



21-3137

**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:** AW133

**TRACT(S):** A portion of 1M, 3A

**LOCATION:** TAZEWELL County, Virginia

**TAX ID NUMBERS:** Tax Map Identification Numbers for all parcels affected by this order are shown on: Tract Identification Sheet

**DOCKET NUMBER:** VGOB-08-0318-2163-06

**APPLICANTS:** Pocahontas Gas LLC on behalf of Charlie Christopher Smith, Darlene M. Stacy, Elmer B. Matney, Rebecca C. Owens, Virginia Woolfer

**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 Pocahontas Gas LLC

**PRIOR PROCEEDINGS:**

- 1. Original Pooling Order Executed 11/04/2009, Recorded on 12/18/2009, Deed Book/Instrument No. 1067, Page 749, County RUSSELL
- 2. Supplemental Order, Recorded on 05/20/2011, Deed Book/Instrument No. 1094, Page 739, County RUSSELL.
- 3. Disbursement Order -01 Executed 04/11/2016, Recorded on 04/20/2016, Deed Book/Instrument No. 2016, Page 5796, County TAZEWELL.

4. Disbursement Order -02 Executed 09/23/2016, Recorded on 10/05/2016, Deed Book/Instrument No. 2016, Page 1570, County TAZEWELL.
5. Disbursement Order -03 Executed 11/30/2016, Recorded on 12/27/2016, Deed Book/Instrument No. 2016, Page 2033, County TAZEWELL.
6. Disbursement Order -04 Executed 07/20/2017, Recorded on 08/01/2017, Deed Book/Instrument No. 2017, Page 1123, County TAZEWELL.
7. Disbursement Order -05 Executed 09/28/2017, Recorded on 10/16/2017, Deed Book/Instrument No. 2017, Page 1530, County TAZEWELL.

**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 1M, 3A identified in the attached petition.

(2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 1M, 3A 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. Charlie Christopher Smith, Rebecca C. Owens, Elmer B. Matney, Darlene M. Stacy, and Virginia Wooffer are the gas claimants in tract(s) a portion of 1M and 3A. As such Charlie Christopher Smith, Rebecca C. Owens, Elmer B. Matney, Darlene M. Stacy, and Virginia Wooffer 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 Pocahontas Gas LLC (formerly 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 08-0318-2163-02, it dismissed the coal claimant(s) Coal Creek Coal Company as a Respondent to these proceedings. Accordingly, Coal Creek Coal Company was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement(s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Charlie Christopher Smith, Rebecca C. Owens, Elmer B. Matney, Darlene M. Stacy, and Virginia Wooffer and shall not escrow same. See Exhibit EE annexed hereto.



1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.

2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

**CONCLUSION:**

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

**APPEALS:**

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

DONE AND EXECUTED this 8 day of September, 2021 by a majority of the Virginia Gas and Oil Board.

Interim Chairman, Donald L. Ratliff

DONE AND PERFORMED this 8 day of September, 2021 by Order of the Virginia Gas and Oil Board.

James P. Skorupa  
Principal Executive to the staff,  
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 8<sup>th</sup> day of September, 2021, personally before me a notary public in and for the Commonwealth of Virginia, appeared Donald L. Ratliff, being duly sworn did depose and say that he is the Interim Chairman of the Virginia Gas and Oil Board and appeared James P. Skorupa, 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, 2025



**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**PETITIONER:** Pocahontas Gas LLC

**DIVISION OF GAS AND OIL**

**DOCKET NO:** VGOB 08-0318-2163-06

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 1M, 3A (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:** AW133

**TAZEWELL COUNTY, VIRGINIA**

**PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS**

**1. Petitioner and its counsel**

Petitioner is Pocahontas Gas 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 Tracts 1M and 3A as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Charlie Christopher Smith, Rebecca C. Owens, Elmer B. Matney, Darlene M. Stacy, and Virginia Woofter.

**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. Charlie Christopher Smith, Rebecca C. Owens, Elmer B. Matney, Darlene M. Stacy, and Virginia Woofler are the gas claimants in tract(s) a portion of 1M and 3A. As such Charlie Christopher Smith, Rebecca C. Owens, Elmer B. Matney, Darlene M. Stacy, and Virginia Woofler 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 Pocahontas Gas LLC (formerly 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 08-0318-2163-02, it dismissed the coal claimant(s) Coal Creek Coal Company as a Respondent to these proceedings. Accordingly, Coal Creek Coal Company was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- d. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- e. That an Exhibit identified as Table 1 is annexed hereto, and it specifies how the disbursement (s) is to be calculated and paid by the escrow agent.
- f. That Va. Code Ann. § 45.1-361.22:2.A. further provides that the Operator shall pay such royalties as may hereafter be payable directly to the gas claimant Charlie Christopher Smith, Rebecca C. Owens, Elmer B. Matney, Darlene M. Stacy, and Virginia Woofler 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 GAS COMPANY LLC AND WERE NOT SURVEYED.

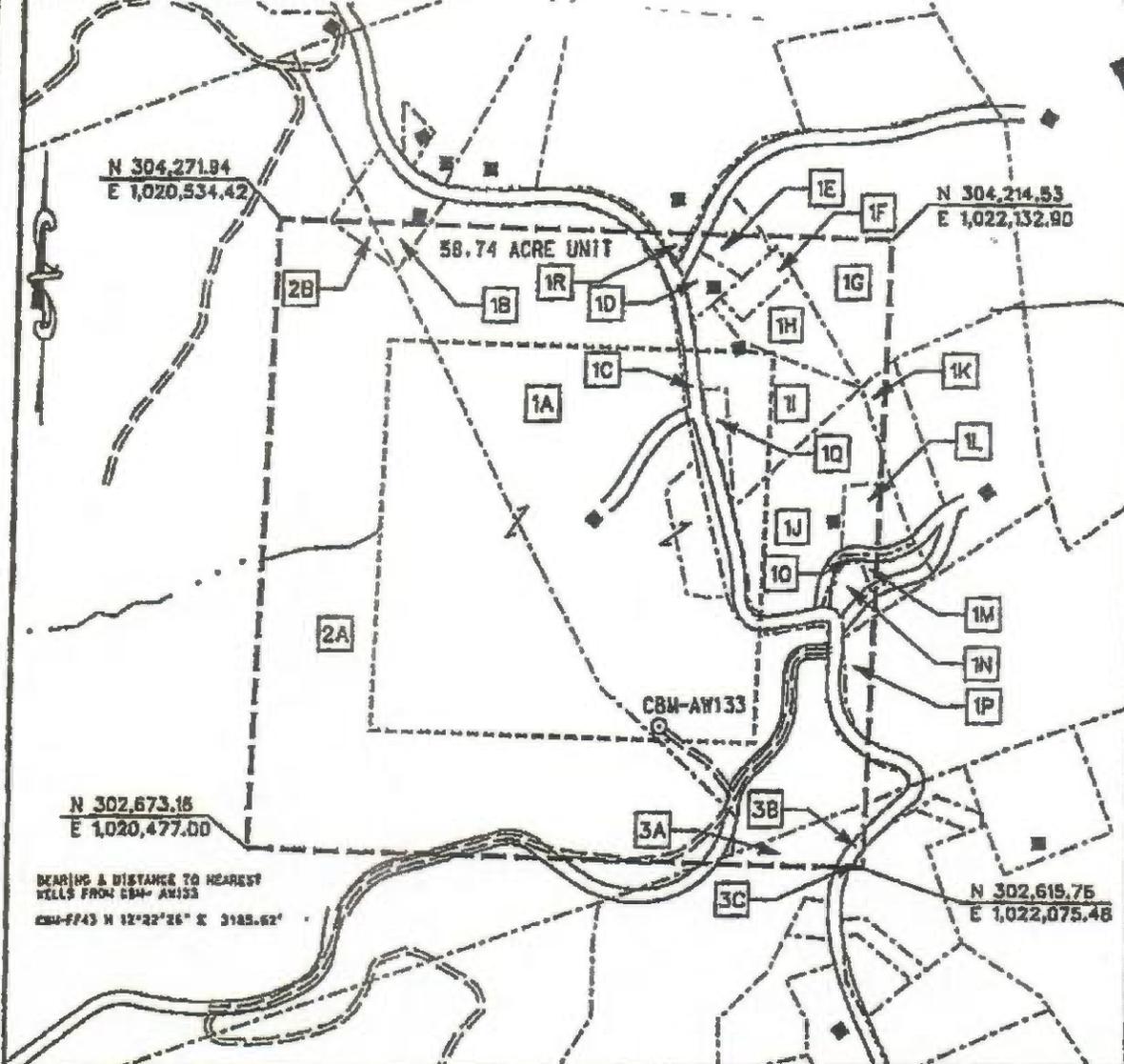
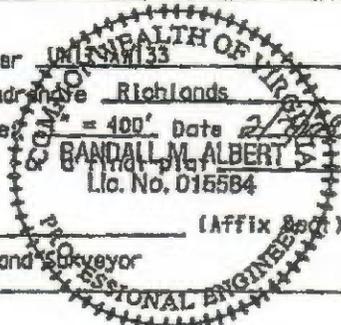


EXHIBIT A  
MIDDLE RIDGE FIELD  
UNIT AW-133  
FORCE POOLING  
VGOB-08-0318-2163

Company CNX Gas Company LLC Well Name and Number UNIT AW133  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Richlands  
 County Iozewell District Maiden Springs Scale 1" = 400' Date 2/2/2008  
 This plot is a new plot X ; an updated plot \_\_\_\_\_ ;  
 Form D60-00-7 Bandall M. Albert (Affix Seal)  
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor



**CNX Gas Company LLC**

**Unit AW 133**

**Tract Identifications**

- 1A. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Robin L. Hodges - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 7  
18.10 Acres 32.8162%
- 1B. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Ronnie Compton, et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 4  
0.20 Acres 0.3405%
- 1C. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia - Surface and All Minerals except Coal  
Tax Map 85A Parcel 0000  
1.95 Acres 3.3197%
- 1D. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Garland Davis, et ux - Surface and All Minerals except Coal  
Tax Map 85A Parcel 31  
0.31 Acres 0.5277%
- 1E. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Darius M. Smith, et ux - Surface and All Minerals except Coal  
Tax Map 85A Parcel 30  
0.31 Acres 0.5277%
- 1F. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Pamela Short, et vir - Surface and All Minerals except Coal  
Tax Map 85A Parcel 29  
0.37 Acres 0.6299%

**CNX Gas Company LLC**

**Unit AW 133**

Tract Identifications

- 1G. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
David Smith, et ux - Surface and All Minerals except Coal  
Tax Map 85A Parcel 22  
1.77 Acres 3.0133%
- 1H. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Dallas J. Short, Jr., et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 28  
0.99 Acres 1.6854%
- 1I. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Justine S. Short - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 27  
2.14 Acres 3.8432%
- 1J. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Roy D. Keen, et ux - Surface and All Minerals except Coal  
Tax Map 85A Parcel 25  
2.81 Acres 4.7838%
- 1K. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
James Arnold - Surface and All Minerals except Coal  
Tax Map 85A Parcel 23  
0.18 Acres 0.2724%
- 1L. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Scott A. Stump, et ux - Surface and All Minerals except Coal  
Tax Map 85A Parcel 24  
0.39 Acres 0.6639%

**CNX Gas Company LLC**  
**Unit AW 133**  
**Tract Identifications**

- 1M. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Carol Smith - Surface and All Minerals except Coal  
Tax Map 85A Parcel 23B  
0.05 Acres 0.0851%
- 1N. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Roy D Keen, et ux - Surface and All Minerals except Coal  
Tax Map 85A Parcel 23A  
0.34 Acres 0.6788%
- 1O. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
James Arnold - Surface and All Minerals except Coal  
Tax Map 85A Parcel 0000  
0.08 Acres 0.1362%
- 1P. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
W.H. Copley Heirs or Goldie M Miller, et al - All Minerals except Coal  
Goldie M Miller, et al - Surface  
Tax Map 85A Parcel 19  
0.41 Acres 0.8980%
- 1Q. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Patricia Lynn Short Hylton - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 28  
0.21 Acres 0.3575%
- 1R. Coal Creek Coal Company Tr. 1 (Alex P. McGlothlin 180 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Subleased  
CNX Gas Company LLC – CBM Leased  
Louis G. VanDyke - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 35  
0.07 Acres 0.1192%

**CNX Gas Company LLC**  
**Unit AW 133**  
**Tract Identifications**

- 2A. Coal Creek Coal Company Tr. 2 (237 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Tiller Seam Subleased  
Robin L. Hodges - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 6  
26.18 Acres 44.5693%
- 2B. Coal Creek Coal Company Tr. 2 (237 Acre Tract) – Coal Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Tiller Seam Subleased  
Ronnie Compton, et ux - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map 85A Parcel 4  
0.14 Acres 0.2363%
- 3A. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC – CBM Leased  
Eimer W. Matney, et ux – Surface and All Minerals except Coal  
Tax Map 85A Parcel 8A  
0.68 Acres 1.1576%
- 3B. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia - Surface and All Minerals except Coal  
Tax Map 85A Parcel 0000  
0.07 Acres 0.1192%
- 3C. Coal Creek Coal Company Tr. 3 (Robert D. Smith 620 Acre Tract) - Coal Reserve Coal Properties Company - All Coal Leased  
Knox Creek Coal Corporation - Tiller Seam Sub lessee  
CNX Gas Company LLC – CBM Leased  
Billy E. Shelton, II, et ux – Surface and All Minerals except Coal  
Tax Map 85-03 Parcel 1  
0.01 Acres 0.0170%

Exhibit E  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Owners/Claimants in escrow  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<b><u>Tract #1C1, 1.00 acres</u></b>		
<i>Escrow Due to Title Conflict</i>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	1.00 acres	1.7024% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.00 acres	1.7024%
<b>OR</b>		
(1) Robin Hodges PO Box 224 Bassett, VA 24055-0224	1.00 acres	1.7024%
<b><u>Tract #1C2, 0.14 acres</u></b>		
<i>Escrow Due to Title Conflict</i>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.14 acres	0.2383% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.14 acres	0.2383%
<b>OR</b>		
(1) Mary Simmons Heirs <i>Heirs Unknown</i>	0.14 acres	0.2383%
<b><u>Tract #1C3, 0.10 acres</u></b>		
<i>Escrow Due to Title Conflict</i>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.10 acres	0.1702% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.10 acres	0.1702%
<b>OR</b>		
(1) Justine S. Short P.O. Box 962 Raven, VA 24639	0.10 acres	0.1702%

Exhibit E  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Owners/Claimants in escrow  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<b><u>Tract #1C4, 0.71 acres</u></b>		
<i>Escrow Due to Title Conflict</i>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.71 acres	1.2087% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.71 acres	1.2087%
<i>OR</i>		
(1) Mary Simmons Heirs <i>Heirs Unknown</i>	0.71 acres	1.2087%
<b><u>Tract #1D, 0.31 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.31 acres	0.5277% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<i>Outstanding W9/Affidavit</i>		
(1) Garland & Louvonne Davis, TE P.O. Box 957 Raven, VA 24639	0.31 acres	0.5277%
<b><u>Tract #1E, 0.31 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.31 acres	0.5277% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<i>Unresolved Heirship</i>		
(1) Dairus M. Smith Heirs, Devisees Successors or Assigns	0.31 acres	0.5277%
(a) Josie B. Smith Heirs, Devisees, Successors or Assigns		
(a.1) Lenora Pauline Smith PO Box 845 Raven, VA 24639		
(a.2) Ruby Rose PO Box 242 Doran, VA 24612		
(a.3) Grady Darius Smith PO Box 845 Raven, VA 24639		

Exhibit E  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Owners/Claimants in escrow  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(a.4) Ricky Smith 2303 4th Avenue Richmond, VA 23222		
(a.5) Michael D. Smith Heirs, Devisees, Successors or Assigns		
(a.5.1) Lenora Pauline Smith PO Box 845 Raven, VA 24639		
(a.5.2) Ruby Rose PO Box 242 Doran, VA 24612		
(a.5.3) Grady Darius Smith PO Box 845 Raven, VA 24639		
(a.5.4) Ricky Smith 2303 4th Avenue Richmond, VA 23222		
<b><u>Tract #1K, 0.16 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.16 acres	0.2724% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<i>Outstanding W9/Affidavit</i>		
(1) Nancy Hamblin 6625 Kent Farm Road Dublin, VA 24084	0.16 acres	0.2724%
<b><u>Tract #1M, 0.05 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.05 acres	0.0851% <i>Dismissed under -02 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<i>Outstanding W9/Affidavit</i>		
(1) Carol Smith Heirs, Devisees, Successors, or Assigns	0.05 acres	0.0851%
(a) James Dexter Smith PO Box 90 Doran, VA 24612	0.017 acres 1/3 of 0.05 acres	0.0284%
<b><u>Tract #1O, 0.08 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.08 acres	0.1362% <i>Dismissed under -02 petition</i>

Exhibit E  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Owners/Claimants in escrow  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<b><i>Unresolved Heirship</i></b>		
(1) James Arnold Heirs, Devisees, Successors, or Assigns <i>(documentation pending)</i>	0.08 acres	0.1362%
<b><u>Tract #3B1, 0.04 acres</u></b>		
<b><i>Escrow due to title conflict</i></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.04 acres	0.0681% <b><i>Dismissed under -02 petition</i></b>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.04 acres	0.0681%
<b>OR</b>		
(1) Elmer W. and Ethel H. Matney, TE	0.04 acres	0.0681%
(a) Ethel H. Matney (DOD 11/25/1996)		
(a.1) Elmer W. Matney (A/K/A William E. Matney) Heirs, Devisees, Successors, or Assigns		
(a.1.1) Elmer B. Matney 180 Bishop Rd, Apt. 2 Johnson City, TN 37601	0.01 acres 1/3 of 0.04 acres	0.0227%
(a.1.2) Darlene M. Stacy 1 Clarks Court Johnson City, TN 37604	0.01 acres 1/3 of 0.04 acres	0.0227%
(a.1.3) Virginia Woolfer 18 Primrose Drive Spartanburg, SC 29301	0.01 acres 1/3 of 0.04 acres	0.0227%
<b><u>Tract #3B2, 0.03 acres</u></b>		
<b><i>Escrow due to title conflict</i></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.03 acres	0.0511% <b><i>Dismissed under -02 petition</i></b>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.03 acres	0.0511%
<b>OR</b>		

Exhibit E  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Owners/Claimants in escrow  
**(58.74 Acre Unit)**

	Acres in Unit	Interest in Unit
(1) Billy E. Shelton, II 2816 Red Root Ridge Rd. Raven, VA 24639	0.03 acres	0.0511%
<i>Total Acres Escrow</i>	<b>2.8967</b>	
<i>Total Percentage in Escrow</i>		<b>4.9313%</b>

Exhibit EE  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

	Acres In Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1A, 19.10 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651 <i>(Alex P. McGlothlin 180 Acre Tract)</i>	19.10 acres	32.5162%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Robln Hodges * PO Box 224 Bessett, VA 24055-0224  <i>* The Royalty Division Agreement varies per tract. The Division Order contains the details of each.</i>	19.10 acres	32.5162%	<i>n/a</i>
<b><u>Tract #1B, 0.20 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.20 acres	0.3405%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
Ronnie & Betty Annette Compton, TE*	<i>Conveyed to Michael and Jeffrey Mathis 12/21/2007 DB1044/PG916</i>		
(1) Michael Mathis 1034 Firestone Road Honaker, VA 24260	0.10 acres 1/2 of 0.20 acres	0.1702%	<i>n/a</i>
(2) Jeffrey A. Mathis 1183 Copperhead Road Council, VA 24260	0.10 acres 1/2 of 0.20 acres	0.1702%	<i>n/a</i>
<i>* The Royalty Division Agreement varies per tract. The Division Order contains the details of each.</i>			
<b><u>Tract #1F, 0.37 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.37 acres	0.6299%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Pamela & Dallas Short, Jr., TE  Dallas J. Short, Jr. P.O. Box 924 Raven, VA 24639	<i>Conveyed to Dallas J. Short Jr., 11/17/2016, Instr# 20160017837</i>		
	0.37 acres	0.6299%	<i>n/a</i>
<b><u>Tract #1G, 1.77 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	1.77 acres	3.0133%	<i>n/a</i>

Exhibit EE  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) David & Linda Smith, TE 150 Clines Lane Raven, VA 24639	1.77 acres	3.0133%	<i>n/a</i>
<b><u>Tract #1H, 0.99 acres</u></b>			
<b>COAL OWNERSHIP</b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.99 acres	1.6854%	<i>n/a</i>
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) Dallas J. & Pamela Short, Jr., TE  Dallas J. Short, Jr. P.O. Box 924 Raven, VA 24639	0.99 acres	1.6854%	<i>n/a</i>
<i>Conveyed to Dallas J. Short Jr., 11/17/2016, Instr# 20160017835</i>			
<b><u>Tract #1I, 2.14 acres</u></b>			
<b>COAL OWNERSHIP</b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	2.14 acres	3.6432%	<i>n/a</i>
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) Justine S. Short P.O. Box 962 Raven, VA 24639	2.14 acres	3.6432%	<i>n/a</i>
<b><u>Tract #1J, 2.81 acres</u></b>			
<b>COAL OWNERSHIP</b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	2.81 acres	4.7838%	<i>n/a</i>
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) Roy D. & Frances Keen, TE P.O. Box 863 Raven, VA 24639	2.81 acres	4.7838%	<i>n/a</i>
<b><u>Tract #1L, 0.39 acres</u></b>			
<b>COAL OWNERSHIP</b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651	0.39 acres	0.6639%	<i>n/a</i>
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) Scott A. & Lisa Stump, TE PO Box 1211 Raven, VA 24639	0.39 acres	0.6639%	<i>n/a</i>

Exhibit EE  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1M, 0.05 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr. 1 P.O. Box 323 Tazewell, VA 24651	0.05 acres	0.0851%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Carol Smith Heirs, Devisees, Successors, or Assigns	0.05 acres	0.0851%	
(b) Charlie Christopher Smith 564 Rich Drive Kingsport, TN 37660	0.017 acres 1/3 of 0.05 acres	0.0284%	0.4617% HB2058
(c) Rebecca C. Owens 358 Gordondale Road Atkins, VA 24311	0.017 acres 1/3 of 0.05 acres	0.0284%	0.4617% HB2058
Total Tract Acres	0.033		
Total Tract Percentage	0.0567%		
<b><u>Tract #1N, 0.34 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr. 1 P.O. Box 323 Tazewell, VA 24651	0.34 acres	0.5788%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Roy D. & Frances Keen, TE P.O. Box 863 Raven, VA 24639	0.34 acres	0.5788%	n/a
<b><u>Tract #1P, 0.41 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr. 1 P.O. Box 323 Tazewell, VA 24651	0.41 acres	0.6980%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Morris Smith, et al (27.50 Acre Tract)	0.41 acres	0.6980%	
(a) Morris Don Smith PO Box 386 Richlands, VA 24641	0.308 acres 3/4 of 0.41 acres	0.5235%	n/a
(b) Pocahontas Gas LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.103 acres 1/4 of 0.41 acres	0.1745%	n/a
<b><u>Tract #1Q, 0.21 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr. 1 P.O. Box 323 Tazewell, VA 24651	0.21 acres	0.3575%	n/a

Exhibit EE  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Patricia Lynn Short Hylton P.O. Box 626 Raven, VA 24639	0.21 acres	0.3575%	<i>n/a</i>
<b><u>Tract #1R, 0.07 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr.1 P.O. Box 323 Tazewell, VA 24651 <i>(Alex P. McGlothlin 180 Acre Tract)</i>	0.07 acres	0.1192%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Louis G. Vandyke Heirs, Devisees, Successors* or Assigns	0.07 acres	0.1192%	
(a) Sharon Vandyke 109 Grants Road Raven, VA 24639	0.02 acres 1/3 of 0.07 acres	0.0397%	<i>n/a</i>
(b) Lawrence Vandyke 160 Grants Road Raven, VA 24639	0.02 acres 1/3 of 0.07 acres	0.0397%	<i>n/a</i>
(c) Juanita Lee 1019 Nanny Branch Rd Grundy, VA 24614	0.02 acres 1/3 of 0.07 acres	0.0397%	<i>n/a</i>
<i>* The Royalty Division Agreement varies per tract. The Division Order contains the details of each.</i>			
<b><u>Tract #2A, 26.18 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr.2 P.O. Box 323 Tazewell, VA 24651 <i>(237 Acre Tract)</i>	26.18 acres	44.5693%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Robin Hodges * PO Box 224 Bassett, VA 24055-0224	26.18 acres	44.5693%	<i>n/a</i>
<i>* The Royalty Division Agreement varies per tract. The Division Order contains the details of each.</i>			
<b><u>Tract #2B, 0.14 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Creek Coal Company, Tr.2 P.O. Box 323 Tazewell, VA 24651	0.14 acres	0.2383%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
Ronnie & Betty Annette Compton, TE*	<i>Conveyed to Michael and Jeffrey Mathis 12/21/2007 DB1044/PG916</i>		
(1) Michael Mathis 1034 Firestone Road Honaker, VA 24260	0.07 acres 1/2 of 0.20 acres	0.1192%	<i>n/a</i>

Exhibit EE  
Unit AW-133  
Docket #VGOB 08-0318-2163-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
(2) Jeffrey A. Mathis 1183 Copperhead Road Council, VA 24260	0.07 acres 1/2 of 0.20 acres	0.1192%	<i>n/a</i>

*\* The Royalty Division Agreement varies per tract.  
The Division Order contains the details of each.*

**Tract #3A, 0.68 acres**

**COAL OWNERSHIP**

(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.68 acres	1.1576%	<i>n/a</i>
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**OIL & GAS OWNERSHIP**

(1) Elmer W. and Ethel H. Matney, TE	0.68 acres	1.1576%	
(a) Ethel H. Matney (DOD 11/25/1996)			
(a.1) Elmer W. Matney (A/K/A William E. Matney) Heirs, Devisees, Successors, or Assigns			
(a.1.1) Elmer B. Matney 180 Bishop Rd, Apt. 2 Johnson City, TN 37601	0.23 acres 1/3 of 0.68 acres	0.3859%	6.2789% HB2058
(a.1.2) Darlene M. Stacy 1 Clarks Court Johnson City, TN 37604	0.23 acres 1/3 of 0.68 acres	0.3859%	6.2789% HB2058
(a.1.3) Virginia Woofter 18 Primrose Drive Spartanburg, SC 29301	0.23 acres 1/3 of 0.68 acres	0.3859%	6.2789% HB2058

Total Tract Acres      0.68  
Total Tract Percentage    1.1576%

**Tract #3C, 0.01 acres**

**COAL OWNERSHIP**

(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.01 acres	0.0170%	<i>n/a</i>
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**OIL & GAS OWNERSHIP**

(1) Billy E. & Amy Shelton, II, TE 2816 Red Root Ridge Rd. Raven, VA 24639	0.01 acres	0.0170%	<i>n/a</i>
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**Total Acres Resolved in Unit    55.8433**  
**Total Percentage Resolved in Unit    95.0687%**

INSTRUMENT 210003137  
RECORDED IN THE CLERK'S OFFICE OF  
TAZEWELL COUNTY CIRCUIT COURT ON  
SEPTEMBER 29, 2021 AT 09:52 AM  
TAMMY B. ALLISON, CLERK  
RECORDED BY: CSH

*Crystal Heyner*  
8/4/2021