

**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:** W37

**TRACT(S):** A portion of 1B, A portion of 1C, A portion of 5B, 999

**LOCATION:** BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-98-0324-0632-05

**APPLICANTS:** Pocahontas Gas LLC on behalf of Amy Mae Hess, Cathleen Arrington, CNX Gas Company LLC, Elmer Lee Burke, Hurt McGuire Land Trust, Inis Mae Short, Penny Falck

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
May 21, 2019

**APPEARANCES:** Mark A. Swartz on behalf of Pocahontas Gas LLC

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 05/26/1998, Recorded on 06/05/1998, Deed Book/Instrument No. 477, Page 18, County BUCHANAN.
2. Supplemental Order Executed 08/28/1998, Recorded on 09/02/1998, Deed Book/Instrument No. 481, Page 117, County BUCHANAN.
3. Disbursement Order -01 Executed 05/27/2015, Recorded on 06/05/2015, Deed Book/Instrument No. 150000900, County BUCHANAN.
4. Disbursement Order -03 Executed 04/18/2017, Recorded on 05/02/2017, Deed Book/Instrument No. 170000849, County BUCHANAN.

5. Modification Order -04 Executed 09/26/2018, Recorded on 10/22/2018, Deed Book/Instrument No. 180001707, County BUCHANAN.
6. Supplemental Order -04 Executed 11/30/2018, Recorded on 12/18/2018, Deed Book/Instrument No. 180001977, County BUCHANAN.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the May 21, 2019 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) A portion of 1B, A portion of 1C, A portion of 5B, 999 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 1B, A portion of 1C, A portion of 5B, 999 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. Hurt McGuire Land Trust and Cathleen Arrington, Penny Falck, and Amy Hess (via Oris Cantrell) have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. Cathleen Arrington, Penny Falck, and CNX Gas Company LLC are the gas claimant in Tracts a portion of 1C and 999. As such Cathleen Arrington, Penny Falck, and CNX Gas Company LLC are entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. 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.
- d. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 98-0324-0632-03, it dismissed the coal claimant(s) Hurt McGuire Land Trust as a Respondent to these proceedings. Accordingly, Hurt McGuire Land Trust was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. 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.



VGOB Disbursement  
Unit W37

VGOB-98-0324-0632-05

Table 2 (pay percentage on balance after deducting the above balance)  
Tracts: A portion of 1B, A portion of 1C, A portion of 5B, 999

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split Agreement	Escrowed Acres	Percent of Escrowed Funds	Adjustment Amount
1B Tract 1B (total acreage) 8.5000								
1	1B	Amy Mae Hess\PO Box 922 Vansant VA 24646	1/4	2.1250	50.00%	1.0625	9.4951%	
2	1B	Penny Falck\2390 Glade Drive Christiansburg VA 24073	1/4	2.1250	50.00%	1.0625	9.4951%	
3	1B	Cathleen Arrington\7342 Pine Street Radford VA 24141	1/4	2.1250	50.00%	1.0625	9.4951%	
4	1B	Hurt McGuire Land Trust\c/o Charles Green PO Box 1067 Bluefield VA 24605	3/4	6.3750	50.00%	3.1875	28.4853%	
1C Tract 1C (total acreage) 0.9100								
1	1C	Cathleen Arrington\7342 Pine Street Radford VA 24141	11/32	0.3128	100.00%	0.3128	2.7955%	\$544.68
2	1C	Penny Falck\2390 Glade Drive Christiansburg VA 24073	11/32	0.3128	100.00%	0.3128	2.7955%	\$544.68
5B Tract 5B (total acreage) 0.1200								
1	5B	Amy Mae Hess\PO Box 922 Vansant VA 24646	1/4	0.0300	50.00%	0.0150	0.1340%	
2	5B	Penny Falck\2390 Glade Drive Christiansburg VA 24073	1/4	0.0300	50.00%	0.0150	0.1340%	
3	5B	Cathleen Arrington\7342 Pine Street Radford VA 24141	1/4	0.0300	50.00%	0.0150	0.1340%	
4	5B	Hurt McGuire Land Trust\c/o Charles Green PO Box 1067 Bluefield VA 24605	3/4	0.0900	50.00%	0.0450	0.4021%	
999 Tract 999 (total acreage) 1.6400								
1	999	CNX Gas Company LLC\PO Box 643830 Pittsburgh PA 15264		1.6400	100.00%	1.6400	14.6559%	

