

Instrument prepared by

VIRGINIA GAS AND OIL BOARD

Order recorded under

CODE OF VIRGINIA
§ 45.1-361.26

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: U36

TRACT(S): A portion of 1B, 4C

LOCATION: BUCHANAN County, Virginia

DOCKET NUMBER: VGOB-98-0421-0648-04

APPLICANTS:

CNX Gas Company LLC on behalf of Bessie Lowe, Curtis Lee Stilwell, Elsie Elizabeth Stilwell
c/o Bessie Lowe, Hurt McGuire Land Trust, Lois Casey, Sylvia A. Byrd, Theodore Stilwell,
Trustees of the Wilderness Tabernacle Church, Wanda Hagy

HEARING DATE AND LOCATION:

Russell County Government Center, Lebanon, Virginia ☐
February 17, 2015 and March 17, 2015

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

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 06/10/1998, Recorded on 06/16/1998, Deed Book/Instrument No. 477, Page 619.
2. Supplemental Order Executed 11/15/1999, Recorded on 11/17/1999, Deed Book/Instrument No. 498, Page 578.
3. Disbursement Order -01 Executed 09/19/2006, Recorded on 09/26/2006, Deed Book/Instrument No. 060003142.
4. Disbursement Order -02, Recorded on 09/02/2008, Deed Book/Instrument No. 080003224.

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5. Disbursement Order -03 Executed 05/10/2010, Recorded on 05/26/2010, Deed Book/Instrument No. 100001391.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the February 17, 2015 hearing and was continued to March 17, 2015 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) A portion of 1B, 4C identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 1B, 4C 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:

(a) Trustees of Wilderness Tabernacle Church are entitled to 100% of the CBM royalties awarded under Case No. CL 12-174, Opinion dated November 13, 2014. (b) Hurt McGuire Land Trust and Thomas Stilwell Heirs including Bessie Lowe, Wanda Hagy, Curtis Lee Stilwell, Theodore Stilwell, Elsie Elizabeth Stilwell, Sylvia A. Byrd, and Lois Casey have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table 1 specifies how said royalties are to be divided and paid.

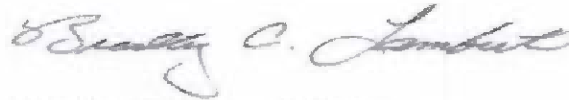
RELIEF GRANTED:

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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.

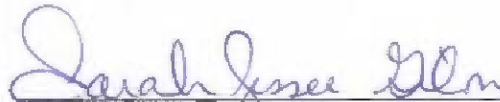
DONE AND EXECUTED this 20 day of March, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 20th day of March, 2015, 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, that he executed the same and was authorized to do so.


 Sarah Jessee Gilmer, Notary Public
 262946


My Commission expires: July 31, 2017

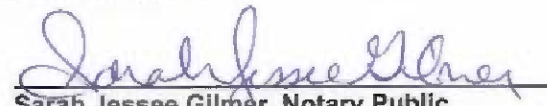
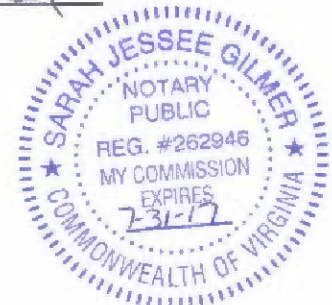
DONE AND PERFORMED this 23 day of March, 2015 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 23rd day of March, 2015, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


 Sarah Jessee Gilmer, Notary Public
 262946


My Commission expires: July 31, 2017

BEFORE THE VIRGINIA OIL AND GAS BOARD

APPLICANT: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO.: VGOB 98-0421-0648-04

RELIEF SOUGHT: (1) Disbursement from escrow
Regarding tracts 1B & 4C (royalties currently being
Paid under BUC1SGU2, VGOB 08-1118-2367; and
(2) Dismissal of coal claimants

UNIT: U36

BUCHANAN COUNTY, VIRGINIA

HEARING DATE: February 17, 2015
PLACE: Russell County Government Conference Center
139 Highland Drive
Lebanon, Virginia
TIME: 9:00 a.m.

NOTICE OF HEARING

COMMONWEALTH OF VIRGINIA: To the following persons who will receive a disbursement of escrowed funds if the relief sought by Applicant's Petition is granted by the Virginia Gas and Oil Board:

Bessie Lowe, Wanda Hagy, Curtis Lee Stilwell, Theodore Stilwell, Elsie Elizabeth Stilwell, Sylvia L. Byrd, Lois Casey, Hurt McGuire Land Trust, Trustees of the Wilderness Tabernacle Church

COMMONWEALTH OF VIRGINIA: To the following persons identified as **COAL OWNERS** in the pooling application(s) and Virginia Gas and Oil Board Orders pertaining to the referenced Docket No. who were previously pooled by Virginia Gas and Oil Board Order as conflicting claimants to the coalbed methane to be produced from the Unit, **YOUR CLAIMS TO COALBED METHANE ROYALTIES AND/OR WORKING OR CARRIED INTERESTS** for coalbed methane gas produced from this Unit **ARE SUBJECT TO DISMISSAL BY BOARD ORDER AT THE HEARING NOTICED ABOVE:**

Hurt McGuire Land Trust c/o Charles Green

NOTICE IS HEREBY GIVEN that Applicant is requesting that the Virginia Gas and Oil Board (hereinafter Board) issue an order as follows:

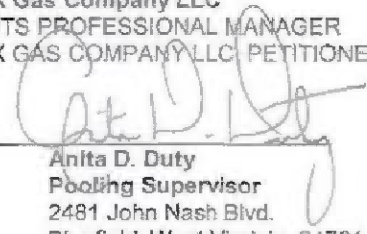
- (1) Directing the Board's Escrow Agent to make the disbursements to the persons identified in Table 1 hereto using the percentages stated therein;
- (2) Dismissing the Respondents/coal owners listed above as Respondents and as conflicting claimants.

NOTICE IS FURTHER GIVEN that this cause has been set for hearing and the taking of evidence before the Board at 9:00 a.m., on February 17, 2015 at the Russell County Government Conference Center, 139 Highland Drive, Lebanon, Virginia, and that notice will be published as required by law and the Rules of the Board.

NOTICE IS FURTHER GIVEN that you may attend this hearing, with or without an attorney, and offer evidence or state any comments you have. For further information or a copy of the Application and Exhibits, either contact the Virginia Gas and Oil Board, the Department of Mines, Minerals and Energy, the Division of Gas and Oil, 135 Highland Drive, Lebanon, Virginia, 276, or the Applicant at the address shown below.

NOTICE IS FURTHER GIVEN that any Coal Owner identified above who does not appear at the said hearing and provide the Board with evidence and/or a credible theory/argument that he/she/it has a good faith basis under existing law to claim an interest in the coalbed methane produced from the Unit, is subject to dismissal as a pooled Respondent and as a conflicting claimant to coalbed methane royalties, working interest and/or carried interest

CNX Gas Company LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC PETITIONER

By: 
Anita D. Duty
Pooling Supervisor
2481 John Nash Blvd.
Bluefield, West Virginia 24701

BEFORE THE VIRGINIA OIL AND GAS BOARD

APPLICANT: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO.: VGOB 98-0421-0648-04RELIEF SOUGHT: (1) Disbursement from escrow
Regarding tracts 1B & 4C (royalties currently being
Paid under BUC1SGU2, VGOB 08-1118-2367; and
(2) Dismissal of coal claimants

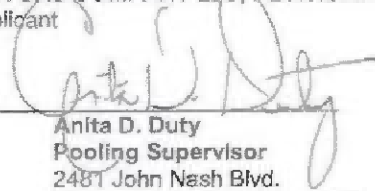
UNIT: U36

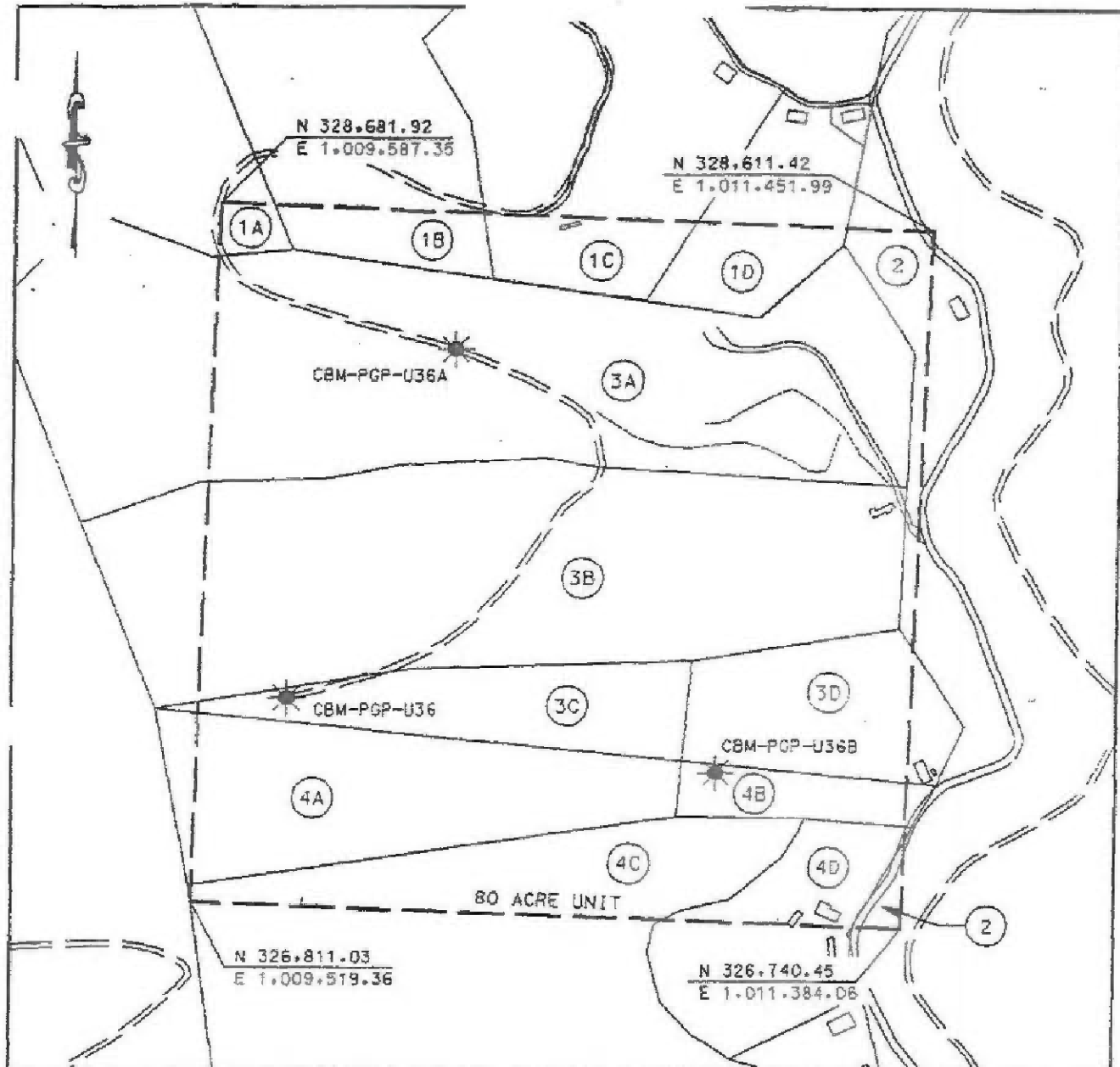
HEARING DATE: February 17, 2015

BUCHANAN COUNTY, VIRGINIA

PETITION TO DISBURSE AND MODIFY

1. Applicant and its counsel: Applicant is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, WV. 24701, 304.323.6500. Applicant's counsel is Mark A. Swartz, Hilliard & Swartz, LLP, 122 Capitol St., FL 2, Charleston, WV 25301.
2. Relief sought: (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tracts 1B & 4C to the persons identified in Table 1 using the percentages set forth in Table 1; and (2) dismissal of coal owner(s)/claimant(s) named in the Notice of Hearing and identified in Exhibit B2 who were pooled by the Board as conflicting claimants.
3. Factual basis for disbursements: (a) Trustees of Wilderness Tabernacle Church are entitled to 100% of the CBM royalties awarded under Case No. CL 12-174, Opinion dated November 13, 2014. (b) Hurt McGuire Land Trust and Thomas Stilwell Heirs including Bessie Lowe, Wanda Hagy, Curtis Lee Stilwell, Theodore Stilwell, Elsie Elizabeth Stilwell, Sylvia A. Byrd, and Lois Casey have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Table 1 specifies how said royalties are to be divided and paid.
4. Reason for Dismissal: Given legislative action and Supreme Court decision(s) following adoption of the 1990 Act, the Board's policy of identifying a conflict between coal owners and oil and gas owners to protect correlative rights should be changed to a policy of not requiring coal owners to be identified as conflicting claimants, subject to coal owner(s) offering evidence of a viable claim, after receiving notice.
5. Legal Authority: Va. Code Ann. §§ 45.1-361.13, 45.1-361.14.B, 45.1-361.15.A.3, B.2, B.10, B.12, 361.19.A., 45.1-361.21:1, 45.1-361.22.1, .5, 4VAC25-160-10, 80, *Swords Creek Land Partnership v. Belcher, et al.*, #131590, September 12, 2014.
6. Exhibits: The relevant exhibits are annexed to the Notice of Hearing and this Application.
7. Applicant's standing: Designated Operator.
8. Attestation: The foregoing application, to the best of my knowledge, information and belief, is true and correct.

CNX Gas Company LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER
ApplicantBy: Anita D. Duty
Pooling Supervisor
2481 John Nash Blvd.
Bluefield, West Virginia 24701

**LEGEND**

- TRACT LAND HOOK
 [2] TRACT LAND ID'S

EXHIBIT A
 OAKWOOD FIELD UNIT U-36
 FORCE POOLING
 VGOB-98-0421-0648

Company Poconontas Gas Partnership Well Name and Number UNIT 836
 Tract No. _____ Elevation _____ Quadrangle Green Mountain
 County Buchanan District Garden Scale: 1" = 400' Date 3/12/98
 This plot is a new plat X : an updated plat _____ : or a final plat _____

Form DGO-GO-7
 Rev. 3/91

Charles E. Ray
 Licensed Professional Engineer or Licensed Land Surveyor

POCAHONTAS GAS PARTNERSHIP**UNIT U-36****Tract Identification**

- 1A. Alpha Stickley, et al - Coal, Oil & Gas
 Coal Lessees
 Island Creek Coal Company
 Jewell Smokeless Coal Corporation
 Parmac, Inc.
 Pocahontas Gas Partnership - CBM Lessee
 Joel L. Absher - Surface
 0.50 acres 0.6250%
- 1B. McGuire & Hurt Heirs - Coal
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Lessee
 Thomas Stillwell Heirs - Surface, Oil & Gas
 1.81 acres 2.2625%
- 1C. McGuire & Hurt Heirs - Coal
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Lessee
 Joe Nipper - Surface, Oil & Gas
 2.17 acres 2.7125%
- 1D. McGuire & Hurt Heirs - Coal
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - CBM Lessee
 Donald Nipper - Surface, Oil & Gas
 2.01 acres 2.5125%
2. Coal Mountain Mining Company Tr 26 - Fee
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM Lessee
 2.08 acres 2.8000%
3. New Garden Coal Company - Coal, Oil & Gas
 Consolidation Coal Co. - Below drainage coal Leased
 United Coal Company - Above drainage coal Leased
 Pocahontas Gas Partnership - Oil & Gas Lessee
 Pocahontas Gas Partnership - CBM Lessee
 52.68 acres 65.8500%
- 3A. & 3B. Benny Darrell Davis - Surface
 3C. Jewell Smokeless Coal Corp. - Surface
 3D. Samuel Glenn Sproles - Surface

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POCAHONTAS GAS PARTNERSHIP

UNIT U-36

Tract Identification

- 4A. McGuire & Hurt Heirs - Coal
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Lessee
Jewell Smokeless Coal Corp. - Surface, Oil & Gas
8.82 acres 11.0250%
- 4B. McGuire & Hurt Heirs - Coal
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Lessee
Samuel Glenn Sproles - Surface, Oil & Gas
1.75 acres 2.1875%
- 4C. McGuire & Hurt Heirs - Coal
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Lessee
Wilderness Tabernacle - Surface, Oil & Gas
6.05 acres 7.5825%
- 4D. McGuire & Hurt Heirs - Coal
Consolidation Coal Co. - Below drainage coal Leased
United Coal Company - Above drainage coal Leased
Pocahontas Gas Partnership - CBM Lessee
Paul Stillwell - Surface, Oil & Gas
2.13 acres 2.6625%

Exhibit B-2
Unit U-36
Docket # VGOB 98-0421-0648-04
List of Respondents to be Added or Dismissed

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	Acres in Unit	Percent of Unit	Division of Interest in		Reason for Dismissal
			6-Right 6.10175%	7-Right 16.34981%	
<u>Tract #1B, 1.81 acres</u>	1.81 acres				
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	0.013 acres				Coal Owner
See Exhibit EE for Royalty Split Agreements					
<u>Tract #4A, 8.82 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	8.82 acres				Coal Owner
<u>Tract #4B, 1.75 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	1.75 acres				Coal Owner

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Exhibit E
Unit U-36

Docket # VGOB 98-0421-0648-04

List of Owners in escrow, not including persons dismissed on Exhibit B-2

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right	7-Right
Tract #1B, 1.81 acres	1.81 acres	2.2625%	6.10175%	16.34981%
<u>OIL & GAS OWNERSHIP</u>				
Thomas Stilwell Heirs, Devisees, Successors or Assigns	0.013 acres of 1.81 acres	0.0157%	0.00096%	0.00257%
(5) Sylvester Stilwell Heirs, Devisees, Successors or Assigns				
(5.1) Cora Arnold Heirs, Devisees, Successors or Assigns				
(5.1.5) Jay C. Stilwell Sr. Heirs, Devisees, Successors or Assigns				
(5.1.5.1) Kathy Stilwell PO Box 1196 Raven, VA 24639	0.004 acres 1/432 of 1.81 acres	0.0052%	0.00032%	0.00086%
(5.1.5.2) Jay Clarence Stilwell, Jr. Pocahontas Prison	0.004 acres 1/432 of 1.81 acres	0.0052%	0.00032%	0.00086%
(5.1.5.3) Veronica Gail Helton 200 Bryant Street Cedar Bluff, VA 24609	0.004 acres 1/432 of 1.81 acres	0.0052%	0.00032%	0.00086%
Total tract acres	0.013			
Total tract percent	0.0157%			
Tract #4A, 8.82 acres				
<u>OIL & GAS OWNERSHIP</u>				
(1) Jewell Smokeless Coal Corp P. O. Box 70 Vansant, VA 24656	8.82 acres	11.0250%	0.672718%	1.802567%
Tract #4B, 1.75 acres				
<u>OIL & GAS OWNERSHIP</u>				
(1) Samuel Glenn Sproles c/o Lucille Collins 5222 Stewartville Road Moneta, VA 24121	1.75 acres	2.1875%	0.133476%	0.357652%
Total Acreage in Unit	10.583			
Total Percentage In Unit		13.2282%		

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Exhibit EE

Unit U-36

Docket # VGOB 98-0421-0648-04

List of Respondents with Royalty Split Agreements and/or Court Orders

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.10175%	7-Right 16.34881%	
<u>Tract #1B, 1.81 acres</u>	1.81 acres	2.2825%	0.138052%	0.369914%	
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	1.797 acres of 1.81 acres				0.4122%
<u>OIL & GAS OWNERSHIP</u>					
Thomas Stitwell Heirs, Devisees, Successors or Assigns	1.81 acres	2.2625%	0.13805%	0.36991%	
(1) Beulah V. Osborne Heirs, Devisees, Successors or Assigns					
(1.1) Sterling Osborne 3639 Clifton Fork road Raven, VA 24639	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.2) Mae Miller 8101 Brown Mountain Road Jewell Ridge, VA 24622-8706	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.3) Sylvia A. Miller 3999 Osborne Road Raven, VA 24639	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.4) Doris Mitchell 1045 Jewell Ridge Road Richlands, VA 24641	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.5) Brenda Shortt PO Box 652 Keen Mountain, VA 24624	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.6) Bobby Osborne 349 Bridgestone Drive, Box 12 Raven, VA 24639	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.7) Danny Osborne PO Box 464 Keen Mountain, VA 24624	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.8) Harold Eugene Osborne 214 Carson Avenue, Apt. 48 Richlands, VA 24641	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.9) Jerry Lane Osborne 2414 Harrys Branch Road Whitewood, VA 24657-9482	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.10) Melvin Junior Osborne PO Box 1239 Raven, VA 24639	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.11) Roger Osborne Heirs, Devisees, Successors or Assigns					
(1.11.1) Michelle Tuggle 420 Deer Haven Drive Castletown, VA 24224	0.009 acres 1/192 of 1.81 acres	0.0116%	0.00072%	0.00193%	n/a

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Exhibit EE
Unit U-36

Docket # VGOB 98-0421-0848-04

List of Respondents with Royalty Split Agreements and/or Court Orders

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			8-Right 6.10175%	7-Right 16.34981%	
(1.11.2) Susie Osborne 116 Troonsway Road Winston Salem, NC 27127	0.009 acres 1/192 of 1.81 acres	0.0118%	0.00072%	0.00183%	n/a
(1.12) Betty L. Smith Heirs, Devisees, Successors or Assigns <i>Documentation on Heirs Pending</i>	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(1.12.1) Gary Wayne Smith Address Pending					
(1.12.2) Randy Smith Address Pending					
(1.12.3) David Smith Address Pending					
(1.12.4) Jamie Lee Smith 161 Meadows Street Pounding Mill, VA 24637					
(1.12.5) Colonel Smith, Jr. PO Box 842 Raven, VA 24639					
(1.12.6) Timmy James Smith Address Pending					
(2) Exie Osborne Heirs, Devisees, Successors or Assigns					
(2.1) John Osborne 368 Gov. G.C. Peery Highway Raven, VA 24639	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(2.2) Maxie Jean Osborne Boyd Heirs, Devisees, Successors or Assigns					
(2.2.1) Walter Boyd PO Box 146 Raven, VA 24639	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(2.2.2) Anthony Boyd 14832 Slate Creek Road Grundy, VA 24614	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(2.3) Ruth Smith PO Box 675 Doran, VA 24612	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(2.4) Judy Blankenship Box 221 Doran, VA 24612	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(2.5) Ida Proffitt 128 Major Road Raven, VA 24639	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(2.6) Myrtle Smith Heirs, Devisees, Successors or Assigns					
(2.6.1) Nancy Jackson PO Box 448 Doran, VA 24612	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 6.10175%	7-Right 16.34981%	
(2.6.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.019 acres 1/96 of 1.81 acres	0.0236%	0.00144%	0.00385%	n/a
(3) Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	0.226 acres 1/8 of 1.81 acres	0.2828%	0.01726%	0.04624%	n/a
(4) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns					
(4.1) Arlin W. Osborne Heirs, Devisees, Successors or Assigns					
(4.1.1) Mary Jane Osborne Heirs, Devisees, Successors or Assigns <i>Documentation Pending on Heirs</i>	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	n/a
(4.2) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	n/a
(4.3) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	n/a
(4.4) Hubbard Osborne 3195 Osborne Mountain Rd. Raven, VA 24639	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	n/a
(4.5) Jackie D. Osborne 1995 Altizer Road Raven, VA 24639-1996	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	n/a
(4.6) Jerline Davis 116 Coronado Road North Tazewell, VA 24630	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	n/a
(4.7) Sylvia A. Byrd 719 Holly St. Richlands, VA 24641-3087	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	0.0749%
(4.8) Lois Casey 759 Big Creek Road Richlands, VA 24641	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	0.0749%
(4.9) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	n/a
(5) Sylvester Stilwell Heirs, Devisees, Successors or Assigns					
(5.1) Cora Arnold Heirs, Devisees, Successors or Assigns					
(5.1.1) Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.013 acres 1/144 of 1.81 acres	0.0157%	0.00096%	0.00257%	0.0375%
(5.1.1) Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.004 acres 1/504 of 1.81 acres	0.0045%	0.00027%	0.00073%	n/a

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 6.10175%	7-Right 16.34981%	
(5.1.2) Wanda Hagy 127 Largen Street #5 Richlands, VA 24641	0.013 acres 1/144 of 1.81 acres	0.0157%	0.00096%	0.00257%	0.0375%
(5.1.2) Wanda Hagy 127 Largen Street #5 Richlands, VA 24641	0.004 acres 1/504 of 1.81 acres	0.0045%	0.00027%	0.00073%	n/a
(5.1.3) Curtis Lee Stilwell PO Box 2216 Cedar Bluff, VA 24609	0.013 acres 1/144 of 1.81 acres	0.0157%	0.00096%	0.00257%	0.0375%
(5.1.3) Curtis Lee Stilwell PO Box 2216 Cedar Bluff, VA 24609	0.004 acres 1/504 of 1.81 acres	0.0045%	0.00027%	0.00073%	n/a
(5.1.4) Theodore Stilwell 2212 Pea Patch Road Jewell Ridge, VA 24622-8708	0.013 acres 1/144 of 1.81 acres	0.0157%	0.00096%	0.00257%	0.0375%
(5.1.4) Theodore Stilwell 2212 Pea Patch Road Jewell Ridge, VA 24622-8708	0.004 acres 1/504 of 1.81 acres	0.0045%	0.00027%	0.00073%	n/a
(5.1.5) Jay C. Stilwell Sr. Heirs, Devisees, Successors or Assigns					
(5.1.5.1) Kathy Stilwell PO Box 1196 Raven, VA 24639	0.001 acres 1/1512 of 1.81 acres	0.0015%	0.00009%	0.00024%	n/a
(5.1.5.2) Jay Clarence Stilwell, Jr. Pocahontas Prison	0.001 acres 1/1512 of 1.81 acres	0.0015%	0.00009%	0.00024%	n/a
(5.1.5.3) Veronica Gail Helton 200 Bryant Street Cedar Bluff, VA 24609	0.001 acres 1/1512 of 1.81 acres	0.0015%	0.00009%	0.00024%	n/a
(5.1.6) Leonard Stilwell Heirs, Devisees, Successors or Assigns					
(5.1.6.1) Elsie Elizabeth Stilwell c/o Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.013 acres 1/144 of 1.81 acres	0.0157%	0.00096%	0.00257%	0.0375%
(5.2) Jay C. Stilwell Sr. Heirs, Devisees, Successors or Assigns					
(5.2.1) Connie Jean Stilwell Heirs, Devisees Successors or Assigns					
(5.2.1.1) Kathy Stilwell PO Box 1196 Raven, VA 24639	0.005 acres 1/336 of 1.81 acres	0.0067%	0.00041%	0.00110%	n/a
(5.2.1.2) Jay Clarence Stilwell, Jr. Pocahontas Prison	0.005 acres 1/336 of 1.81 acres	0.0067%	0.00041%	0.00110%	n/a
(5.2.1.3) Veronica Gail Helton 200 Bryant Street Cedar Bluff, VA 24609	0.005 acres 1/336 of 1.81 acres	0.0067%	0.00041%	0.00110%	n/a

Exhibit EE
Unit U-36

Docket # VGOB 98-0421-0648-04

List of Respondents with Royalty Split Agreements and/or Court Orders

	Acres in Unit	Percent of Unit	Division of Interest In		Percent of Escrow
			6-Right 6.10175%	7-Right 16.34981%	
(5.2.1.4) Beverly Chantel Stilwell Cook Heirs, Devisees, Successors or Assigns					
(5.2.1.4.1) Casandra Keen 232 Bryant Street Cedar Bluff, VA 24609	0.005 acres 1/336 of 1.81 acres	0.0067%	0.00041%	0.00110%	n/a
(5.3) Curtis Lee Stilwell P.O. Box 2216 Cedar Bluff, VA 24609-2216	0.025 acres 1/72 of 1.81 acres	0.0314%	0.00192%	0.00514%	0.0749%
(5.4) Leonard Stilwell Heirs, Devisees, Successors or Assigns					
(5.4.1) Elsie Elizabeth Stilwell c/o Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.022 acres 1/84 of 1.81 acres	0.0269%	0.00164%	0.00440%	n/a
(5.5) Theodore Stilwell 2122 Pea Patch Road Jewell Ridge, VA 24622-8706	0.022 acres 1/84 of 1.81 acres	0.0269%	0.00164%	0.00440%	n/a
(5.6) Bessie Lowe 1082 Riverside Drive Raven, VA 24639	0.022 acres 1/84 of 1.81 acres	0.0269%	0.00164%	0.00440%	n/a
(5.7) Wanda Hagy 127 Largen Street #5 Richlands, VA 24641	0.022 acres 1/84 of 1.81 acres	0.0269%	0.00164%	0.00440%	n/a
(5.8) Camas James Carlos Stilwell Heirs, Devisees, Successors or Assigns	Deeded to Cora Arnold Under Inst. # 13-0142				
(5.8.1) Cora Arnold Heirs, Devisees, Successors or Assigns	See 5.1				
(6) Charles Stilwell Heirs, Devisees, Successors or Assigns					
(6.1) Bernadine R. Lisburg Heirs, Devisees, Successors or Assigns	Life Estate				
(6.2) David Wayne Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(6.3) Thomas H. Stilwell 27 Horseshoe Trailer Ct. Horace, ND 58047-5718	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(6.4) Quentin A. Stilwell P. O. Box 154 Rhome, ND 58651	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(6.2) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(6.3) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a
(6.7) Bernice R. Lamb 2124 County Road 116 International Falls, MN 56649	0.038 acres 1/48 of 1.81 acres	0.0471%	0.00288%	0.00771%	n/a

150000532

Exhibit EE
Unit U-36

Docket # VGOB 98-0421-0648-04

List of Respondents with Royalty Split Agreements and/or Court Orders

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 6.10175%	7-Right 16.34981%	
(7) Paul Elmer Stilwell Heirs, Devisees, Successors or Assigns					
(7.1) Virginia N. Stilwell, widow 1106 Dial Road Raven, VA 24639	0.226 acres 1/8 of 1.81 acres	0.2828%	0.01726%	0.04624%	n/a
(8) Roley (a.k.a. Raleigh) Edward Stilwell Heirs, Devisees, Successors or Assigns					
(a) Martha J. (a.k.a. Juanita) Stilwell 2875 Page Street, Box 2 Richlands, VA 24641	0.226 acres 1/8 of 1.81 acres	0.2828%	0.01726%	0.04624%	n/a
Total tract acres	1.797				
Total tract percent	2.2468%				

Tract #1C, 2.17 acresCOAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	2.17 acres	2.7125%	0.165510%	0.443489%	n/a
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OIL & GAS OWNERSHIP

(1) Joe Nipper 1111 Nipper Road Raven, VA 24639	2.17 acres	2.7125%	0.165510%	0.443489%	n/a
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Tract #1D, 2.01 acresCOAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	2.01 acres	2.5125%	0.153306%	0.410789%	n/a
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OIL & GAS OWNERSHIP

(1) Donald Nipper P. O. Box 909 Raven, VA 24639	2.01 acres	2.5125%	0.153306%	0.410789%	n/a
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Tract #4C, 6.05 acresCOAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	6.05 acres	7.5625%	0.461445%	1.236454%	n/a
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OIL & GAS OWNERSHIP

(1) Trustees of the Wilderness Tabernacle Church 4656 Osborne Mountain Rd. Raven, VA 24639	6.05 acres	7.5625%	0.461445%	1.236454%	36.0745%
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Prevailing plaintiff under Case No. CL 12-174
Awarded 100% of the CBM royalty.

150000532

Exhibit EE

Unit U-36

Docket # VGOB 98-0421-0648-04

List of Respondents with Royalty Split Agreements and/or Court Orders

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right	7-Right	
			6.10175%	16.34981%	
<u>Tract #4D, 2.13 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	2.13 acres	2.6625%	0.162459%	0.435314%	n/a
<u>OIL & GAS OWNERSHIP</u>					
(1) Virginia Stilwell 1106 Dial Road Raven, VA 24639	2.13 acres	2.6625%	0.162459%	0.435314%	n/a
Total Acreage Resolved			14.1574		
Total Percentage Resolved				17.6968%	

150000532

POWER OF ATTORNEY
of
RAYMOND DAVIS

I, Raymond Davis, a resident of Raven, Virginia (Grantor and Grantee for the purpose of indexing in the event this power of attorney is recorded) make this Power of Attorney appointing T. SHEA COOK my true and lawful attorney-in-fact. THIS POWER OF ATTORNEY IS LIMITED TO THE FOLLOWING

1. To receive the escrow royalty check from the VGOB;
2. To compare what is obtained versus production record;
3. Deposit the same into the trust account of T. Shea Cook P.C. and distribute the proceeds according to fee agreement.

This Power of attorney shall be Limited in nature.

WITNESS the following signature and seal:

Raymond Davis (SEAL)
RAYMOND DAVIS

D/O/B: 8-11-41

STATE OF VIRGINIA
COUNTY OF Tazewell To wit:

The foregoing instrument was acknowledged before me the 2nd day of December, 2014 by Raymond Davis.

My commission expires 9/30/18

Sheila Smith
Notary Public



150000532

POWER OF ATTORNEY
of

JEFFERY DAVIS

I, Jeffery Davis, a resident of Raven, Virginia (Grantor and Grantee for the purpose of indexing in the event this power of attorney is recorded) make this Power of Attorney appointing T. SHEA COOK, my true and lawful attorney-in-fact. THIS POWER OF ATTORNEY IS LIMITED TO THE FOLLOWING

1. To receive the escrow royalty check from the VGOB;
2. To compare what is obtained versus production record;
3. Deposit the same into the trust account of T. Shea Cook P.C. and distribute the proceeds according to fee agreement.

This Power of attorney shall be Limited in nature.

WITNESS the following signature and seal:

 (SEAL)
JEFFERY DAVIS

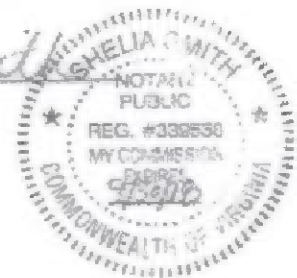
D/O/B: 8-5-69

STATE OF VIRGINIA
COUNTY OF Tazewell To wit:

The foregoing instrument was acknowledged before me the 24th day of November, 2014 by Jeffery Davis.

My commission expires 3/30/18


Notary Public



150000532

POWER OF ATTORNEY
of

JESSEE DAVIS

I, Jessee Davis, a resident of Raven, Virginia (Grantor and Grantee for the purpose of indexing in the event this power of attorney is recorded) make this Power of Attorney appointing T. SHEA COOK my true and lawful attorney-in-fact. THIS POWER OF ATTORNEY IS LIMITED TO THE FOLLOWING

1. To receive the escrow royalty check from the VGOB;
2. To compare what is obtained versus production record;
3. Deposit the same into the trust account of T. Shea Cook P.C. and distribute the proceeds according to fee agreement.

This Power of attorney shall be Limited in nature.

WITNESS the following signature and seal:

Jessee Davis (SEAL)
JESSEE DAVIS

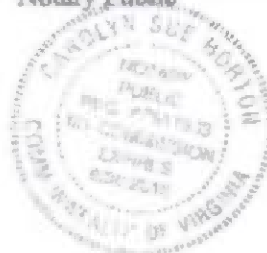
D/O/B: 4-24-1944

STATE OF VIRGINIA
COUNTY OF Tazewell To wit:

The foregoing instrument was acknowledged before me the 22 day of November, 2014 by Jessee Davis.

Carolyn Sue Horton
Notary Public

My commission expires 6-30-16



150000532

POWER OF ATTORNEY
of
MELINDA DAVIS

I, Melinda Davis, a resident of Raven, Virginia (Grantor and Grantee for the purpose of indexing in the event this power of attorney is recorded) make this Power of Attorney appointing T. SHEA COOK my true and lawful attorney-in-fact. THIS POWER OF ATTORNEY IS LIMITED TO THE FOLLOWING

1. To receive the escrow royalty check from the VGOB;
2. To compare what is obtained versus production record;
3. Deposit the same into the trust account of T. Shea Cook P.C. and distribute the proceeds according to fee agreement.

This Power of attorney shall be Limited in nature.

WITNESS the following signature and seal:

Melinda Davis (SEAL)
MELINDA DAVIS

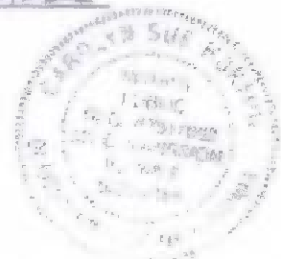
D/O/B: 5/24/66

STATE OF VIRGINIA
COUNTY OF Tazewell To wit:

The foregoing instrument was acknowledged before me the 22 day of November, 2014 by Melinda Davis.

Carol K. Carter
Notary Public

My commission expires 6-30-16



VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF BUCHANAN

RAYMOND DAVIS, et al,

Plaintiffs,

v.

Case No. CL 12 - 174

HURT-MCGUIRE HEIRS LAND TRUST,
BY ITS TRUSTEE CHARLES GREEN,

Defendants.

FINAL ORDER GRANTING JUDGMENT FOR PLAINTIFF

Upon the joint motion of Plaintiffs, Raymond Davis, Jessee Davis, Jeffrey Davis, and Melinda Davis, in their capacity as Trustees of the Wilderness Tabernacle Church, and Defendant, Hurt-McGuire Heirs Land Trust, for entry of judgment in favor of Plaintiff upon the issue that it is the owner of the coal-bed methane gas at issue in this action and it is thereby entitled to all royalties relating to the production thereof, it is, therefore,

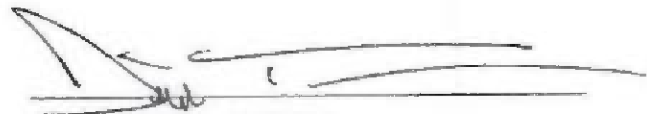
ADJUDGED, ORDERED and DECREED that Plaintiffs, Raymond Davis, et al, are the owners of the coal-bed methane gas at issue in this action and are entitled to all royalties relating to the extraction of coal-bed methane gas by CNX Gas, LLC.

All other claims asserted by either of the remaining parties against the other are denied, any motions pending before the Court are denied as moot, and this action is dismissed with prejudice to the Plaintiff and Defendant, Hurt-McGuire, as to any such other claims.

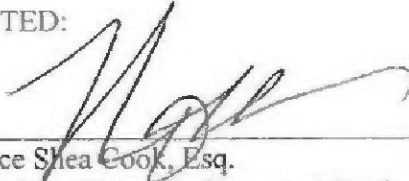
The Clerk is directed to forward an attested copy of this Final Order to all counsel of record, to remove this matter from the active docket of this Court and to place the same among the ended actions before this Court.

ENTER: This the 13th day November, 2014.

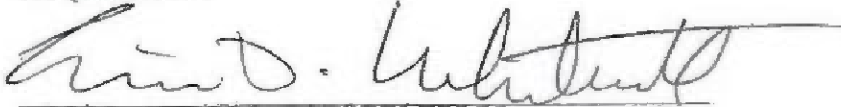
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PATRICK R. JOHNSON
~~KEARY R. WILLIAMS, JUDGE~~

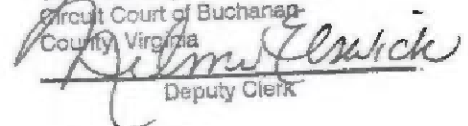
REQUESTED:


Terence Shea Cook, Esq.
Counsel for Plaintiffs, Raymond Davis, Jessee Davis,
Jeffrey Davis, and Melinda Davis, in their capacity as
Trustees of the Wilderness Tabernacle Church,

REQUESTED:


Eric D. Whitesell, Esq.
Of Counsel for Defendant,
Hurt-McGuire Heirs Land Trust

A Copy
Test: Beverly S. Tiller, Clerk
Circuit Court of Buchanan
County, Virginia


Deputy Clerk

Acraig Entered

INSTRUMENT #150000532
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
APRIL 6, 2015 AT 02:16PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB