolita &amp; Ralph Carter Lockhart on 9/17/2009, recorded at DB 711, Page 423</i>  <i>Will receive a one-time payout up until the date the property was conveyed - SEE TABLE</i>
(b.7.1) Lolita Lockhart 2459 Lynn Springs Rd Swords Creek, VA 24649	0.036 acres 1/200 of 7.28 acres	0.0620%	n/a
(b.7.2) Ralph Carter Lockhart 2459 Lynn Springs Rd Swords Creek, VA 24649	0.036 acres 1/200 of 7.28 acres	0.0620%	n/a
(b.8) Ralph Carter Lockhart 2459 Lynn Springs Rd Swords Creek, VA 24649	0.073 acres 1/100 of 7.28 acres	0.1239%	n/a
(b.9) Dallas Lockhart 589 Green Acres Rd Honaker, VA 24260	0.073 acres 1/100 of 7.28 acres	0.1239%	n/a

Exhibit EE  
Unit BE-120  
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List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
(b.10) Yvonne Evelyn Perkins 2407 S 1st St Richlands, VA 24641	0.073 acres 1/100 of 7.28 acres	0.1239%	<i>n/a</i>
(c) Nellie G. Miller Heirs, Devisees, Successors or Assigns			
(c.2) Dewayne Miller 96 Perry Dr Swords Creek, VA 24609	0.104 acres 1/70 of 7.28 acres	0.1771%	2.2501% HB2058
(c.3) Judy Hess 53 Miller Church Ln Swords Creek, VA 24609	0.104 acres 1/70 of 7.28 acres	0.1771%	2.2501% HB2058
(c.5) Betty Keen PO Box 372 Swords Creek, VA 24609	0.104 acres 1/70 of 7.28 acres	0.1771%	2.2501% HB2058
(c.6) Cecil Miller Heirs, Devisees, Successors or Assign <i>Pre-Deceased</i>			
(c.6.1) Scottie Miller 21132 Bermuda Dr Abingdon, VA 24210	0.035 acres 1/210 of 7.28 acres	0.0590%	0.7500% HB2058
(c.6.2) Anthony Miller 17592 Mohogany Dr Abingdon, VA 24210	0.035 acres 1/210 of 7.28 acres	0.0590%	0.7500% HB2058
(c.6.3) Vincent Miller 160 Tunnell Hill Dr Honaker, VA 24260	0.035 acres 1/210 of 7.28 acres	0.0590%	0.7500% HB2058
(d) Thelma Miller Heirs, Devisees, Successors or Assigns			
(d.1) Linda Stinson Heirs, Devisees, Successors or Assigns			
(d.1.1) Jerry Stinson PO Box 1213 Lebanon, VA 24266	0.052 acres 1/140 of 7.28 acres	0.0885%	1.1250% HB2058
(d.1.2) Jerry Stinson II PO Box 3173 Lebanon, VA 24266	0.052 acres 1/140 of 7.28 acres	0.0885%	1.1250% HB2058
(d.2) Lanny D. Miller Heirs, Devisees, Successors or Assign			
(d.2.1) Loretta K. Miller PO Box 173 Swords Creek, VA 24649	0.026 acres 1/280 of 7.28 acres	0.0443%	<i>n/a</i>
(d.2.2) Christina A Buchanan 436 East Main Street Abingdon, VA 24210	0.026 acres 1/280 of 7.28 acres	0.0443%	0.5625% HB2058
(d.2.4) Lanny Dale Miller, Jr PO Box 173 Swords Creek, VA 24649	0.026 acres 1/280 of 7.28 acres	0.0443%	<i>n/a</i>

Exhibit EE  
Unit BE-120  
Docket #VGOB 05-1115-1525-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

BOOK 0810 PAGE 0852

	Acres in Unit	Interest in Unit	Percent of Escrow
(d.3) Patty Miller PO Box 624 Cedar Bluff, VA 24609	0.104 acres 1/70 of 7.28 acres	0.1771%	2.2501% HB2058
(d.4) Sandy Aasgard-Miller 1818 Night Shadow Avenue North Las Vegas, NV 89031	0.104 acres 1/70 of 7.28 acres	0.1771%	2.2501% HB2058
(d.5) Connie Robinson 2407 South 1st Street, Lot 18 Richlands, VA 24641	0.104 acres 1/70 of 7.28 acres	0.1771%	2.2501% HB2058
(d.6) Joe Bill Miller PO Box 196 Swords Creek, VA 24649	0.104 acres 1/70 of 7.28 acres	0.1771%	2.2501% HB2058
(e) Arbutus Plaster Heirs, Devisees, Successors or Assigns			
(e.1) Susan Ferguson 8029 Longbay Blvd Sarasota, FL 34243	0.243 acres 1/30 of 7.28 acres	0.4131%	n/a
(e.2) Barbara J Justice PO Box 459 Rosedale, VA 24280	0.243 acres 1/30 of 7.28 acres	0.4131%	n/a
(e.3) Victoria Warren 205 Tyler Dr Bristol, TN 37620	0.243 acres 1/30 of 7.28 acres	0.4131%	n/a
(g) Freda Cordle Heirs, Devisees, Successors or Assigns			
(g.1) Mark Cordle 5920 New Watermelon Rd Tuscaloosa, AL 35406	0.364 acres 1/20 of 7.28 acres	0.6197%	n/a
(g.2) Patricia Seward 5920 New Watermelon Rd Tuscaloosa, AL 35406	0.364 acres 1/20 of 7.28 acres	0.6197%	7.8752% HB2058
(h) Loretta Mae Richardson	<i>Conveyed all rights, title &amp; interest to Lolita &amp; Ralph Carter Lockl on 9/17/2009, recorded at DB 711, Page 423</i>		
Loretta Mae Richardson PO Box 1282 Honaker, VA 24260	<i>Will receive a one-time payout up until the date the property was conveyed - SEE TABLE</i>		
(h.1) Lolita Lockhart 2459 Lynn Springs Rd Swords Creek, VA 24649	0.364 acres 1/20 of 7.28 acres	0.6197%	n/a
(h.2) Ralph Carter Lockhart 2459 Lynn Springs Rd Swords Creek, VA 24649	0.364 acres 1/20 of 7.28 acres	0.6197%	n/a
(j) Dallas Lockhart 589 Green Acres Rd Honaker, VA 24260	0.728 acres 1/10 of 7.28 acres	1.2394%	n/a
(k) Yvonne Evelyn Perkins 2407 S 1st St	0.728 acres 1/10 of 7.28 acres	1.2394%	n/a

Exhibit EE  
 Unit BE-120  
 Docket #VGOB 05-1115-1525-03  
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
 (58.74 Acre Unit)

BOOK 0810 PAGE 0853

	Acres In Unit	Interest in Unit	Percent of Escrow
Richlands, VA 24641			
Total tract acres	5.1913		
Total tract percent		8.8378%	
<u>Tract #1F, 1.25 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 29 Tazewell, VA 24651	1.25 acres	2.1280%	n/a
<u>OIL &amp; GAS OWNERSHIP</u>			
(1) Stanley E. Keene, et ux. 2271 Lynn Springs Rd Swords Creek, VA 24649	1.25 acres	2.1280%	n/a
	Total Acreage in Unit	44.4813	
	Total Percentage of Unit	75.7258%	

1602215

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 11-15, 2016. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:04 o'clock a M, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to: Sally Ketim

TESTE: ANN S. McREYNOLDS, CLERK  
 BY: Kathy Huff D. CLERK