

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)

UNIT/WELL NAME: BUNE1

TRACT(S): 11A, A portion of 11B, 12, 13A, 13C

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-91-1119-0161-04

APPLICANTS: CNX Gas Company LLC on behalf of CNX Gas Company LLC, Fern Duecaster, Ira C. Mutter, et ux, Monta Mutter, Torch Oil and Gas Company c/o Sue Ann Craddock

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia ☐
February 18, 2014

APPEARANCES: Mark A. Swartz on behalf of CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 04/30/1992, Recorded on 11/09/1992, Deed Book/Instrument No. 400, Page 848.
2. Modification Order -01 Executed 01/15/1999, Recorded on 02/01/1999, Deed Book/Instrument No. 487, Page 316.
3. Supplemental Order -01 Executed 05/03/1999, Recorded on 05/12/1999, Deed Book/Instrument No. 491, Page 673.
4. Supplemental Order Executed 05/06/1999, Recorded on 05/12/1999, Deed Book/Instrument No. 491, Page 673.

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5. Supplemental Order -01, Recorded on 10/21/2013, Deed Book/Instrument No. 130002059.
6. Disbursement Order -02 Executed 11/08/2013, Recorded on 11/26/2013, Deed Book/Instrument No. 130002302.
7. Disbursement Order -03 Executed 11/08/2013, Recorded on 11/26/2013, Deed Book/Instrument No. 130002304.
8. Disbursement Order -05 Executed 04/24/2014, Recorded on 05/22/2014, Deed Book/Instrument No. 140000853.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the February 18, 2014 hearing and considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 11A, A portion of 11B, 12, 13A, 13C identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 11A, A portion of 11B, 12, 13A, 13C 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

Applicant has certified and represented to the Board that:

On October 15, 2013, the Board approved the disbursement of funds to Torch Oil & Gas Company, CNX Gas Company LLC, Ira C. Mutter, et ux, Fern Deucaster, and Monta Mutter. The disbursement order was executed on November 8, 2013 and recorded in Buchanan County on November 26, 2013 at Instrument #130002304. First Bank and Trust issued checks to the individuals on December 30, 2013. Although the disbursement from escrow had taken place, CNX continued to pay funds attributable to their interest into the escrow account in error. The attached Exhibit A-1 further specifies the exact dollar amount that should be disbursed and paid to each individual.

RELIEF GRANTED:

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VGOB Disbursement
Unit BUNE1

VGOB-91-1119-0161-04

Table 1 (pay exact dollar amount based on account balance of 12/31/2013)
Tracts: 11A, A portion of 11B, 12, 13A, 13C

Item	Tract	Disbursement Table	Fractional Ownership in Tract	Net Acreage in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed	Disbursement
		Total acreage in escrow before disbursement				266.76000		
11A Tract 11A (total acreage)			16.60					
1	11A	Torch Oil and Gas Company c/o Sue Ann Craddock\670 Dona Ana Road SW, Deming, New Mexico 88030	1/1	16.6000	50.00%	8.3000	3.1114%	\$62.43
2	11A	CNX Gas Company LLC\2481 John Nash Blvd., Bluefield WV 24701	1/1	16.6000	50.00%	8.3000	3.1114%	\$62.43
11B Tract 11B (total acreage)			25.91					
1	11B	Torch Oil and Gas Company c/o Sue Ann Craddock\670 Dona Ana Road SW, Deming, New Mexico 88030	1/2	12.9550	50.00%	6.4775	2.4282%	\$48.72
2	11B	CNX Gas Company LLC\81 John Nash Blvd., Bluefield WV 24701	1/2	12.9550	50.00%	6.4775	2.4282%	\$48.72
12 Tract 12 (total acreage)			20.44					
1	12	Ira C. Mutter, et ux\Box 326, Rich Creek, VA 24147	1/1	20.4400	100.00%	20.4400	7.6623%	\$153.74
13A Tract 13A (total acreage)			0.94					
1	13A	Fern Duecaster\518 Clinton Street, Ravenna, OH 44266	1/1	0.9400	100.00%	0.9400	0.3524%	\$7.07
13C Tract 13C (total acreage)			0.04					
1	13C	Monta Mutter\16713 Recreation Drive, Lake Milton, OH 44429	1/1	0.0400	100.00%	0.0400	0.0150%	\$0.30

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 and 2.

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.

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DONE AND EXECUTED this 15th day of May, 2014, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Bradley Lambert, Chairman

DONE AND EXECUTED this 15th day of MAY, 2014, by a majority of the Virginia Gas and Oil Board.

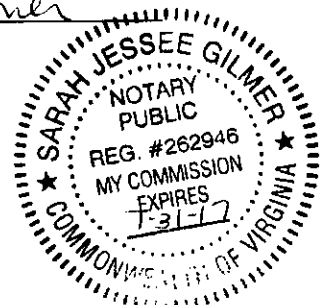
Rick Cooper
Rick Cooper
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA
COUNTY OF RUSSELL:

Acknowledged this 15th day of May, 2014, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board and 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 same and were authorized to do so.

