



BK 2019 PG 06580

1290

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: AX134

TRACT(S): 1M, 1V

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-08-1021-2348-06

APPLICANTS: Pocahontas Gas LLC on behalf of Joshua T. Absher, Kimberly Dula, Patricia Sheppard, Sandra Tackett

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 10/08/2009, Recorded on 11/04/2009, Deed Book/Instrument No. 1064, Page 1009, County TAZEWELL.
- 2. Supplemental Order, Recorded on 04/09/2010, Deed Book/Instrument No. 1075, Page 1, County TAZEWELL.
- 3. Disbursement Order -01 Executed 02/02/2016, Recorded on 03/04/2016, Deed Book/Instrument No. 2016, Page 2877, County TAZEWELL.

- 4. Disbursement Order -02 Executed 08/04/2016, Recorded on 08/23/2016, Deed Book/Instrument No. 2016, Page 1318, County TAZEWEELL.
- 5. Disbursement Order -03 Executed 03/08/2017, Recorded on 03/28/2017, Deed Book/Instrument No. 2017, Page 0410, County TAZEWEELL.
- 6. Disbursement Order -04 Executed 05/04/2017, Recorded on 05/17/2017, Deed Book/Instrument No. 2017, Page 0706, County TAZEWEELL.

NOTICE:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 1M, 1V identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 1M, 1V 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. Sandra Tackett, Joshua Absher, Kimberly Dula, and Patricia Sheppard are the gas claimants in Tract(s) 1M and 1V. As such Sandra Tackett, Joshua Absher, Kimberly Dula, and Patricia Sheppard 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 08-1021-2348-02, 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 Sandra Tackett, Joshua Absher, Kimberly Dula, and Patricia Sheppard 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.

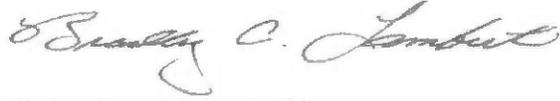
CONCLUSION:

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 7 day of May, 2019 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

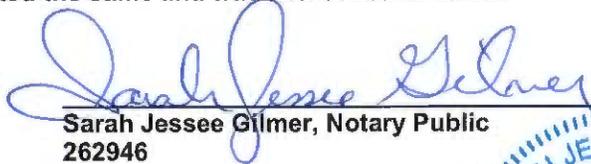
DONE AND PERFORMED this 7 day of May, 2019 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 7th day of May, 2019, 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, 2021



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: Pocahontas Gas LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 08-1021-2348-06

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 1M, 1V (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: AX134

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, attributable to Tracts 1M and 1V, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Sandra Tackett, Joshua Absher, Kimberly Dula, and Patricia Sheppard.

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. Sandra Tackett, Joshua Absher, Kimberly Dula, and Patricia Sheppard are the gas claimants in Tract(s) 1M and 1V. As such Sandra Tackett, Joshua Absher, Kimberly Dula, and Patricia Sheppard 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 08-1021-2348-02, 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 Sandra Tackett, Joshua Absher, Kimberly Dula, and Patricia Sheppard 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 ON THIS PLAT WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.

