

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: X35

TRACT(S): 2C, 2D, A portion of 2E, 2F

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-98-0324-0636-03

APPLICANTS: CNX Gas Company LLC on behalf of Charles Dewain Bohon, III, Harty D. Loria, Jennilyn Bohon Quillen, Joe Bohon, Russell & Anita Presley, VDOT, William L. & Hannalore Ida Engardlo

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia
October 25, 2016 and November 15, 2016

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

PRIOR PROCEEDINGS:

1. Supplemental Order -02.
2. Original Pooling Order Executed 06/10/1998, Recorded on 06/30/1998, Deed Book/Instrument No. 477, Page 671.
3. Supplemental Order Executed 08/28/1998, Recorded on 09/02/1998, Deed Book/Instrument No. 481, Page 139.
4. Supplemental Order Executed 06/01/2004, Recorded on 06/02/2004, Deed Book/Instrument No. 594, Page 425.

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5. Disbursement Order -01 Executed 10/18/2007, Recorded on 10/29/2007, Deed Book/Instrument No. 70004030.
6. Modification Order -02 Executed 10/18/2007, Recorded on 03/20/2014, Deed Book/Instrument No. 140000426.
7. Modification Order -02 Executed 10/18/2007, Recorded on 03/20/2014, Deed Book/Instrument No. 140000426.
8. Supplemental Order -02.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the October 25, 2016 hearing and was continued to November 15, 2016 where the Board 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) 2C, 2D, A portion of 2E, 2F identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 2C, 2D, A portion of 2E, 2F 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. Russell & Anita Presley, Commonwealth of VA, Hartly Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, William L. & Hannalore Engardio is the gas claimant in Tracts 1E. As such Russell & Anita Presley, Commonwealth of VA, Hartly Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, William L. & Hannalore Engardio 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.
- b. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- 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 Russell & Anita Presley, Commonwealth of VA, Hartly Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, William L. & Hannalore Engardio and not escrow same. See Exhibit EE annexed hereto.

RELIEF GRANTED:

VGOB Disbursement
Unit X35
VGOB-98-0324-0636-03

Table 1
Tracts: 2C, 2D, A portion of 2E, 2F

Item	Tract	Disbursement Table	Fractional Ownership	Net Acreage Ownership	Royalty Split Agreement	Escrowed Acres	Percent of Escrowed Funds Disbursed	Adjustment Amount
2C Tract 2C (total acreage)								
1	2C	Russell & Anita Presley P.O. Box 463, Keen Mountain, VA 24624	3.9500	3.9500	100.00%	3.9500	18.8364%	
2D Tract 2D (total acreage)								
1	2D	VDOT 1870 Bonham Rd., Bristol, VA 24201	7.5800	7.5800	100.00%	7.5800	36.1469%	
2E Tract 2E (total acreage)								
1	2E	Harty D. Loria 111 Lazy Trail, Penfield, NY 14526-1705	1/5	0.6100	100.00%	0.6100	2.9089%	
2	2E	Jennilyn Bohon Quillen 816 Hamilton Road, Blountville, TN 37617	1/5	0.6100	100.00%	0.6100	2.9089%	
3	2E	Joe Bohon 1723 Cindy Dr., Greenville, TN 37743-5805	1/5	0.6100	100.00%	0.6100	2.9089%	
4	2E	Charles Dewain Bohon, III PO Box 278, Pounding Mill, VA 24637	1/5	0.6100	100.00%	0.6100	2.9089%	
2F Tract 2F (total acreage)								
1	2F	William L. & Hannalore Ida Engardio PO Box 1067, Bluefield, VA 24605	2.8100	2.8100	100.00%	2.8100	13.4001%	

Adjustment Comments:

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.
2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

CONCLUSION:

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

APPEALS:

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

DONE AND EXECUTED this 16 day of November, 2016 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert

Chairman, Bradley C. Lambert

DONE AND PERFORMED this 16 day of November, 2016 by Order of the Virginia Gas and Oil Board.

Rick Cooper

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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 16th day of November 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.