Sarah Jessee Gilmer
Sarah Jessee Gilmer

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 91-1119-0161-04

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 11A, A portion
of 11B, 12, 13A, 13C
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: February 18, 2014

DRILLING UNIT: BUNE1

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd, Bluefield, WV 24701, (304)323-6500. Petitioner's counsel is Mark A. Swartz, Swartz Law Offices, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808..

2. Relief Sought

1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) as depicted upon the annexed Exhibit A-1

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)

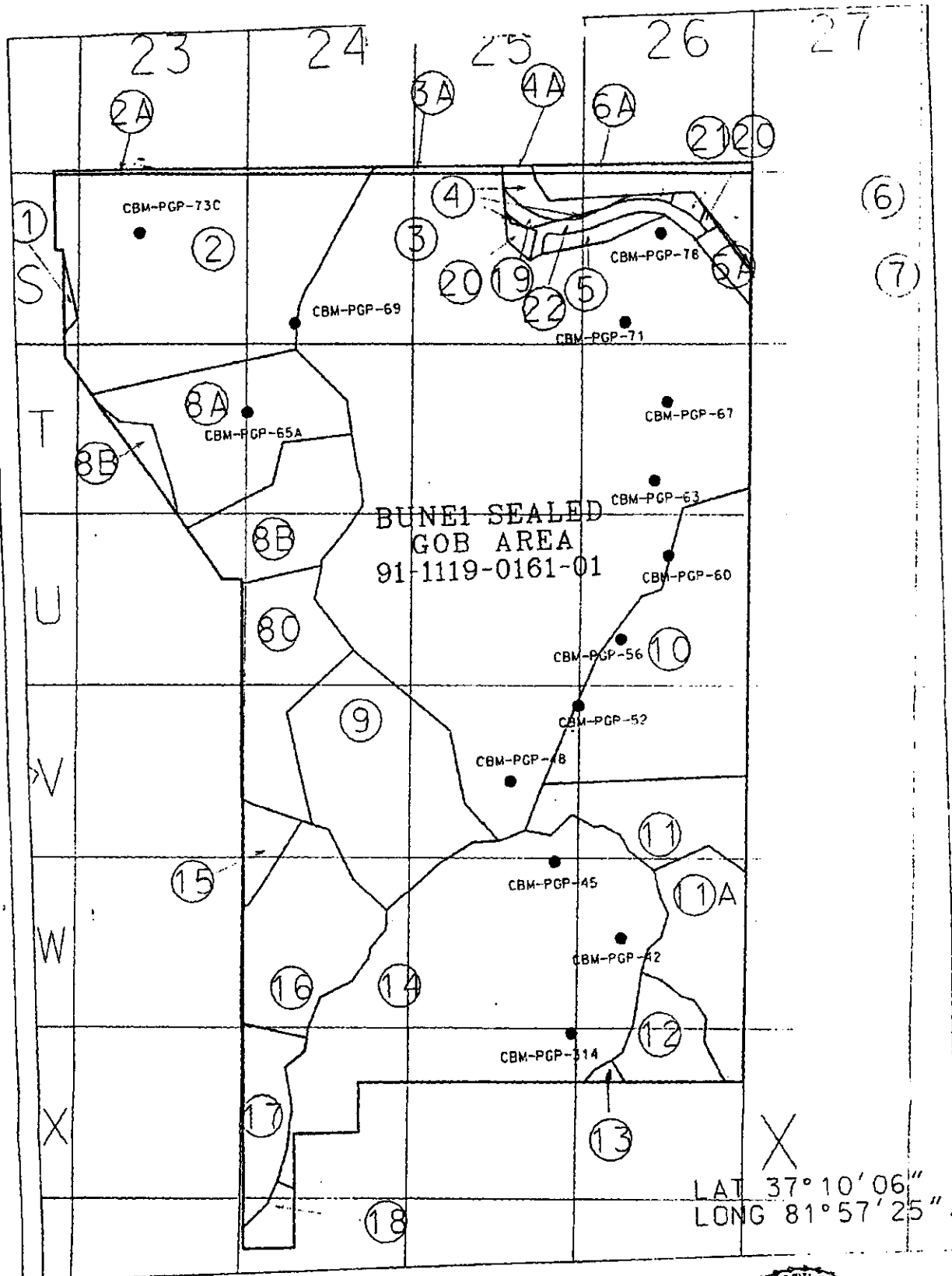
Coalbed Methane

5. Factual basis for relief requested

On October 15, 2013, the Board approved the disbursement of funds to Torch Oil & Gas Company, CNX Gas Company LLC, Ira C. Mutter, et ux, Fern Deucaster, and Monta Mutter. The disbursement order was executed on November 8, 2013 and recorded in Buchanan County on November 26, 2013 at Instrument #130002304. First Bank and Trust issued checks to the individuals on December 30, 2013. Although the disbursement from escrow had taken place, CNX continued to pay funds attributable to their interest into the escrow account in error. The attached Exhibit A-1 further specifies the exact dollar amount that should be disbursed and paid to each individual.