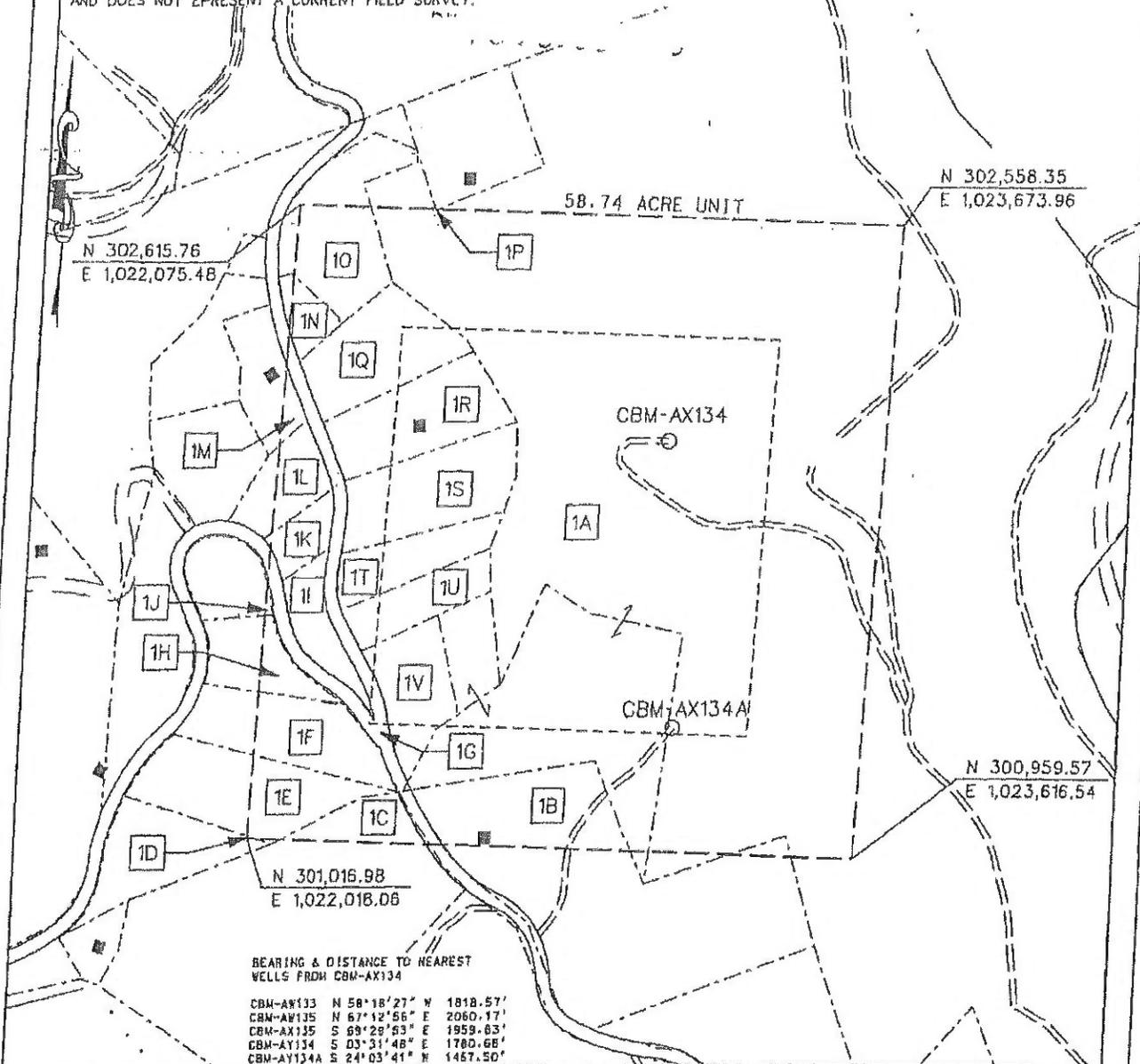


EXHIBIT A
MIDDLE RIDGE FIELD
UNIT AX134
FORCE POOLING
VGOB-08-1021-2348

Company CNX Gas Company LLC Well Name and Number UNIT AX134

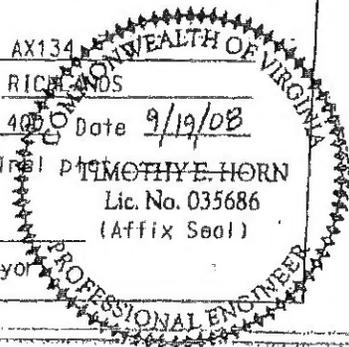
Tract No. _____ Elevation _____ Quadrangle RICHMOND

County TAZEWELL District MAIDEN SPRINGS Scale: 1" = 400' Date 9/19/08

This plat is a new plat _____ ; an updated plat X ; or a final plat _____

Form DGO-GO-7 _____
Rev. 9/91 _____

Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC
Unit AX 134
Tract Identifications

- 1A. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Kenneth Anders – Surface and all Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Tax Map 85A Parcel 18
38.70 Acres 65.8836%
- 1B. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Clement Smith – Surface and all Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
Tax Map 85A Parcels 44 and 45
2.22 Acres 3.7794%
- 1C. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
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 48
0.68 Acres 1.1576%
- 1D. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Michelle H. Vamey - Surface
Tax Map 85 04 Parcel 12
0.01 Acres 0.0170%
- 1E. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Clement A. Stanley, et ux – Surface
Tax Map 85 04 Parcel 11
1.0 Acres 1.7024%

CNX Gas Company LLC
Unit AX 134
Tract Identifications

- 1F. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Gregory S. Rowe, et ux – Surface
Tax Map 85 04 Parcel 10
1.28 Acres 2.1791%
- 1G. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Commonwealth of Virginia – Surface and all Minerals except Coal
1.58 Acres 2.6898%
- 1H. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Larry Mullins, Sr. – Surface
Tax Map 85 04 Parcel 9
0.41 Acres 0.6980%
- 1I. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Bradley K. Ferrell, et ux – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 8A
0.75 Acres 1.2768%
- 1J. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Sherman Fuller – Surface
Tax Map 85 04 Parcel 9A
0.02 Acres 0.0340%
- 1K. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Isaac Franklin Cantrell – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 8
0.50 Acres 0.8512%

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CNX Gas Company LLC
Unit AX 134
Tract Identifications

- 1L. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home, et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Milton M. Smith, et ux – Surface
Tax Map 85 02 Parcel 3
0.59 Acres 1.0044%
- 1M. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Terry Ray Tackett, et ux – Surface and all Minerals except Coal
Tax Map 85 Parcel 00
0.15 Acres 0.2554%
- 1N. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Don Cox – Surface and all Minerals except Coal
Tax Map 85 03 Parcel A
0.36 Acres 0.6129%
- 1O. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Billy E. Shelton, II, et ux – Surface and all Minerals except Coal
Tax Map 85 03, Parcel 1
1.28 Acres 2.1791%
- 1P. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Harold C. Cox, et al – Surface and all Minerals except Coal
Tax Map 85A Parcel 20
0.01 Acres 0.0170%
- 1Q. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Sherry C. Mosley – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 2
1.89 Acres 3.2176%

CNX Gas Company LLC
Unit AX 134
Tract Identifications

- 1R. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Linda Gail Vandyke – Surface
Tax Map 85 03, Parcel 3
1.92 Acres 3.2686%
- 1S. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Patricia Pauline Wright – Surface
Tax Map 85 03 Parcel 4 and Tax Map 85A Parcel 4A
2.04 Acres 3.4729%
- 1T. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
James E. Keen, et ux – Surface
Tax Map 85 03 Parcel 5
1.08 Acres 1.8386%
- 1U. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Emma K. Home – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Heze K. Price, et ux – Surface
Tax Map 85 03 Parcel 5A
0.99 Acres 1.6854%
- 1V. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal
Reserve Coal Properties Company – All Coal Leased
Knox Creek Coal Company – Coal In Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Joshua T. Absher – Surface and all Minerals except Coal
Tax Map 85 03 Parcel 6A
1.28 Acres 2.1791%

EX 2019 005593

**Exhibit E
Unit AX-134
Docket #VGOB 08-1021-2348-06
List of Owners/Claimants that require escrow
(58.74 Acre Unit)**

	Acres in Unit	Interest in Unit
<u>Tract #1N, 0.36 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.36 acres	0.6129% <i>Dismissed under -02 petition</i>
<u>OIL & GAS OWNERSHIP</u>		
<i>Outstanding W9/Affidavits</i>		
(1) Don Cox Heirs, Devisees, Successors or Assigns	0.36 acres	0.6129%
(b) Deirdre Smith 633 Knox Chapel Road Social Circle, GA 30025	0.12 acres 1/3 of 0.36 acres	0.2043%
(c) Donald Cox 21 Harvard Rd Audubon, NJ 08106	0.12 acres 1/3 of 0.36 acres	0.2043%
Total tract acres	0.2400	
Total tract percent	0.4086%	
<u>Tract #1P, 0.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.01 acres	0.0170% <i>Dismissed under -02 petition</i>
<u>OIL & GAS OWNERSHIP</u>		
<i>Outstanding W9/Affidavits</i>		
(1) Harold C. Cox, et al**	0.01 acres	0.0170%
(a) Louvonne Salyers & Mary Gravitts	<i>Conveyed 6/25/2013, DB 2013/12335 to Jesse & Melissa Price, TE**</i>	
(a.1) Jesse & Melissa Price, TE 2928 Red Root Ridge Rd Raven, VA 24639	0.0011 acres 1/9 of 0.01 acres	0.0019%
<i>** Prior owners below will receive a one time payment from escrow when W9's are received</i>		
(e) Don Cox Heirs, Devisees, Successors or Assigns		
(e.2) Deirdre Smith 633 Knox Chapel Road Social Circle, GA 30025	0.0006 acres 1/18 of 0.36 acres	0.0009%
(e.3) Donald Cox 21 Harvard Rd Audubon, NJ 08106	0.0006 acres 1/18 of 0.36 acres	0.0009%
Total tract acres	0.0011	
Total tract percent	0.0019%	
Total Acreage Remaining In Escrow in Unit	0.24111	
Total Percentage Remaining In Escrow of Unit		0.4105%
		<u>TOTALS:</u>