Sarah Jessee Gilmer
Sarah Jessee Gilmer, Notary Public
262946

My Commission expires: July 31, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 98-0324-0636-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 2C, 2D, A portion of 2E, 2F (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: October 18, 2016

DRILLING UNIT: X35

BUCHANAN COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

1. Petitioner and its counsel

Petitioner is CNX Gas Company LLC, PO Box 570, Pounding Mill, VA 24637, (276)596-5075. Petitioner's counsel is Mark A. Swartz, Hillard & Swartz, LLP, 122 Capital Street, Suite 201, Charleston, WV 25301.

2. Relief Sought

(1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent, attributable to Tracts 2C, 2D, 2E & 2F, as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Russell & Anita Presley, Commonwealth of Virginia, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, William L. & Hannalore Engardio; (3) Dismissal of coal owner(s): Hurt McGuire Land Trust

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)

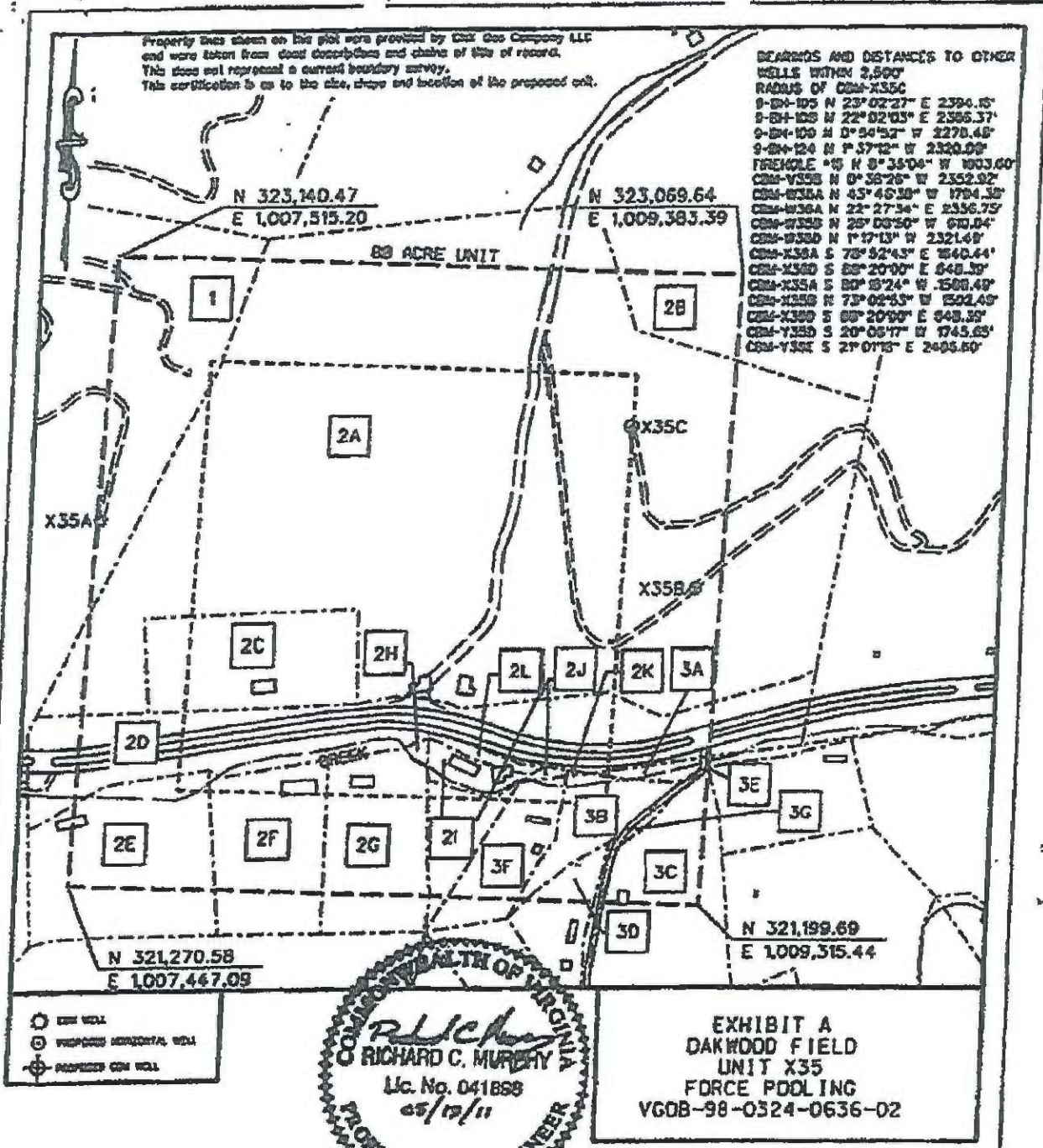
Coalbed Methane

5. Factual basis for relief requested

- a. Russell & Anita Presley, Commonwealth of VA, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, William L. & Hannalore Engardio is the gas claimant in Tracts 1E. As such Russell & Anita Presley, Commonwealth of VA, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, William L. & Hannalore Engardio 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.
- b. That CNX Gas Company LLC has given the notice(s) required by § 45.1-361.22:2.A to all conflicting claimants identified in the above referenced pooling Order and any supplemental Orders pertaining thereto.
- c. That none of the conflicting claimants noticed have provided, within 45 days of the notice(s) given as provided in b. above, the Board, its designated agent the Director of the Division of Gas and Oil, the Operator and/or the Applicant evidence of either an agreement regarding the escrowed funds/royalties or a proceeding regarding same.
- 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 Russell & Anita Presley, Commonwealth of VA, Harty Loria, Jennilyn Quillen, Joe Bohon, Charles Dewain Bohon, III, William L. & Hannalore Engardio and 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 plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.

BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF COM-X35C
 9-24-105 N 23°02'27" E 2394.15'
 9-24-108 N 22°02'03" E 2386.37'
 9-24-109 N 0°54'52" W 2278.48'
 9-24-124 N 1°57'12" W 2320.09'
 FIREHOLE #5 N 8°38'04" W 1003.00'
 COM-V358 N 0°38'26" W 2352.92'
 COM-W35A N 45°46'30" W 1704.30'
 COM-W35A N 22°27'34" E 2356.75'
 COM-W358 N 28°03'50" W 610.04'
 COM-W358 N 1°17'13" W 2321.68'
 COM-X35A E 78°52'43" E 1640.44'
 COM-X35D E 88°20'00" E 648.39'
 COM-X35A E 80°19'24" W 1508.49'
 COM-X358 N 73°02'33" W 1504.49'
 COM-X358 E 88°20'00" E 648.39'
 COM-Y358 S 20°05'17" W 1745.63'
 COM-Y35E E 21°07'15" E 2405.60'

○ EXIST. WELL
 ⊗ PROPOSED HORIZONTAL WELL
 ⊕ PROPOSED GAS WELL

COMMONWEALTH OF VIRGINIA
 RICHARD C. MURPHY
 Lic. No. 041898
 05/17/11
 PROFESSIONAL ENGINEER

EXHIBIT A
 DAKWOOD FIELD
 UNIT X35
 FORCE POOLING
 VGDB-98-0324-0636-02

Company CNX Gas Company LLC Well Name and Number UNIT X35
 Tract No. _____ Elevation _____ Quadrangle KEEN MOUNTAIN
 County BUCHANAN District GARDEN Scale: 1" = 400' Date _____
 This plot is a new plot X on an updated plot _____ or a final plot _____

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

CNX Gas Company LLC**UNIT X 35****Tract Identification**

1. Consolidation Coal Company, et al Big Vein Tr. 95 (37.08 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation - Tiller and Above Coal Leased
 Highland Resources/North American Resources Corporation, et al - Oil and Gas
 CNX Gas Company LLC - Oil and Gas Leased (1/3)
 Plum Creek Timberland, et al - CBM
 CNX Gas Company LLC - CBM Leased
 Consolidation Coal Company, et al - Surface
 6.47 Acres 8.9376%
- 2A. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company - Tiller and above Coal Leased
 CNX Gas Company LLC - CBM Leased
 CNX Gas Company LLC - Oil and Gas
 Consolidation Coal Company - Surface
 44.54 Acres 55.6750%
- 2B. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company - Tiller and above Coal Leased
 CNX Gas Company LLC - CBM Leased
 Daisy Burke OR Garden Realty Corporation - Oil and Gas
 CNX Gas Company LLC - Oil, Gas and CBM Leased (if owned by Garden Realty Corporation)
 Daisy Burke - Surface
 1.80 Acres 2.0000%
- 2C. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company - Tiller and above Coal Leased
 CNX Gas Company LLC - CBM Leased
 Russell Presley, et ux - Surface, Oil and Gas
 3.85 Acres 4.9376%
- 2D. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) - Coal
 Island Creek Coal Company/Consol Energy, Inc. - Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company - Tiller and above Coal Leased
 CNX Gas Company LLC - CBM Leased
 Commonwealth of Virginia OR Garden Realty Corporation - Oil and Gas
 CNX Gas Company LLC - Oil, Gas and CBM Leased (if owned by Garden Realty Corporation)
 Commonwealth of Virginia - Surface
 7.58 Acres 9.4750%

"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 X 36
 Tract Identification

- 2E. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Ann Laura Bohon – Surface, Oil and Gas
 3.05 Acres 3.8125%
- 2F. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 William L. Engardio, et ux – Surface, Oil and Gas
 2.81 Acres 3.5125%
- 2G. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 CNX Gas Company LLC – Surface, Oil, and Gas
 2.95 Acres 3.6875%
- 2H. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 KET, Inc. – Surface, Oil and Gas
 0.08 Acres 0.1000%
- 2I. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Kenneth Short, et al – Surface, Oil and Gas
 0.64 Acres 0.8000%
- 2J. Hurt-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewell Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Danny Hinkle, et ux – Surface, Oil and Gas
 1.24 Acres 1.5500%

"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 X 35
Tract Identification

- 2K. Hurl-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewel Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Hazel F. Elster – Surface, Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.02 Acres 0.0250%
- 2L. Hurl-McGuire Land Trust (Lewis Osborne 628.41 Acre Tract) – Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal below Tiller Seam Leased
 Jewel Smokeless Coal Company – Tiller and above Coal Leased
 CNX Gas Company LLC – CBM Leased
 CNX Gas Company LLC – Oil and Gas
 Kenneth Short, et al – Surface
 0.20 Acres 0.2500%
3. Commonwealth Coal Corporation Tract 2 (665.00 Acre Tract) – All Minerals
 Reserved Coal Properties Company – Below Drainage Coal Leased
 Knox Creek Coal Corporation – Coal in Tiller and Above Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 5.87 Acres 7.3375%
- 3A. Unknown Surface Owner
 3B. Hazel F. Elster – Surface
 3C. Unknown Surface Owner
 3D. Unknown Surface Owner
 3E. Unknown Surface Owner
 3F. Danny Hinde, et ux – Surface
 3G. Unknown Surface Owner

"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 X-35
Docket #VGOB-98-0324-0636-03
List of Conflicting Owners/Claimants that Require Escrow
(80.00 Acre Unit)

	Net Acres In Unit	Interest in Unit	Division of Interest in Panels		
			13 East 11.1083%	14 East 23.5724%	15 East 2.1831%
<u>Tract #2B - 1.60 Acres</u>					
<i>Escrow due to Title Conflict</i>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust ** <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	1.60 acres	2.0000%	0.2222%	0.4714%	0.0437%
<u>OIL & GAS OWNERSHIP</u>					
(1) Daisy Burke Box 354 Raven, VA 24639	1.60 acres	2.0000%	0.2222%	0.4714%	0.0437%
- OR -					
(1) Garden Realty Corporation 108 Bexley Road Mooresville, NC 28117	1.60 acres	2.0000%	0.2222%	0.4714%	0.0437%
<u>Tract #2E - 3.05 Acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	3.05 acres	3.8125%	0.4235%	0.8987%	0.0832%
<u>OIL & GAS OWNERSHIP</u>					
(1) Ann Laura Bohon Helrs, Devises, Successors or Assigns	3.05 acres	3.8125%	0.4235%	0.8987%	0.0832%
<i>Removed from 03 Petition due to mail remaining in transit</i>					
(a) Paul Kevin Bohon 22287 Benhams Rd Bristol, VA 24202	0.61 acres 1/5 of 3.05 acres	0.7625%	0.0847%	0.1797%	0.0166%
<u>Tract #2H - 0.08 Acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	0.08 acres	0.1000%	0.0111%	0.0236%	0.0022%
<u>OIL & GAS OWNERSHIP</u>					
<i>Unlocatable</i>					
(1) KET, Inc. P. O. Box 1080 Raven, VA 24639 (Returned)	0.08 acres	0.1000%	0.0111%	0.0236%	0.0022%

Exhibit E
Unit X-35
Docket #VGOB-98-0324-0636-03
List of Conflicting Owners/Claimants that Require Escrow
(80.00 Acre Unit)

	Net Acres In Unit	Interest In Unit	Division of Interest in Panels		
			13 East 11.1083%	14 East 23.5724%	15 East 2.1831%
<u>Tract #2I - 0.64 Acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	0.64 acres	0.8000%	0.0889%	0.1886%	0.0175%
<u>OIL & GAS OWNERSHIP</u>					
(1) Kenneth Short, et al.	0.64 acres	0.8000%	0.0889%	0.1886%	0.0175%
(a) Kenneth R. Short Heirs, Devisees, Successors or Assigns					
<i>W9/Affidavit pending</i>					
(a.1) Martha Short 115 Montclair Circle Rd N. Tazewell, VA 24630	0.32 acres 1/2 of 0.64 acres	0.4000%	0.0444%	0.0943%	0.0087%
(b) Troy L. Sparks Heirs, Devisees, Successors or Assigns					
(b.1) Peggy Sparks					
					<i>Conveyed to Kenneth R. Short 9/29/2004 DB603/556</i>
(b.1.1) Kenneth R. Short Heirs, Devisees, Successors or Assigns					
<i>W9/Affidavit pending</i>					
(b.1.1.1) Martha Short 115 Montclair Circle Rd N. Tazewell, VA 24630	0.32 acres 1/2 of 0.64 acres	0.4000%	0.0444%	0.0943%	0.0087%

Tract #2J - 1.24 Acres

COAL OWNERSHIP

(1) Hurt McGuire Land Trust <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	1.24 acres	1.5500%	0.1722%	0.3654%	0.0338%
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OIL & GAS OWNERSHIP

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

(1) Danny & Pamela Jo Hinkle, TE P. O. Box 571 Oakwood, VA 24631	1.24 acres	1.5500%	0.1722%	0.3654%	0.0338%
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Exhibit E
 Unit X-35
 Docket #VGOB-98-0324-0636-03
 List of Conflicting Owners/Claimants that Require Escrow
 (80.00 Acre Unit)

	Net Acres in Unit	Interest in Unit	Division of Interest in Panels		
			13 East 11.1083%	14 East 23.5724%	15 East 2.1831%
<u>Tract #2K - 0.02 Acres</u>					
COAL OWNERSHIP					
(1) Hurt McGuire Land Trust Lewis Osborne Tract (628.41 acre tract) P.O. Box 1067 Bluefield, VA 24605	0.02 acres	0.0250%	0.0028%	0.0059%	0.0005%
OIL & GAS OWNERSHIP					
<i>The respondents listed below did not respond timely to the W9 request and will continue to be escrowed</i>					
(1) Hazel F. Elster P. O. Box 327 Oakwood, VA 24631	0.02 acres	0.0250%	0.0028%	0.0059%	0.0005%
			Total Acreage in Conflict	4.1900	
			Total Percentage in Conflict		5.2375%

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Exhibit EE
Unit X-35
Docket #VGOB-98-0324-0636-03
List of Conflicting Owners with Royalty Split Agreements/Court Orders/HB2058
(80.00 Acre Unit)

	Net Acres in Unit	Interest in Unit	Division of Interest in Panels			Percent of Escrow
			13 East 11.1083%	14 East 23.5724%	15 East 2.1831%	
<u>Tract #2A - 44.54 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust Lewis Osborne Tract (628.41 acre tract) P.O. Box 1067 Bluefield, VA 24605	44.54 acres	55.6750%	6.1845%	13.1239%	1.2154%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	44.54 acres	55.6750%	6.1845%	13.1239%	1.2154%	n/a
<u>Tract #2C - 3.95 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust Lewis Osborne Tract (628.41 acre tract) P.O. Box 1067 Bluefield, VA 24605	3.95 acres	4.9375%	0.5485%	1.1639%	0.1078%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) Russell & Anita Presley, TE P.O. Box 463 Keen Mountain, VA 24624	3.95 acres	4.9375%	0.5485%	1.1639%	0.1078%	18.8364% HB2058
<u>Tract #2D - 7.58 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust Lewis Osborne Tract (628.41 acre tract) P.O. Box 1067 Bluefield, VA 24605	7.58 acres	9.4750%	1.0525%	2.2335%	0.2068%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) Commonwealth of Virginia Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201	7.58 acres	9.4750%	1.0525%	2.2335%	0.2068%	36.1469% HB2058
<u>Tract #2E - 3.05 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust Lewis Osborne Tract (628.41 acre tract) P.O. Box 1067 Bluefield, VA 24605	3.05 acres	3.8125%	0.4235%	0.8987%	0.0832%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) Ann Laura Bohon Heirs, Devisees, Successors or Assigns	3.05 acres	3.8125%	0.4235%	0.8987%	0.0832%	
(b) Harty D. Loria 111 Lazy Trail Penfield, NY 14526-1705	1.52 acres 1/5 of 3.05 acres	1.8950%	0.2105%	0.4467%	0.0414%	7.2294% HB2058
(c) Jennilyn Bohon Quillen 816 Hamilton Road Blountville, TN 37617	1.52 acres 1/5 of 3.05 acres	1.8950%	0.2105%	0.4467%	0.0414%	7.2294% HB2058

Exhibit EE
 Unit X-35
 Docket #VGOB-98-0324-0636-03
 List of Conflicting Owners with Royalty Split Agreements/Court Orders/HB2058
 (80.00 Acre Unit)

	Net Acres in Unit	Interest in Unit	Division of Interest in Panels			Percent of Escrow
			13 East 11.1083%	14 East 23.5724%	15 East 2.1831%	
(d) Joe Bohon 1723 Cindy Dr Greenville, TN 37743-5805	1.52 acres 1/5 of 3.05 acres	1.8950%	0.2105%	0.4467%	0.0414%	7.2294% HB2058
(e) Charles Dewaine Bohon, Jr. Heirs, Devisees, Successors or Assigns (1/5)						
(e.1) Charles Dewain Bohon, III PO Box 278 Pounding Mill, VA 24637	1.52 acres 1/5 of 3.05 acres	1.8950%	0.2105%	0.4467%	0.0414%	7.2294% HB2058
<u>Tract #2F - 2.81 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	2.81 acres	3.5125%	0.3902%	0.8280%	0.0767%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) William L. & Hannalore Ida Engardlo, TE 3187 Riverside Dr. Raven, VA 24639	2.81 acres	3.5125%	0.3902%	0.8280%	0.0767%	13.4001% HB2058
<u>Tract #2G - 2.95 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	2.95 acres	3.6875%	0.4096%	0.8692%	0.0805%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	2.95 acres	3.6875%	0.4096%	0.8692%	0.0805%	n/a
<u>Tract #2L - 0.20 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Hurt McGuire Land Trust <i>Lewis Osborne Tract (628.41 acre tract)</i> P.O. Box 1067 Bluefield, VA 24605	0.20 acres	0.2500%	0.0278%	0.0589%	0.0055%	n/a
<u>OIL & GAS OWNERSHIP</u>						
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.20 acres	0.2500%	0.0278%	0.0589%	0.0055%	n/a
Total Acreage Resolved				68.0940		
Total Percentage Resolved						85.1175%

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INSTRUMENT #160002191
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
NOVEMBER 29, 2016 AT 12:51PM

BEVERLY S. TILLER, CLERK
RECORDED BY: VAH