6. Attestation

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



CONSOL INC.
BUCHANAN NO. 1
BUNE 1
91-1119-0161-01
EXHIBIT A1



DATE: 7-15-98
SCALE 1"=1000'

EXHIBIT A-1 Supplement
BUNE1 SGU

11 - Torch Oil & Gas Co. / CNX Gas Company LLC
35.60 Acres

11C - Torch Oil & Gas Co. / Garden Realty Corp.
2.38 Acres

11A - Torch Oil & Gas Co. / CNX Gas Company LLC
16.60 Acres

11B - Torch Oil & Gas Co. /
CNX Gas Company (1/2)
William Tickle, Jr. (1/2)
25.91 Acres

12 - Torch Oil & Gas Co. / Ira Mutter
20.44 Acres

13C - Torch Oil & Gas Co. / Monta Mutter
0.04 Acres

13A - Torch Oil & Gas Co. / Fern Duecaster
0.94 Acres

13B - Torch Oil & Gas Co. / Kimberly R. Davis
0.34 Acres

BUNE1 Sealed Gob Boundary

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POCAHONTAS GAS PARTNERSHIP

UNIT BUNE 1

Tract Identifications

1. Yukon Pocahontas Coal Co., et al - Tr. 19 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Pocahontas Gas Partnership - CBM Lessee
1.44 Acres 0.09706%
2. Yukon Pocahontas Coal Co., et al - Tr. 100 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Pocahontas Gas Partnership - CBM Lessee
143.84 Acres 9.69488%
- 2A. Yukon Pocahontas Coal Co., et al - Tr. 100 - Coal, Oil & Gas
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
Jewell Smokeless Coal Corp.
Permac Inc.
Buchanan Production Company - CBM Lessee
4.76 Acres 0.32083%
3. Hugh MacRae Land Trust - Tr. 23 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
Garden Realty Corporation - Oil & Gas
526.17 Acres 35.46409%
- 3A. Hugh MacRae Land Trust - Tr. 23 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Pocahontas #3 Seam
United Coal Company
Buchanan Production Company- CBM Lessee
Buchanan Production Company - Oil & Gas Lessee
Garden Realty Corporation - Oil & Gas
2.61 Acres 0.17592%
4. Modern Homes Inc. - Coal Oil & Gas
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
4.87 Acres 0.32834%

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

- 4A. Modern Homes Inc. - Coal Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 Buchanan Production Company- CBM Lessee
 Buchanan Production Company - Oil & Gas Lessee
 0.73 Acres 0.04920%
5. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Heirs 1/5 - Oil & Gas
 Lida Vandyke 4/5 -Oil & Gas
 3.30 Acres 0.22242%
- 5A. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Heirs 1/5 - Oil & Gas
 Yukon Pocahontas Coal Co. Et al. 4/5 -Oil & Gas
 3.89 Acres 0.26219%
6. Yukon Pocahontas Coal Co., et al - Tr. 20 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Pocahontas Gas Partnership - CBM Lessee
 19.38 Acres 1.30622%
- 6A. Yukon Pocahontas Coal Co., et al - Tr. 20 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Buchanan Production Company - CBM Lessee
 5.80 Acres 0.39092%
7. Yukon Pocahontas Coal Co., et al - Tr. 99 - Coal, Oil & Gas
 Coal Lessees
 Consolidation Coal Co. - Pocahontas #3 Seam
 Jewell Smokeless Coal Corp.
 Permac Inc.
 Pocahontas Gas Partnership - CBM Lessee
 0.69 Acres 0.04651%

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

- 8A. Hugh MacRae Land Trust - Tr. 11 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 65.64 Acres 4.42416%
- 8B. Hugh MacRae Land Trust - Tr. 11 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 Janet Weatherford - 1/8 Gas Royalty Interest
 48.01 Acres 3.23589%
- 8C. Hugh MacRae Land Trust - Tr. 11 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 Clinton Don Wood - 1/8 Gas Royalty Interest
 48.22 Acres 3.25005%
9. Hugh MacRae Land Trust - Tr. 11 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Pocahontas Gas Partnership - Oil & Gas Lessee
 S. J. Mullins Heirs - Oil & Gas
 83.27 Acres 5.61243%
10. Hugh MacRae Land Trust - Tr. 6 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 103.33 Acres 6.96449%