Adjustment Comments: Escrow agent will total the amount paid above to prior owners of Tract 1C and divide that amount by 1/2 to arrive at amount to be deducted from balance due to current owners

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:**

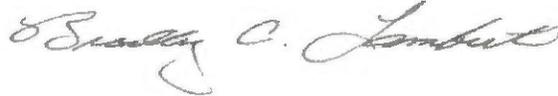
Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

**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.

190000722

DONE AND EXECUTED this 22 day of May, 2019 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

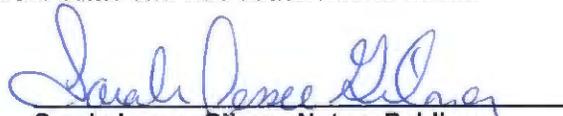
DONE AND PERFORMED this 22 day of May, 2019 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 22nd 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 98-0324-0632-05

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 1B, A portion of 1C, A portion of 5B, 999 (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: May 21, 2019

DRILLING UNIT: W37

BUCHANAN 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 a portion of Tract 1B, a portion of Tract 1C, and a portion of Tract 5B, as depicted upon the annexed table; (2) authorization to begin paying royalties directly to Hurt McGuire Land Trust, Elmer Lee Burke, Inis Mae Short, Cathleen Arrington, Penny Falck, Amy Hess, and CNX Gas Company LLC.

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)

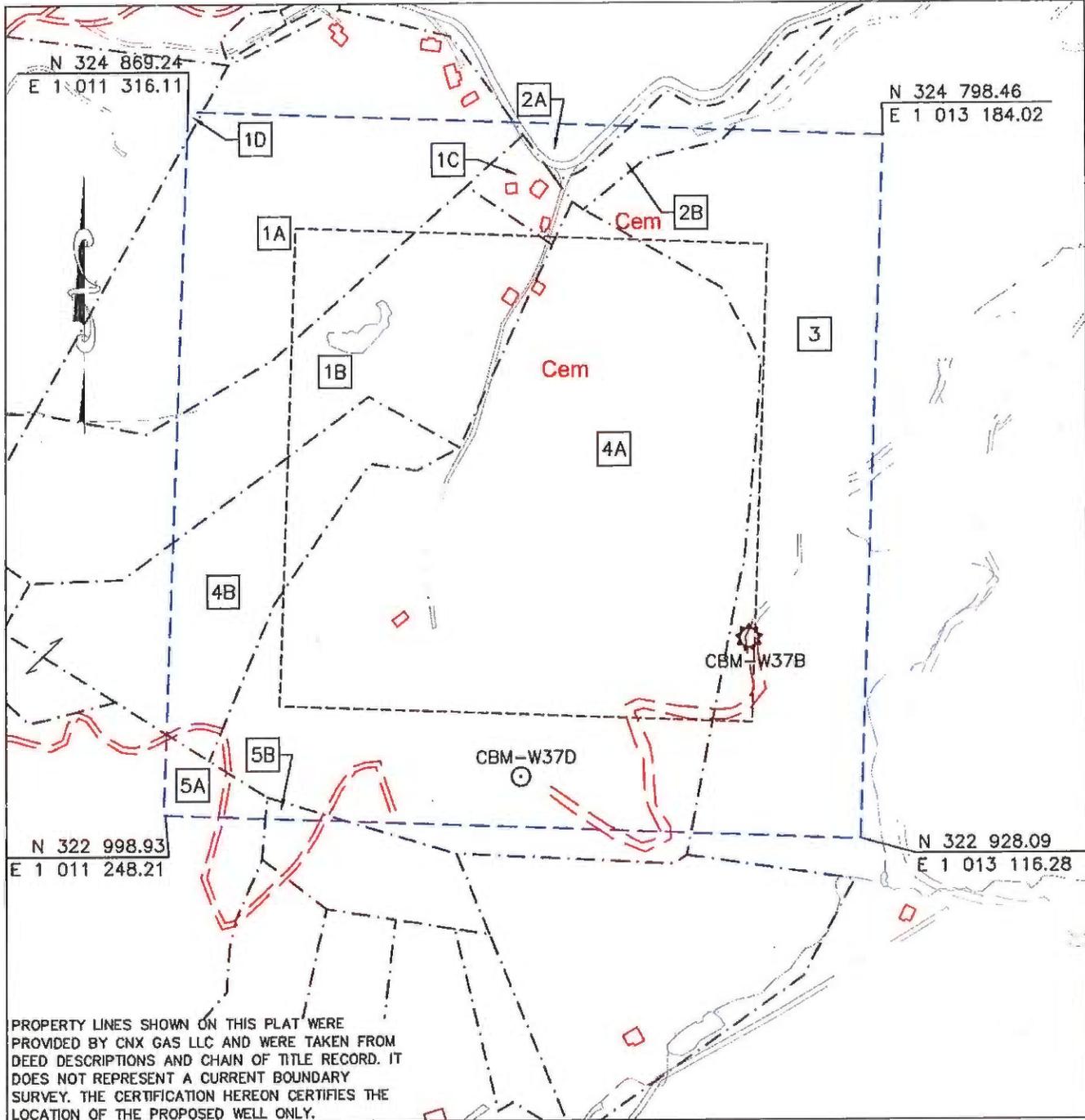
Coalbed Methane

5. Factual basis for relief requested

- a. Hurt McGuire Land Trust and Cathleen Arrington, Penny Falck, and Amy Hess (via Oris Cantrell) have entered into royalty split agreement(s). Said royalty split agreement(s) allow the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE.
- b. Cathleen Arrington, Penny Falck, and CNX Gas Company LLC are the gas claimant in Tracts a portion of 1C and 999. As such Cathleen Arrington, Penny Falck, and CNX Gas Company LLC are entitled to 100% of the CBM royalties now in escrow and as may be hereafter payable. See Va. Code Ann. § 45.1-361.22:2.A.
- c. 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.
- d. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 98-0324-0632-03, it dismissed the coal claimant(s) Hurt McGuire Land Trust as a Respondent to these proceedings. Accordingly, Hurt McGuire Land Trust was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- e. That a detailed accounting in accordance with the applicable provisions of § 45.1-361.22 is submitted herewith and identified as Exhibit J.
- f. 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.

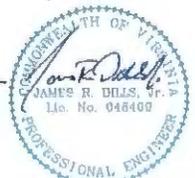
**6. Attestation**

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



PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY CNX GAS LLC AND WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE RECORD. IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE LOCATION OF THE PROPOSED WELL ONLY.

- CBM WELL
- PROPOSED CBM WELL



Digitally signed by James R Dills Jr.  
DN: c=US, o=D. R. PRICE ENGINEERING AND LAND SURVEYING INC PC, ou=D. R. PRICE ENGINEERING AND LAND SURVEYING INC PC, cn=James R Dills Jr., 0.9.2342.19200300.100.1.1=A010969000012E01701153000027EA  
Date: 2018.05.29 12:17:54 -04'00'

EXHIBIT A  
OAKWOOD FIELD  
UNIT W37  
FORCE POOLING  
VGOB-98-0324-0632-04

Company CNX GAS COMPANY, LLC Well Name and Number UNIT W37  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle KEEN MOUNTAIN  
 County BUCHANAN District GARDEN Scale: 1" = 400' Date 5-22-18  
 This plat is a new plat \_\_\_\_\_ ; an updated plat X ; or a final plat \_\_\_\_\_

Form DGO-GO-7 \_\_\_\_\_ (Affix Seal)  
 Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

**CNX Gas Company LLC  
UNIT W37  
Tract Identifications**

- 1A. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal  
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased  
Revelation Energy, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Hubbard Osborne, et ux – Surface, Oil and Gas  
9.22 Acres      11.5250%
- 1B. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal  
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased  
Revelation Energy, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Peggy Cantrell, et al – Surface, Oil and Gas  
8.50 Acres      10.6250%
- 1C. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal  
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased  
Revelation Energy, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Cathleen Arrington, et al – Surface, Oil and Gas  
0.91 Acres      1.1375%
- 1D. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal  
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased  
Revelation Energy, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
CNX Gas Company LLC or Garden Realty Corporation – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased (if owned by Garden Realty Corporation)  
Buchanan Mining Company – Surface  
0.02 Acres      0.0250%
2. Coal Mountain Mining Company, LLP (1,355.00 Acre Tract) - Fee  
Buchanan Mining Company LLC - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
1.34 Acres      1.6750%
- 2A. Coal Mountain Mining Company, LLP – Surface  
2B. Unknown Surface Owner
3. Commonwealth Coal Corporation Tr. 2 (965.00 Acre Tract) – Fee  
Buchanan Mining Company LLC – Below Drainage Coal Leased  
RAMACO Resources Land Holdings, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
18.12 Acres      22.6500%

"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."

**CNX Gas Company LLC  
UNIT W37  
Tract Identifications**

**190000722**

- 4. Commonwealth Coal Corporation Tr. 1 (40.87 Acre Tract) – Coal & Gas  
Buchanan Mining Company LLC – Below Drainage Coal Leased  
RAMACO Resources Land Holdings, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – Gas and CBM Leased  
40.93 Acres    51.1625%
  
- 4A. Peggy Cantrell, et al – Surface
- 4B. Peggy Cantrell, et al – Surface
  
- 5A. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal  
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased  
Revelation Energy, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
CNX Gas Company LLC – Surface, Oil and Gas  
0.84 Acres    1.0500%
  
- 5B. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal  
Buchanan Mining Company LLC – Coal Below Tiller Seam Leased  
Revelation Energy, LLC – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Peggy Cantrell, et al – Surface, Oil and Gas  
0.12 Acres    0.1500%

"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."

Exhibit E  
 Unit W-37 (Well(s) W37B & W37D)  
 Docket #VGOB 98-0324-0632-05  
 List of Respondents in escrow

190000722

	Net Acres in Unit	Interest In Unit	Division of Interest in 6 Right 0.17543%
<b><u>Tract #1B - 8.50 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	8.50 acres	10.6250%	0.01864%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
<b><i>Outstanding W9</i></b>			
(1) Oris Cantrell Heirs, Deviseses, Successors or Assigns <i>20 acre tract T001760</i>	8.50 acres	10.6250%	0.01864%
(a.3) Jamie Cantrell 478 Pacific Ave, Apt. E Virginia Beach, VA 23451	2.13 acres 1/4 of 8.50 acres	2.6563%	0.00466%
<b><u>Tract #1C - 0.91 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.91 acres	1.1375%	0.00200%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
<b><i>Outstanding W9's from prior owners</i></b>			
(1) Thurman Burke Heirs, Deviseses, Successors or Assigns ( <i>DOD 12/28/2006</i> ) <i>T001758</i>	0.91 acres	1.1375%	0.00200%
(a) Elmer Lee Burke	<i>Conveyed by Instr. #07000352, 9/13/2007</i>		
(b) James Henry Burke	<i>Conveyed by Instr. #07000352, 9/13/2007</i>		
(c) Inis Mae Short	<i>Conveyed by Instr. #07000352, 9/13/2007</i>		
(d) Anita Carol Cantrell	<i>Conveyed by Instr. #07000352, 9/13/2007</i>		
(2) Cathleen Arrington, et al**			
(a) Cathleen G. Arrington 7342 Pine Street Radford, VA 24141	0.14 acres 5/32 of 0.91 acres	0.1777%	0.00031%
(b) Penny L. Falck 2390 Glade Drive Christiansburg, VA 24073	0.14 acres 5/32 of 0.91 acres	0.1777%	0.00031%
<b><i>**this interest will remain in escrow until prior owners below W9's have been received</i></b>			
<b><i>Royalties to be paid as shown below until September 13, 2007</i></b>			
(b) James Henry Burke Heirs, Deviseses, Successors, or Assigns			

Exhibit E  
Unit W-37 (Well(s) W37B & W37D)  
Docket #VGOB 98-0324-0632-05  
List of Respondents In escrow

190000722

	Net Acres in Unit	Interest in Unit	Division of Interest in 6 Right 0.17543%
(b.1) Nena Ann Burke Horton 100 Blazerview Drive Gray, TN 37615	0.23 acres 1/4 of 0.91 acres	0.2844%	0.00050%
(d) Anita Carol Cantrell Heirs, Devisees, Successors or Assigns			
(d.1) Jamie Cantrell 478 Pacific Ave, Apt. E Virginia Beach, VA 23451	0.06 acres 1/16 of 0.91 acres	0.0711%	0.00012%

Tract #1D - 0.02 acres

**COAL OWNERSHIP**

(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.02 acres	0.0250%	0.00004%
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**OIL & GAS OWNERSHIP**

*Escrow Due to Title Conflict*

(1) CNX Gas Company LLC PO Box 643830 Pittsburgh, PA 15264-3830	0.02 acres	0.0250%	0.00004%
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*OR*

(1) Garden Realty Coal Corporation 108 Bexley Road Mooresville, NC 28117-6320	0.02 acres	0.0250%	0.00004%
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Tract #5B - 0.12 acres

**COAL OWNERSHIP**

(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.12 acres	0.1500%	0.00026%
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**OIL & GAS OWNERSHIP**

*Outstanding W9*

(1) Oris Cantrell Heirs, Devisees, Successors or Assigns <i>60 acre tract T001761</i>	0.12 acres	0.1500%	0.00026%
(a.2) Jamie Cantrell 478 Pacific Ave, Apt. E Virginia Beach, VA 23451	0.03 acres 1/4 of 0.12 acres	0.0375%	0.00007%

<b>Total Acreage In Unit</b>	2.4594		
<b>Total Percentage in Unit</b>		3.0742%	

Exhibit EE  
Unit W-37 (Well(s) W37B & W37D)  
Docket #VGOB 98-0324-0632-05  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

190000722

	Net Acres in Unit	Interest In Unit	Division of Interest In 6 Right 0.17543%	Percent of Escrow
<b><u>Tract #1A - 9.22 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	9.22 acres	11.5250%	0.02022%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
(1) Hubbard and Norma Jean Osborne 3195 Osborne Mountain Road Raven, VA 24639	9.22 acres	11.5250%	0.02022%	n/a
<b><u>Tract #1B - 8.50 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	8.50 acres	10.6250%	0.01864%	28.4853% Royalty Division Agreement
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
(1) Oris Cantrell Heirs, Devisees, Successors or Assigns <i>20 acre tract T001760</i>	8.50 acres	10.6250%	0.01864%	
(a.2) Amy Hess PO Box 922 Vansant, VA 24656	2.13 acres 1/4 of 8.50 acres	2.6563%	0.00466%	9.4951% Royalty Division Agreement
(a.4) Penny Faick 2390 Glade Dr. Christiansburg, VA 24073	2.13 acres 1/4 of 8.50 acres	2.6563%	0.00466%	9.4951% Royalty Division Agreement
(a.5) Cathleen Arrington 7342 Pine St Radford, VA 24141-8560	2.13 acres 1/4 of 8.50 acres	2.6563%	0.00466%	9.4951% Royalty Division Agreement
Total Tract Acres	6.38			
Total Tract Percentage		7.9688%		
<b><u>Tract #1C - 0.91 acres</u></b>				
<b><u>COAL OWNERSHIP</u></b>				
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.91 acres	1.1375%	0.00200%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>				
(1) Thurman Burke Heirs, Devisees, Successors or Assigns ( <i>DOD 12/28/2006</i> ) <i>T001758</i>	0.91 acres	1.1375%	0.00200%	
(a) Eimer Lee Burke	<i>Conveyed by Instr. #07000352, 9/13/2007</i>			
(b) James Henry Burke	<i>Conveyed by Instr. #07000352, 9/13/2007</i>			
(c) Inis Mae Short	<i>Conveyed by Instr. #07000352, 9/13/2007</i>			
(d) Anila Carol Cantrell	<i>Conveyed by Instr. #07000352, 9/13/2007</i>			
(2) Cathleen Arrington, et al				
(a) Cathleen G. Arrington 7342 Pine Street Radford, VA 24141	0.31 acres 11/32 of 0.91 acres	0.3910%	0.00069%	2.7955% HB2058

Exhibit EE  
Unit W-37 (Well(s) W37B & W37D)  
Docket #VGOB 98-0324-0632-05  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres In Unit	Interest In Unit	Division of interest in 6 Right 0.17543%	Percent of Escrow
(b) Penny L. Falck 2390 Glade Drive Christiansburg, VA 24073	0.31 acres 11/32 of 0.91 acres	0.3910%	0.00069%	2.7955% HB2058
<i>Royalties to be paid as shown below until September 13, 2007 (owners below will receive a one time payment from escrow)</i>				
(a) Elmer Lee Burke 1759 Riverside Dr Raven, VA 24639	0.23 acres 1/4 of 0.91 acres	0.2844%	0.00050%	
(c) Inis Mae Short PO Box 438 Cedar Bluff, VA 24609	0.23 acres 1/4 of 0.91 acres	0.2844%	0.00050%	
(d) Anita Carol Cantrell Heirs, Devisees, Successors or Assigns				
(d.2) Cathleen Arrington 7342 Pine Street Radford, VA 24141	0.06 acres 1/16 of 0.91 acres	0.0711%	0.00012%	
(d.3) Penny Falck 2390 Glade Drive Christiansburg, VA 24073	0.06 acres 1/16 of 0.91 acres	0.0711%	0.00012%	
(d.4) Amy Hess PO Box 922 Vansant, VA 24656	0.06 acres 1/16 of 0.91 acres	0.0711%	0.00012%	
<b>Total Tract Acres</b>	0.6256			
<b>Total Tract Percentage</b>		0.7820%		

**Tract #5A - 0.84 acres****COAL OWNERSHIP**

(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.84 acres	1.0500%	0.00184%	n/a
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**OIL & GAS OWNERSHIP**

Rosella Pruitt Heirs, Devisees,  
Successors or Assigns

*Rosella Pruitt died testate on December 6, 2002, per WB26 / PG411 she devised the property to her five children; Thelma P. Justice, Estil Pruitt, Wanda P. McGlothlin, Elmer Randolph Pruitt and Bertha Joy Rampley. On January 12, 2005, Elmer Pruitt together with the heirs, conveyed their interest to Elmer & Tammy Pruitt (T/E) and recorded at DB611 / PG257 on February 1, 2005.*

(1) Elmer & Tammy Pruitt 2734 Riverside Drive Raven, VA 24639	<i>Deeded to CNX Gas Company LLC on December 5, 2008 recorded under Instrument # 080004400 Tammy Pruitt assigned CBM Royalties related to accumulations prior to the conveyance to CNX Gas Company LLC to Elmer R. Pruitt 3/31/2015</i>			
(a) CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.84 acres	1.0500%	0.00184%	n/a

*Elmer Pruitt will receive a one time payout from escrow of the royalties that have accumulated to the date of the deed to CNX Gas Company LLC December 5, 2008. Elmer Pruitt will be paid 70% of the funds in escrow up until the date of the deed. CNX will receive 30% up until the date of the deed, then 100% after.*

**Royalties to be paid as follows:**

Elmer R. Pruitt 2734 Riverside Dr. Raven, VA 24639-8540	0.84 acres	1.0500%	0.00184%	n/a
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*Per Settlement Agreement dated September 1, 2014, Hurt McGuire Land Trust waived and disclaimed all potential boundary ownership of the CBM in the 57 acre contained in Units W36, W37, X36 & X37*

190000722

Exhibit EE  
 Unit W-37 (Well(s) W37B & W37D)  
 Docket #VGOB 98-0324-0632-05  
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Net Acres in Unit	Interest in Unit	Division of Interest in 6 Right 0.17543%	Percent of Escrow
<u>Tract #5B - 0.12 acres</u>				
<b>COAL OWNERSHIP</b>				
(1) Hurt McGuire Land Trust c/o Charles Green, Trustee PO Box 1067 Bluefield, VA 24605-4067	0.12 acres	0.1500%	0.00026%	0.4021% Royalty Division Agreement
<b>OIL &amp; GAS OWNERSHIP</b>				
(1) Oris Cantrell Heirs, Devisees, Successors or Assigns 60 acre tract T001761	0.12 acres	0.1500%	0.00026%	
(a.1) Amy Hess PO Box 922 Vansant, VA 24656	0.03 acres 1/4 of 0.12 acres	0.0375%	0.00007%	0.1340% Royalty Division Agreement
(a.3) Penny Falck 2390 Glade Dr. Christiansburg, VA 24073	0.03 acres 1/4 of 0.12 acres	0.0375%	0.00007%	0.1340% Royalty Division Agreement
(a.4) Cathleen Arrington 7342 Pine St Radford, VA 24141-8560	0.03 acres 1/4 of 0.12 acres	0.0375%	0.00007%	0.1340% Royalty Division Agreement
	<b>Total Tract Acres</b> 0.0900			
	<b>Total Tract Percentage</b> 0.1125%			
		<b>Total Acreage Resolved</b>	17.1506	
		<b>Total Percentage Resolved</b>	21.4383%	

INSTRUMENT 190000722  
 RECORDED IN THE CLERK'S OFFICE OF  
 BUCHANAN COUNTY CIRCUIT COURT ON  
 JUNE 4, 2019 AT 10:13 AM  
 BEVERLY S. TILLER, CLERK  
 RECORDED BY: CXE