OK 2019 1006594

Exhibit EE
Unit AX-134

Docket #VGOB 08-1021-2348-06

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

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A, 38.70 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	38.70 acres	65.8836%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Kenneth Anders P.O. Box 558 Doran, VA 24612	38.70 acres	65.8836%	n/a
<u>Tract #1B, 2.22 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.22 acres	3.7794%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Clement A. Smith Heirs, Devisees, Successors or Assigns	2.22 acres	3.7794%	n/a
(a) Clement Jason Smith 2508 Red Root Ridge Road Raven, VA 24639-9498			
<u>Tract #1C, 0.68 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.68 acres	1.1576%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Robin Hodges P.O. Box 1480 Bassett, VA 24055-4999	0.68 acres	1.1576%	n/a
<u>Tract #1D, 0.01 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.01 acres	0.0170%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Emma Kate Horne, et al	0.01 acres	0.0170%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.005 acres 1/2 of 0.01 acres	0.0085%	n/a
(b) Beverly J. Horne Heirs, Devisees, Successors or Assigns (DOD 1/6/1991)			

OK 2019 NOV 5 595

Exhibit EE
Unit AX-134
Docket #VGOB 08-1021-2348-06
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres In Unit	Interest In Unit	Percent of Escrow
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		<i>n/a</i>
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.001 acres 1/8 of 0.01 acres	0.0021%	<i>n/a</i>
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.001 acres 1/8 of 0.01 acres	0.0021%	<i>n/a</i>
(b.1.3) Roger Wall Horne PO box 706 Youngsville, NC 27596	0.001 acres 1/8 of 0.01 acres	0.0021%	<i>n/a</i>
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.001 acres 1/8 of 0.01 acres	0.0021%	<i>n/a</i>
<u>Tract #1E, 1.00 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.00 acres	1.7024%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Emma Kate Horne, et al	1.00 acres	1.7024%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.500 acres 1/2 of 1.00 acres	0.8512%	<i>n/a</i>
(b) Beverly J. Horne Heirs, Devisees, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.125 acres 1/8 of 1.00 acres	0.2128%	<i>n/a</i>
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.125 acres 1/8 of 1.00 acres	0.2128%	<i>n/a</i>
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.125 acres 1/8 of 1.00 acres	0.2128%	<i>n/a</i>
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.125 acres 1/8 of 1.00 acres	0.2128%	<i>n/a</i>

EX 2019 1006596

Exhibit EE
Unit AX-134
Docket #VGOB 08-1021-2348-06
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1F, 1.28 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.28 acres	2.1791%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Emma Kate Horne, et al	1.28 acres	2.1791%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.640 acres 1/2 of 1.28 acres	1.0895%	n/a
(b) Beverly J. Horne Heirs, Devises, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.160 acres 1/8 of 1.28 acres	0.2724%	n/a
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.160 acres 1/8 of 1.28 acres	0.2724%	n/a
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.160 acres 1/8 of 1.28 acres	0.2724%	n/a
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.160 acres 1/8 of 1.28 acres	0.2724%	n/a
<u>Tract #1G, 1.58 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.58 acres	2.6898%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.58 acres	2.6898%	n/a
<u>Tract #1H, 0.41 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.41 acres	0.6980%	n/a

2019 006597

Exhibit EE

Unit AX-134

Docket #VGOB 08-1021-2348-06

List of Respondents with Royalty Split Agreements/Court Orders/HB2058

(58.74 Acre Unit)

	Acres In Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Emma Kate Horne, et al	0.41 acres	0.6980%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.205 acres 1/2 of 0.41 acres	0.3490%	n/a
(b) Beverly J. Horne Heirs, Devises, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.051 acres 1/8 of 0.41 acres	0.0872%	n/a
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.051 acres 1/8 of 0.41 acres	0.0872%	n/a
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.051 acres 1/8 of 0.41 acres	0.0872%	n/a
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.051 acres 1/8 of 0.41 acres	0.0872%	n/a
<u>Tract #1I, 0.75 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.75 acres	1.2768%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Bradley K. & Janice Ferrell, TE PO Box 205 Richlands, VA 24641	0.75 acres	1.2768%	n/a
<u>Tract #1J, 0.02 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.02 acres	0.0340%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Emma Kate Horne, et al	0.02 acres	0.0340%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.010 acres 1/2 of 0.02 acres	0.0170%	n/a
(b) Beverly J. Horne Heirs, Devises, Successors or Assigns (DOD 1/6/1991)			

DK 2019 008590

Exhibit EE
Unit AX-134

Docket #VGOB 08-1021-2348-06

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

	Acres In Unit	Interest in Unit	Percent of Escrow
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.003 acres 1/8 of 0.02 acres	0.0043%	n/a
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.003 acres 1/8 of 0.02 acres	0.0043%	n/a
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.003 acres 1/8 of 0.02 acres	0.0043%	n/a
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.003 acres 1/8 of 0.02 acres	0.0043%	n/a
<u>Tract #1K, 0.50 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.50 acres	0.8512%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Franklin Isiac Cantrell P.O. Box 336 Raven, VA 24631	0.50 acres	0.8512%	n/a
<u>Tract #1L, 0.59 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.59 acres	1.0044%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Emma Kate Horne, et al	0.59 acres	1.0044%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.295 acres 1/2 of 0.59 acres	0.5022%	n/a
(b) Beverly J. Horne Heirs, Devisees, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.074 acres 1/8 of 0.59 acres	0.1256%	n/a

DK2019 006599

Exhibit EE
Unit AX-134

Docket #VGOB 08-1021-2348-06

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

	Acres in Unit	Interest in Unit	Percent of Escrow
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.074 acres 1/8 of 0.59 acres	0.1256%	n/a
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.074 acres 1/8 of 0.59 acres	0.1256%	n/a
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.074 acres 1/8 of 0.59 acres	0.1256%	n/a
<u>Tract #1M, 0.15 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.15 acres	0.2554%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Sandra & Terry Tackett, TE <i>Terry Tackett and Sandra Tackett conveyed to Sandra Tackett, Instr# 180001659, 6/11/18 as ratification of Property Settlement Agreement dated 6/25/2002, and divorce decree dated 7/17/2002 found in Chancery Order Book 72, Page 621</i>			
(a) Sandra Tackett 761 Rambler Court Myrtle Beach, SC 29588	0.15 acres	0.2554%	8.9761% HB2058
<u>Tract #1N, 0.36 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.36 acres	0.6129%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Don Cox Heirs, Deviseses, Successors or Assigns	0.36 acres	0.6129%	
(a) Dinah Shelton 115 Bobcat Ln Raven, VA 24639	0.12 acres 1/3 of 0.36 acres	0.2043%	n/a
<u>Tract #1O, 1.28 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.28 acres	2.1791%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Billy E. & Amy Shelton, II, TE 2816 Red Root Ridge Rd Raven, VA 24639	1.28 acres	2.1791%	n/a

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Exhibit EE
Unit AX-134
Docket #VGOB 08-1021-2348-06
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1P, 0.01 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.01 acres	0.0170%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Harold C. Cox, et al	0.01 acres	0.0170%	
(a) Louvonne Salyers & Mary Gravitts	<i>Conveyed 6/25/2013, DB 2013/12335 to Jesse & Melissa Price, TE**</i>		
(a.1) Jesse & Melissa Price, TE 2928 Red Root Ridge Rd Raven, VA 24639	0.0089 acres** 8/9 of 0.01 acres	0.0151%	<i>n/a</i>
<i>** remaining interest in tract will stay in escrow until prior owner's W9 received</i>			
<u>Tract #1Q, 1.89 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.89 acres	3.2176%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Sherry C. Mosley 153 Carson Ave, Apt 19 Richlands, VA 24641	1.89 acres	3.2176%	<i>n/a</i>
<u>Tract #1R, 1.92 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.92 acres	3.2686%	<i>n/a</i>
<u>OIL & GAS OWNERSHIP</u>			
(1) Emma Kate Horne, et al	1.92 acres	3.2686%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.960 acres 1/2 of 1.92 acres	1.6343%	<i>n/a</i>
(b) Beverly J. Horne Heirs, Devisees, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.240 acres 1/8 of 1.92 acres	0.4086%	<i>n/a</i>

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**Exhibit EE
Unit AX-134
Docket #VGOB 08-1021-2348-06
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)**

	Acres in Unit	Interest in Unit	Percent of Escrow
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.240 acres 1/8 of 1.92 acres	0.4086%	n/a
(b.1.3) Roger Wall Horne PO box 706 Youngsville, NC 27596	0.240 acres 1/8 of 1.92 acres	0.4086%	n/a
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.240 acres 1/8 of 1.92 acres	0.4086%	n/a

Tract #1S, 2.04 acres

COAL OWNERSHIP

(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.04 acres	3.4729%	n/a
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OIL & GAS OWNERSHIP

(1) Emma Kate Horne, et al	2.04 acres	3.4729%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	1.020 acres 1/2 of 2.04 acres	1.7365%	n/a
(b) Beverly J. Horne Heirs, Devisees, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.255 acres 1/8 of 2.04 acres	0.4341%	n/a
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.255 acres 1/8 of 2.04 acres	0.4341%	n/a
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.255 acres 1/8 of 2.04 acres	0.4341%	n/a
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.255 acres 1/8 of 2.04 acres	0.4341%	n/a

Tract #1T, 1.08 acres

COAL OWNERSHIP

(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.08 acres	1.8386%	n/a
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OIL & GAS OWNERSHIP

(1) Emma Kate Horne, et al	1.08 acres	1.8386%	
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Exhibit EE
Unit AX-134

Docket #VGOB 08-1021-2348-06

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

	Acres in Unit	Interest in Unit	Percent of Escrow
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.540 acres 1/2 of 1.08 acres	0.9193%	n/a
(b) Beverly J. Horne Heirs, Devisees, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.135 acres 1/8 of 1.08 acres	0.2298%	n/a
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.135 acres 1/8 of 1.08 acres	0.2298%	n/a
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.135 acres 1/8 of 1.08 acres	0.2298%	n/a
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.135 acres 1/8 of 1.08 acres	0.2298%	n/a

Tract #1U, 0.99 acres

COAL OWNERSHIP

(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.99 acres	1.6854%	n/a
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OIL & GAS OWNERSHIP

(1) Emma Kate Horne, et al	0.99 acres	1.6854%	
(a) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	0.495 acres 1/2 of 0.99 acres	0.8427%	n/a
(b) Beverly J. Horne Heirs, Devisees, Successors or Assigns (DOD 1/6/1991)			
(b.1) Emma Kate Horne 400 Stone Pass Drive Fuquay Fuquay Varina, NC 27826	<i>Testamentary Life Estate</i>		
(b.1.1) Wanda Thompson 803 Greenfield Dr Dunn, NC 28334	0.124 acres 1/8 of 0.99 acres	0.2107%	n/a
(b.1.2) Betty Jean Ray 4813 Ashley Terrace Middletown, OH 45042	0.124 acres 1/8 of 0.99 acres	0.2107%	n/a
(b.1.3) Roger Wallace Horne PO Box 706 Youngsville, NC 27596	0.124 acres 1/8 of 0.99 acres	0.2107%	n/a

2019 005603

Exhibit EE
Unit AX-134
Docket #VGOB 08-1021-2348-06
List of Respondents with Royalty Split Agreements/Court Orders/HB2058
(58.74 Acre Unit)

	Acres In Unit	Interest in Unit	Percent of Escrow
(b.1.4) Brenda L. Keene 176 Sunny Hills Dr Cedar Bluff, VA 24609	0.124 acres 1/8 of 0.99 acres	0.2107%	n/a

Tract #1V, 1.28 acres

COAL OWNERSHIP

(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	1.28 acres	2.1791%	n/a
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OIL & GAS OWNERSHIP

(1) Joshua T. Absher**	<i>Conveyed to Kimberly Dula 4/16/2010, DB 1073/83</i>		
(a) Kimberly Dula**	<i>Conveyed to Patricia G. Shepard 9/2/2010, DB 1080/1056</i>		
(a.1) Patricia G. Shephard 2638 Red Root Ridge Road Raven, VA 24639	1.28 acres	2.1791%	76.5958% HB2058

***Prior owners to receive a one time payment from escrow*

TOTALS:

Total Acreage Resolved in Unit	58.4989		
Total Percentage Resolved of Unit		99.5895%	

INSTRUMENT 190001290
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY CIRCUIT COURT ON
MAY 21, 2019 AT 02:29 PM
TAMMY B. ALLISON, CLERK
RECORDED BY: MSM

Maggi Martin