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

- | | | | |
|------|--|---|---------------------------------------|
| 11. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
37.98 Acres 2.55987% | } | (See Tract Identification Supplement) |
| 11A. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
1/2 Pocahontas Gas Partnership - Oil & Gas
1/2 William Tickle - Oil & Gas
42.51 Acres 2.86519% | } | (See Tract Identification Supplement) |
| 12. | Hugh MacRae Land Trust - Tr. 17 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Lessee
L. Mutter Heirs - Oil & Gas
20.44 Acres 1.37766% | | |
| 13. | Hugh MacRae Land Trust - Tr. 10 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas Lessee
Pocahontas Gas Partnership - CBM Lessee
R. C. Mutter Heirs - Oil & Gas
1.32 Acres 0.08897% | } | (See Tract Identification Supplement) |
| 14. | Hugh MacRae Land Trust - Tr. 24 - Coal
Torch Operating Company - CBM Royalty Owner
Coal Lessees
Consolidation Coal Co. - Below Drainage Coal
United Coal Company
Pocahontas Gas Partnership - Oil & Gas
201.08 Acres 13.55288% | | |

POCAHONTAS GAS PARTNERSHIP
UNIT BUNE 1
Tract Identifications

15. Hugh MacRae Land Trust - Tr. 13 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 9.35 Acres 0.63019%

16. Hugh MacRae Land Trust - Tr. 13 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 56.90 Acres 3.83508%

17. Hugh MacRae Land Trust - Tr. 13 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 23.22 Acres 1.56504%

18. Hugh MacRae Land Trust - Tr. 10 - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - Oil & Gas
 6.98 Acres 0.47046%

19. Virginia Department of Transportation - Coal (except P-3 seam), Oil & Gas
 Consolidation Coal Company - Pocahontas #3 Seam
 Pocahontas Gas Partnership - Oil & Gas Lessee
 2.14 Acres 0.14424%

20. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Heirs 1/5 - Oil & Gas
 Modern Homes Inc. 4/5 - Oil & Gas
 10.00 Acres 0.67400%

POCAHONTAS GAS PARTNERSHIP**UNIT BUNE 1****Tract Identifications**

21. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Walter Wade Helrs 1/5 - Oil & Gas
 Pepsico of Norton Inc. 4/5 -Oil & Gas
 0.80 Acres 0.05392%
22. Hugh MacRae Land Trust - Coal
 Torch Operating Company - CBM Royalty Owner
 Coal Lessees
 Consolidation Coal Co. - Below Drainage Coal
 United Coal Company
 Pocahontas Gas Partnership - CBM Lessee
 Virginia Department of Transportation - Oil & Gas
 5.00 Acres 0.33700%

**CNX Gas Company LLC
UNIT BUNE 1
Tract Identification Supplement**

- 11. **Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Oil and Gas
35.60 acres 2.3995%**

- 11A. **Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Oil and Gas
16.60 acres 1.1189%**

- 11B. **Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
William Tickle, Jr. – Oil and Gas (1/2)
CNX Gas Company LLC – Oil, Gas and CBM Leased
CNX Gas Company LLC – Oil and Gas (1/2)
25.91 acres 1.7463%**

- 11C. **Hugh MacRae Land Trust, Tract 17 (632.50 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Garden Realty Corporation – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
2.38 acres 0.1604%**

- 12. **Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Ira C. Mutter, et ux (L. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
20.44 acres 1.3777%**

- 13A. **Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Fern Duecaster (R.C. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.94 acres 0.0634%**

- 13B. **Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Kimberly Davis (R.C. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.34 acres 0.0229%**

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

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**CNX Gas Company LLC
UNIT BUNE 1
Tract Identification Supplement**

- 13C. Hugh MacRae Land Trust, Tract 10 (398.00 Acre Tract) – Coal
Consolidation Coal Company – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Monta G. Mutter (R.C. Mutter Heirs) – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.04 acres 0.0027%**

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

VGOB Disbursement
Unit BUNE1

VGOB-91-1119-0161-04

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11B Tract 11B (total acreage)			25.91					
1	11B	Torch Oil and Gas Company c/o Sue Ann Craddock\670 Dona Ana Road SW, Deming, New Mexico 88030	1/2	12.9550	50.00%	6.4775	2.4282%	\$48.72
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12 Tract 12 (total acreage)			20.44					
1	12	Ira C. Mutter, et ux\Box 326, Rich Creek, VA 24147	1/1	20.4400	100.00%	20.4400	7.6623%	\$153.74
13A Tract 13A (total acreage)			0.94					
1	13A	Fern Duecaster\518 Clinton Street, Ravenna, OH 44266	1/1	0.9400	100.00%	0.9400	0.3524%	\$7.07
13C Tract 13C (total acreage)			0.04					
1	13C	Monta Mutter\16713 Recreation Drive, Lake Milton, OH 44429	1/1	0.0400	100.00%	0.0400	0.0150%	\$0.30

Wells contributing to the escrow account:

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Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

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	Net Acres In Unit	Interest in Unit
<u>Tract #5 - 3.30 Acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust Tr 25 (36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	~ 3.30 acres	0.2224%
<u>CBM Royalty owner (from the Coal Owner only):</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
Lida Vandyke, et al. (8 72 Acre Tract - Lida Vandyke - 4/5 & Walter Wade Heirs - 1/5)	3.30 acres	0.2224%
(1) Lida Vandyke c/o Linda J. Holzgrebe 8972 West F. Avenue Kalamazoo, MI 49009	2.640 acres 4/5 of 3.30 acres	0.1779%
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.055 acres 1/60 of 3.30 acres	0.0037%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.028 acres 1/120 of 3.30 acres	0.0019%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.028 acres 1/120 of 3.30 acres	0.0019%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns Documentation Pending	0.110 acres 1/30 of 3.30 acres	0.0074%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.028 acres 1/120 of 3.30 acres	0.0019%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.028 acres 1/120 of 3.30 acres	0.0019%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.028 acres 1/120 of 3.30 acres	0.0019%

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
(c.4) Darrell Gillespie Address Pending	0.028 acres 1/120 of 3.30 acres	0.0019%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.037 acres 1/90 of 3.30 acres	0.0025%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.037 acres 1/90 of 3.30 acres	0.0025%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.037 acres 1/90 of 3.30 acres	0.0025%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.110 acres 1/30 of 3.30 acres	0.0074%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.009 acres 1/360 of 3.30 acres	0.0006%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104	0.009 acres 1/360 of 3.30 acres	0.0006%
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.009 acres 1/360 of 3.30 acres	0.0006%
(f.2) Tom C. Smith Heirs, Devisees, Successors or Assigns <i>Deceased - No Issue</i>		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.028 acres 1/120 of 3.30 acres	0.0019%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620	0.002 acres 1/1440 of 3.30 acres	0.0002%

Exhibit E
Unit BUNE1
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(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.002 acres 1/1440 of 3.30 acres	0.0002%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610	0.005 acres 1/720 of 3.30 acres	0.0003%
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.30 acres	0.0003%
Total tract acres 3.30		
Total tract percent 0.2224%		

Tract #5A - 3.89 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 25 (36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	3.89 acres	0.2622%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

Yukon Pocahontas Coal Co., et al (Tract 100 - Yukon Pocahontas Coal Co., et al - 4/5 & Walter Wade Heirs - 1/5)	3.89 acres	0.2622%
(1) Yukon Pocahontas Coal Company, et al	3.112 acres 4/5 of 3.89 acres	0.2098%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.556 acres 1/2 of 3.112 acres	0.1049%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.346 acres 1/9 of 3.112 acres	0.0233%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.173 acres 1/18 of 3.112 acres	0.0117%
(d) Highland Resources, Inc/ North American Resources, Corp. * Five Concourse Parkway, Suite 1650 Atlanta, GA 30328	1.037 acres 1/3 of 3.112 acres	0.0699%

Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

140001195

	Net Acres In Unit	Interest In Unit
* Note: Plum Creek Timberlands retained their CBM interest. Highland Resources, Inc. / North American Resources, Corp. is owner of the Oil & Gas Only		
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.065 acres 1/60 of 3.89 acres	0.0044%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.032 acres 1/120 of 3.89 acres	0.0022%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.032 acres 1/120 of 3.89 acres	0.0022%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns Documentation Pending	0.130 acres 1/30 of 3.89 acres	0.0087%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.032 acres 1/120 of 3.89 acres	0.0022%
(c.4) Darrell Gillespie Address Pending	0.032 acres 1/120 of 3.89 acres	0.0022%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.043 acres 1/90 of 3.89 acres	0.0029%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.043 acres 1/90 of 3.89 acres	0.0029%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.043 acres 1/90 of 3.89 acres	0.0029%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.130 acres 1/30 of 3.89 acres	0.0087%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
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(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.011 acres 1/360 of 3.89 acres	0.0007%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104	0.011 acres 1/360 of 3.89 acres	0.0007%
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.011 acres 1/360 of 3.89 acres	0.0007%
(f.2) Tom C. Smith Heirs, Devisees, Successors or Assigns <i>Deceased - No Issue</i>		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.032 acres 1/120 of 3.89 acres	0.0022%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.032 acres 1/120 of 3.89 acres	0.0022%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620	0.003 acres 1/1440 of 3.89 acres	0.0002%
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.003 acres 1/1440 of 3.89 acres	0.0002%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610	0.005 acres 1/720 of 3.89 acres	0.0004%
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.005 acres 1/720 of 3.89 acres	0.0004%
Total tract acres		3.89
Total tract percent		0.2622%

Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
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Tract #8B - 48.01 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	48.01 acres	3.2359%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC *** 1000 Consol Energy Drive Canonsburg, PA 15317	48.01 acres	3.2359%
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*** NOTE: The Royalty Interest was RETAINED by:

Janet Weatherford
P.O. Box 22483
Alexandria, VA 22304

Tract #8C - 48.22 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	48.22 acres	3.2500%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC *** 1000 Consol Energy Drive Canonsburg, PA 15317	48.22 acres	3.2500%
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*** NOTE: The Royalty Interest was RETAINED by:

Clinton Don Wood
Box 309
Frankfort, KY 40602

Tract #9 - 83.27 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	83.27 acres	5.6124%
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Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
<u>Coal Owners' claim to CBM Royalty:</u>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) S. J. Mullins, et al. Heirs, Devisees, Successors or Assigns	83.27 acres	5.6124%
(a) Stanford J. Mullins, Jr. Heirs, Devisees, Successors or Assigns (1/2)		
(a.1) Mary L. Mullins 580 Forest Hills Drive Pounding Mill, VA 24637	41.64 acres 1/2 of 83.27 acres	2.8062%
(b) Ralph Mullins (1/2)		
(b.1) Stanford Thomas Mullins Address Unknown	41.64 acres 1/2 of 83.27 acres	2.8062%
Total tract acres		83.27
Total tract percent		5.6124%

Tract #11B- 25.91 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	25.91 acres	1.7463%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC, et al	25.91 acres	1.7463%
(b) William Tickle, Jr. 1663 Chambers Rd Raven, VA 24639-8413	12.96 acres 1/2 of 25.91 acres	0.8732%

Tract #13B - 0.34 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.34 acres	0.0229%
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Exhibit E
Unit BUNE1
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(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

OIL & GAS OWNERSHIP

(1) Kimberly R. Tucker (aka Kimberly R. Davis) 3930 McNaull Road Mansfield, OH 44903	0.34 acres	0.0229%
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Tract #20 - 10.00 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr ?? (Per map - Tr 25 - 36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	10.00 acres	0.6740%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

Modern Homes Inc., et al. (38 Acre Tract - Modern Homes Inc. - 4/5 & Walter Wade Heirs - 1/5)	10.00 acres	0.6740%
(1) Modern Homes Inc. c/o James E. Childress P.O. Box 22 Vansant, VA 24656	8.00 acres 4/5 of 10.00 acres	0.5392%
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.17 acres 1/60 of 10.00 acres	0.0112%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.08 acres 1/120 of 10.00 acres	0.0056%

Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.87 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.08 acres 1/120 of 10.00 acres	0.0056%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.33 acres 1/30 of 10.00 acres	0.0225%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.08 acres 1/120 of 10.00 acres	0.0056%
(c.4) Darrell Gillespie <i>Address Pending</i>	0.08 acres 1/120 of 10.00 acres	0.0056%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.11 acres 1/90 of 10.00 acres	0.0075%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.11 acres 1/90 of 10.00 acres	0.0075%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.11 acres 1/90 of 10.00 acres	0.0075%
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.33 acres 1/30 of 10.00 acres	0.0225%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.03 acres 1/360 of 10.00 acres	0.0019%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104	0.03 acres 1/360 of 10.00 acres	0.0019%
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns <i>Heirs Unknown</i>	0.03 acres 1/360 of 10.00 acres	0.0019%
(f.2) Tom C. Smith Heirs, Devisees, Successors or Assigns <i>Deceased - No Issue</i>		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit BUNE1
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(1483.67 Acre Unit)

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	Net Acres in Unit	Interest in Unit
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.08 acres 1/120 of 10.00 acres	0.0056%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620	0.01 acres 1/1440 of 10.00 acres	0.0005%
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.01 acres 1/1440 of 10.00 acres	0.0005%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610	0.01 acres 1/720 of 10.00 acres	0.0009%
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.01 acres 1/720 of 10.00 acres	0.0009%
Total tract acres	10.00	
Total tract percent	0.6740%	

Tract #21 - 0.80 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust
Tr ?? (Per map - Tr 25 - 36.00 acre tract)
c/o Alan Siegel, Esq.
Gump, Strauss, Akin LLP
1 Bryant Park
New York, NY 10034-6715

Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Exhibit E
Unit BUNE1
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(1483.67 Acre Unit)

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	Net Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
Pepsico of Norton, Inc., et al. <i>(0.80 Acre Tract - Pepsico of Norton, Inc. - 4/5 & Walter Wade Heirs - 1/5)</i>	0.80 acres	0.0539%
(1) Pepsico of Norton, Inc. 12th Street & Park Avenue Norton, VA 24273	0.640 acres 4/5 of 0.80 acres	0.0431%
(2) Walter Wade Heirs		
(a) Carl Wade Heirs, Devisees, Successors or Assigns		
(a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617	0.013 acres 1/60 of 0.80 acres	0.0009%
(a.2) Gaylene Deskins Heirs, Devisees, Successors or Assigns		
(a.2.1) Nick Deskins 720 Skyview Drive Chilhowie, VA 24319-4527	0.007 acres 1/120 of 0.80 acres	0.0004%
(a.2.2) Valmy Shannon 103 Blanton Drive Seaford, VA 23696-2522	0.007 acres 1/120 of 0.80 acres	0.0004%
(b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns <i>Documentation Pending</i>	0.027 acres 1/30 of 0.80 acres	0.0018%
(c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns		
(c.1) Cecil Gillespie 439 Brown Ave. Richlands, VA 24641-2907	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.2) Troy Gillespie 20307 Cleveland Rd. Abingdon, VA 24211-5843	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.3) David Gillespie 596 Podesta St. Memphis, TN 38120-1541	0.007 acres 1/120 of 0.80 acres	0.0004%
(c.4) Darrell Gillespie <i>Address Pending</i>	0.007 acres 1/120 of 0.80 acres	0.0004%
(d) Glayds Ida Boyd Heirs, Devisees, Successors or Assigns		
(d.1) Patti Gilbert 3603 Kent Ridge Road Cedar Bluff, VA 24609-8517	0.009 acres 1/90 of 0.80 acres	0.0006%
(d.2) Michael T. Boyd 3849 Kent Ridge Road Cedar Bluff, VA 24609-8518	0.009 acres 1/90 of 0.80 acres	0.0006%
(d.3) Eleanor Sue Hagy 14475 Rainbow Road, Lot #31 Bristol, VA 24202	0.009 acres 1/90 of 0.80 acres	0.0006%

Exhibit E
Unit BUNE1
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List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
(e) Venia Wade Newberry 639 Daniel Drive Newport News, VA 23601-1701	0.027 acres 1/30 of 0.80 acres	0.0018%
(f) Sarah Eady "Edith" Wade Smith Heirs		
(f.1) Lula Smith Robins Heirs, Devisees, Successors or Assigns		
(f.1.1) Timothy K. Martin 331 Sugar Run Road Cedar Bluff, VA 24609	0.002 acres 1/360 of 0.80 acres	0.0001%
(f.1.2) Patricia Diane Taylor P.O. Box 2104 Honaker, VA 24260-2104	0.002 acres 1/360 of 0.80 acres	0.0001%
(f.1.3) Louise R. Smith Heirs, Devisees, Successors or Assigns Heirs Unknown	0.002 acres 1/360 of 0.80 acres	0.0001%
(f.2) Tom C. Smith Heirs, Devisees, Successors or Assigns Deceased - No Issue		
(f.3) Earl Dolphus Smith Heirs, Devisees, Successors or Assigns		
(f.3.1) Marie Carter Smith 905 Big Creek Rd. Richlands, VA 24641	0.007 acres 1/120 of 0.80 acres	0.0004%
(f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns		
(f.4.1) Virginia Edith Smith PO Box 136 Cedar Bluff, VA 24609	0.007 acres 1/120 of 0.80 acres	0.0004%
(f.5) Luther Smith Heirs, Devisees, Successors or Assigns		
(f.5.1) Geraldine Smith Heirs, Devisees, Successors or Assigns		
(f.5.1.1) Lisa Wallace	<i>Predeceased Luther & Geraldine Smith</i>	
(f.5.1.1.1) Anna Bond 1760 Knox Creek Road Hurley, VA 24620	0.001 acres 1/1440 of 0.80 acres	0.0000%
(f.5.1.1.2) Scotty Bond Box 82 Swords Creek, VA 24649	0.001 acres 1/1440 of 0.80 acres	0.0000%
(f.5.2.1) David Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.001 acres 1/720 of 0.80 acres	0.0001%
(f.5.2.2) Donald Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.001 acres 1/720 of 0.80 acres	0.0001%
(f.5.2.3) Judy Tiedemann 530 150th Street Amery, WI 54001-2805	0.001 acres 1/720 of 0.80 acres	0.0001%
(f.5.2.4) Paul Smith P.O. Box 1143 Claremont, NC 28610	0.001 acres 1/720 of 0.80 acres	0.0001%

Exhibit E
Unit BUNE1
Docket #VGOB 91-1119-0161-01
List of Conflicting Owners/Claimants that require escrow
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit
(f.5.2.5) Peggy Smith 84 Poison Ivy Drive Taylorsville, NC 28681	0.001 acres 1/720 of 0.80 acres	0.0001%
Total tract acres 0.80		
Total tract percent 0.0539%		

Tract #22 - 5.00 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr ?? (Per map - Tr 25 - 36.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	5.00 acres	0.3370%
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	5.00 acres	0.3370%
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Total Acreage in Conflict	215.7850	
Total Percentage in Conflict		14.5440%

Exhibit EE
Unit BUNE1

140001195

Docket #VGOB 91-1119-0161-02 & 03
List of all Conflicting Owners/Claimants with Royalty Division Agreements
(1483.67 Acre Unit)

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #3 - 526.17 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 23 (557.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	526.17 acres	35.4641%	n/a
<i>Coal Owners' claim to CBM Royalty:</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			
<u>OIL & GAS OWNERSHIP</u>			
(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	526.17 acres	35.4641%	n/a
<u>Tract #3A - 2.61 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 23 (557.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	2.61 acres	0.1759%	n/a
<i>Coal Owners' claim to CBM Royalty:</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			
<u>OIL & GAS OWNERSHIP</u>			
(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	2.61 acres	0.1759%	n/a
<u>Tract #8A - 65.64 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 11 (856.25 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	65.64 acres	4.4242%	n/a
<i>Coal Owners' claim to CBM Royalty:</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	65.64 acres	4.4242%	n/a

Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-02 & 03
List of all Conflicting Owners/Claimants with Royalty Division Agreements
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit	Percent of Escrow
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Tract #10 - 103.33 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 6 (226.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	103.33 acres	6.9645%	n/a
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	103.33 acres	6.9645%	n/a
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Tract #11 - 35.60 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	35.60 acres	2.3995%	n/a
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	35.60 acres	2.3995%	n/a
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Tract #11A- 16.60 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	16.60 acres	1.1188%	3.1114% (50%)
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(William Tickle, Jr. & Ruth Stump conveyed to Consol Energy Inc. by Deed dated 4/2/01, recorded at DB 521/ PG 631)</i>	16.60 acres	1.1188%	3.1114% (50%)
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Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-02 & 03
List of all Conflicting Owners/Claimants with Royalty Division Agreements
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #11B- 25.91 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	25.91 acres	1.7463%	2.4282% (50%)
<i>Coal Owners' claim to CBM Royalty:</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC, et al	25.91 acres	1.7463%	
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	12.96 acres 1/2 of 25.91 acres	0.8732%	2.4282% (50%)
<u>Tract #11C - 2.38 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 17 (632.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	2.38 acres	0.1604%	
<i>Coal Owners' claim to CBM Royalty:</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			
<u>OIL & GAS OWNERSHIP</u>			
(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	2.38 acres	0.1604%	
<u>Tract #12 - 20.44 Acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	20.44 acres	1.3777%	1.9156% (25%)
<i>Coal Owners' claim to CBM Royalty:</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030			
<u>OIL & GAS OWNERSHIP</u>			
(1) L. Mutter Heirs, Devisees, Successors or Assigns			

Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-02 & 03
List of all Conflicting Owners/Claimants with Royalty Division Agreements
(1483.67 Acre Unit)

140001195

	Net Acres In Unit	Interest in Unit	Percent of Escrow
(a) Eric Mutter, Jr.			
(a.1) Ira C. Mutter, et ux. Box 326 Rich Creek, VA 24147	20.44 acres	1.3777%	5.7467% (75%)

Tract #13A - 0.94 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.94 acres	0.0634%	0.0264% (7.5%)
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

OIL & GAS OWNERSHIP

(1) Fern Duecaster 518 Clinton Street Ravenna, OH 44266	0.94 acres	0.0634%	0.3259% (92.5%)
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Tract #13C - 0.04 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10034-6715	0.04 acres	0.0027%	0.0011% (7.5%)
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

OIL & GAS OWNERSHIP

(1) Monta Mutter 18713 Recreation Drive Lake Milton, OH 44429	0.04 acres	0.0027%	0.0139% (92.5%)
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Exhibit EE
Unit BUNE1
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(1483.67 Acre Unit)

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	Net Acres in Unit	Interest in Unit	Percent of Escrow
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Although the deed from Hugh Macrae Land Trust to Torch Operating Company conveyed the Coal owners' claim to CBM, CBM ownership was adjudicated to the prevailing plaintiffs under Case no. 07000420-00 executed on July 7, 2009 Torch Operating Company will receive a one-time payout of 7.5% from escrow. After the one-time payout from escrow, royalties will be paid 100% to the prevailing plaintiffs.

Tract #14 - 201.08 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 24 (252.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	201.08 acres	13.5529%	n/a
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	201.08 acres	13.5529%	n/a
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Tract #15 - 9.35 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	9.35 acres	0.6302%	n/a
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	9.35 acres	0.6302%	n/a
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Tract #16 - 56.90 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	56.90 acres	3.8351%	n/a
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

Exhibit EE
Unit BUNE1
Docket #VGOB 91-1119-0161-02 & 03
List of all Conflicting Owners/Claimants with Royalty Division Agreements
(1483.67 Acre Unit)

140001195

	Net Acres in Unit	Interest In Unit	Percent of Escrow
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OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	56.90 acres	3.8351%	n/a
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Tract #17 - 23.22 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 13 (254.50 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	23.22 acres	1.5650%	n/a
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	23.22 acres	1.5650%	n/a
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Tract #18 - 6.98 Acres

COAL OWNERSHIP

(1) Hugh Macrae Land Trust Tr 10 (398.00 acre tract) c/o Alan Siegel, Esq. Gump, Strauss, Akin LLP 1 Bryant Park New York, NY 10036-6715	6.98 acres	0.4705%	n/a
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Coal Owners' claim to CBM Royalty:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	6.98 acres	0.4705%	n/a
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Total Conflicting Acreage Resolved	1068.9000	
Total Conflicting Percentage Resolved		72.0443%

INSTRUMENT #140001195
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JULY 17, 2014 AT 11:22AM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB