

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

**CODE OF VIRGINIA
§ 45.1-361.26**

VIRGINIA:

BEFORE THE GAS AND OIL BOARD

APPLICANTS:

CNX Gas Company LLC on behalf of Buckhorn Coal Company and Maggie Lee Dye seeking disbursement of funds in Tract 4A of Unit BA-110.

DOCKET NO.

02-0917-1072-01

RELIEF SOUGHT:

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
Action: Amending Prior Orders Affecting Drilling **BA-110, Tract 4A**
(Referenced herein as "the Subject Drilling Unit")

Location: Russell County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit **BA-110** by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's

REPORT OF THE BOARD

FINDINGS AND ORDER

- 1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on ~~May 17~~, 2011 at the Russell County Government, Conference Center, and 139 Highland Drive in Lebanon, VA. *June*
- 2. **Appearances:** Mark A. Swartz, Esq. SWARTS Law Offices PLLC appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
- 3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract sub accounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract sub accounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and authority to disburse funds from the Escrow Account** provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. (a) On October 15, 2004 the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Russell County on July 14, 2003, Deed Book 587, and Pages 317 to 333, Instrument Number 0003056. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk of the Circuit Court of Russell County on October 19, 2004, Deed Book 619, and Pages 018 to 031.
- (b) On April 26, 2006, the Board executed a *Revised* Supplemental Order for the Designated Operator regarding Elections, Escrow Accounts and Supplemental Order. The *Revised* Supplemental Order was filed with the Clerk of the Circuit Court of Russell County on April 25, 2006, Instrument 0601330.
- 4.2. To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Buckhorn Coal Company and the gas ownership interests of Maggie Lee Dye of Tract 4A in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3. The Unit Operator's Miscellaneous Petition regarding Tract 4A, a copy of which is attached to and made a part hereof, states under oath that Buckhorn Coal Company and the Applicants have entered into an agreement with regards to Tract 4A and that by the terms of the agreements, Buckhorn Coal Company and Maggie Lee Dye have entered into a split agreement (50% / 50%) regarding Tract 4A and escrow regarding these individual conflicting claims detailed herein, is no longer required for these parties.
- 4.4. The Unit Operator gave notice to Buckhorn Coal Company and the Applicant that the Board would consider its disbursement authorization at its hearing on May 17, 2011 and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to Tract 4A identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 4A relative to the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.
- 4.5. The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

- (1) Buckhorn Coal Company and Maggie Lee Dye are the owners of the coal and gas acreage estate underlying a portion of VGOB Tract 4A of the Subject Drilling Unit BA-110;
- (2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

VGOB Approved Disbursement
 VGOB-02-0917-1072-01 Disbursement
 BA-110

			Frac Interest	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
Table 1							
Disbursement Table							
Item	Tract	A portion of Tract 2					
No		Totals				11.0750	
			9.12				
1	4A	Buckhorn Coal Company / P.O. Box 187 / Tazewell, VA 24651	1	9.12000000	50.0%	4.560	41.1738%
	4A						
2	4A	Margaret Lee Dye / P.O. Box 271 / Swords Creek, VA 24649	1	9.12000000	50.0%	4.5600	41.1738%

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

8. **Appeals:**

Appeals of this Order are governed by the provisions of Va. Code § 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.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 14 day of June, 2011 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Bradley C. Lambert, Chairman
Virginia Gas and Oil Board

DONE AND PERFORMED this 14 day of June, 2011 by an Order of this Board.

David E. Asbury Jr.
David E. Asbury Jr.,
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF ~~WASHINGTON~~

Russell M
Acknowledged on this 14 day of June, 2011, 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 **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis
Diane J. Davis
Notary Public #174394

My commission expires: 09 / 30 / 2013



PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 02-0917-1072-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 4A
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: May 17, 2011

DRILLING UNIT: BA-110

RUSSELL COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 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) attributable to Tract(s) 4A as depicted upon the annexed Exhibit A-1; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Buckhorn Coal Company and Maggie Lee Dye

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** Buckhorn Coal Company and Maggie Lee Dye 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 Exhibit A-1, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition 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

By: _____

Anita D. Duty
Pooling Supervisor
CNX Land Resources Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701



PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

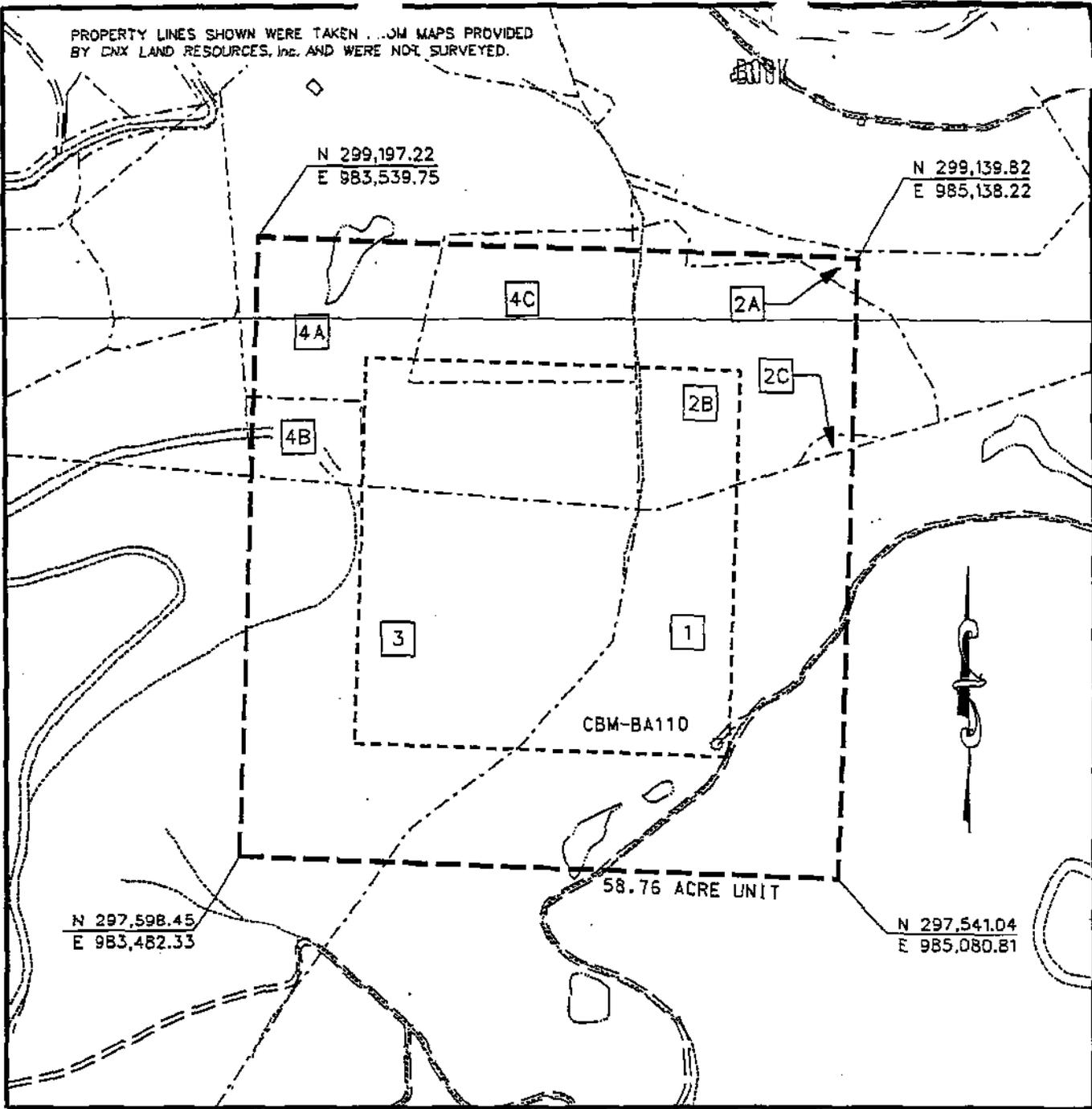
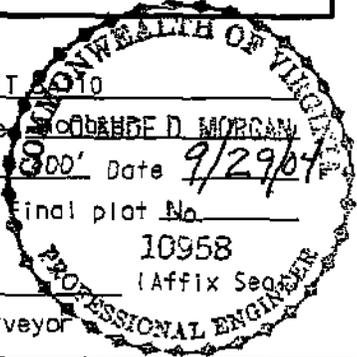


EXHIBIT A
 MIDDLE RIDGE 1 FIELD
 UNIT BA-110
 FORCE POOLING
 VGDB-02-0917-1072

Company CNX Gas Company LLC Well Name and Number UNIT 1010
 Tract No. _____ Elevation _____ Quadrangle STANBARD
 County Russell District New Garden Scale: 1" = 300' Date 9/29/07
 This plot is a new plot X ; on updated plot _____ ; or a final plot No. _____

Form DGO-60-7
 Rev. 9/31

 Licensed Professional Engineer or Licensed Land Surveyor



CNX Gas Company LLC**Unit BA-110****Tract Identifications****(58.76 Acre Unit)**

1. **Buckhorn Coal Company Tr. 10 (J. T. Stinson 170 Acre Tract) - Fee**
~~Reserve Coal Properties Company - Below Drainage Coal Leased~~
 Knox Creek Coal Corporation - Above Drainage Coal Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 17.90 acres 30.4629 %
-
- 2A. **Buckhorn Coal Company Tr. 9 - Coal**
 Reserve Coal Properties Company - Below Drainage Coal Leased
 Knox Creek Coal Corporation - Above Drainage Coal Leased
 CNX Gas Company LLC - CBM Leased
 Lowie Perkins, et al. - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.35 acres 0.5956 %
- 2B. **Buckhorn Coal Company Tr. 9 - Coal**
 Reserve Coal Properties Company - Below Drainage Coal Leased
 Knox Creek Coal Corporation - Above Drainage Coal Leased
 CNX Gas Company LLC - CBM Leased
 Mary Dye, et al - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased (8/9)
 7.40 acres 12.5936 %
- 2C. **Buckhorn Coal Company Tr. 9 - Coal**
 Reserve Coal Properties Company - Below Drainage Coal Leased
 Knox Creek Coal Corporation - Above Drainage Coal Leased
 CNX Gas Company LLC - CBM Leased
 Donald Whited, et ux. - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.14 acres 0.2383 %
3. **Buckhorn Coal Company (Warder # 11 Tract) - Fee**
 Knox Creek Coal Corporation - Above Drainage Coal Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 17.98 acres 30.5990 %
- 4A. **Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal**
 Knox Creek Coal Corporation - Above Drainage Coal Leased
 CNX Gas Company LLC - CBM Leased
 Maggie Lee Dye - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 9.12 acres 15.5208 %

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CNX Gas Company LLC
Unit BA-110
Tract Identifications
(58.76 Acre Unit)

- 4B. ~~Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal~~
~~Reserve Coal Properties Company - Below Drainage Coal Leased~~
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Fred Gent, et al. - Surface and All Minerals except Coal
1.42 acres 2.4166 %
- 4C. Buckhorn Coal Company (Jacob Fuller 439.04 Acre Tract) - Coal
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Mary Dye, et al - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (8/9)
4.45 acres 7.5732 %

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**Exhibit A-1
Tract-by-Tract Escrow Calculation
Account Balances as of 3/31/11**

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BOOK 0765 PAGE 0991

Unit BA-110
VGOB 02-0917-1072-01
Acres Escrowed: 11.0749

Owners	Tract #	Acres	Owners' Percent of Escrow (50%)	Amount Due Owners \$50,538.72
Buckhorn Coal Company - Coal	4A	9.12	41.1742%	\$20,808.91
Maggie Lee Dye- O&G			41.1742%	\$20,808.91

Wells contributing to the escrow account: BA110 & BA110A

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Exhibit E
Unit BA-110
Docket #VGOB 02-0917-1072-01
List of Conflicting Owners/Claimants that require escrow
(58.76 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #2A, 0.35 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company Tr 9 (H. C. Stuart - 405.06 Acre Tract) P. O. Box 187 Tazewell, VA 24651	0.35 acres	0.5956%
<u>OIL & GAS OWNERSHIP</u>		
(1) Lowie Perkins, et al. (11.00 acre tract)	0.35 acres	0.5956%
(b) Wayne Perkins c/o Debbie Boyd - Conservator & Guardian 21431 Bonher Road Bristol, VA 24202	0.03 acres 1/14 of 0.35 acres	0.0425%
<u>Tract #2B, 7.40 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company Tr 9 (H. C. Stuart - 405.06 Acre Tract) P. O. Box 187 Tazewell, VA 24651	7.40 acres	12.5936%
<u>OIL & GAS OWNERSHIP</u>		
(1) Mary Dye, et al. (8.50 acre tract)	7.40 acres	12.5936%
(g) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.82 acres 1/9 of 7.40 acres	1.3993%
<u>Tract #2C, 0.14 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company Tr 9 (H. C. Stuart - 405.06 Acre Tract) P. O. Box 187 Tazewell, VA 24651	0.14 acres	0.2383%
<u>OIL & GAS OWNERSHIP</u>		
(1) Donald Whited P.O. Box 417 Swords Creek, VA 24649	0.14 acres	0.2383%

Exhibit E
Unit BA-110
Docket #VGOB 02-0917-1072-01
List of Conflicting Owners/Claimants that require escrow
(58.76 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #4B, 1.42 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company (Jacob Fuller - 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	1.42 acres	2.4166%
<u>OIL & GAS OWNERSHIP</u>		
(1) Fred B. Gent, et al. (1.50 acre tract)	1.42 acres	2.4166%
(a) Fred B. Gent II 18159 Lee Highway Abingdon, VA 24210-7961	0.47 acres 1/3 of 1.42 acres	0.8055%
<u>Tract #4C, 4.45 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Buckhorn Coal Company (Jacob Fuller - 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	4.45 acres	7.5732%
<u>OIL & GAS OWNERSHIP</u>		
(1) Mary Dye, et al. (5.06 acre tract)	4.45 acres	7.5732%
(g) Howard Dye c/o Leva Jane Settoon 5760 Highway 107 Marksville, LA 71351	0.49 acres 1/9 of 4.45 acres	0.8415%

Exhibit EE
Unit BA-110
Docket #VGOB 02-0917-1072-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.76 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2A, 0.35 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company Tr 9 (H. C. Stuart - 405.06 Acre Tract) P. O. Box 187 Tazewell, VA 24651	0.35 acres	0.5956%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Lowie Perkins, et al. (11.00 acre tract)	0.35 acres	0.5956%	
(a) Lowie Perkins 1452 Drill Road Honaker, VA 24260	0.33 acres 13/14 of 0.35 acres	0.5531%	n/a
<u>Tract #2B, 7.40 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company Tr 9 (H. C. Stuart - 405.06 Acre Tract) P. O. Box 187 Tazewell, VA 24651	7.40 acres	12.5936%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Mary Dye, et al. (8.50 acre tract)	7.40 acres	12.5936%	
(a) Mary A. Dye 21377 Sims Road Abingdon, VA 24211-6286	2.47 acres 1/3 of 7.40 acres	4.1979%	n/a
(b) Allen Dye 19433 Avon-Belden Road Grafton, OH 44044	0.82 acres 1/9 of 7.40 acres	1.3993%	n/a
(c) Mack Dye Heirs, Devisees, Successors or Assigns			
(c.1) Linda Dye 2956 East 65th Street Cleveland, OH 11427	0.82 acres 1/9 of 7.40 acres	1.3993%	n/a
(d) Russell H. Dye, Jr. 1456 Buckingham Gate Blvd., Unit F Cuyahoga Falls, OH 44221-5515	0.82 acres 1/9 of 7.40 acres	1.3993%	n/a
(e) Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.82 acres 1/9 of 7.40 acres	1.3993%	n/a
(f) Janice Workman 7762 State Road Parma, OH 44134	0.82 acres of 7.40 acres	1.3993%	n/a

Exhibit EE
Unit BA-110
Docket #VGOB 02-0917-1072-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.76 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #4A, 9.12 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company (Jacob Fuller - 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	9.12 acres	15.5208%	41.1742%
<u>OIL & GAS OWNERSHIP</u>			
(1) Maggie Lee Dye P.O. Box 271 Swords Creek, VA 24649	9.12 acres	15.5208%	41.1742%
<u>Tract #4B, 1.42 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company (Jacob Fuller - 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	1.42 acres	2.4166%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Fred B. Gent, et al. (1.50 acre tract)	1.42 acres	2.4166%	
(b) FCHR, LLC PO Box 330 Honaker, VA 24260	0.95 acres 2/3 of 1.42 acres	1.6111%	n/a
<u>Tract #4C, 4.45 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Buckhorn Coal Company (Jacob Fuller - 439.04 Acre Tract) P. O. Box 187 Tazewell, VA 24651	4.45 acres	7.5732%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Mary Dye, et al. (5.06 acre tract)	4.45 acres	7.5732%	
(a) Mary A. Dye 21377 Sims Road Abingdon, VA 24211-6286	1.48 acres 1/3 of 4.45 acres	2.5244%	n/a
(b) Allen Dye 19433 Avon-Belden Road Grafton, OH 44044	0.49 acres 1/9 of 4.45 acres	0.8415%	n/a
(c) Mack Dye Heirs, Devisees, Successors or Assigns			

Exhibit EE
Unit BA-110
Docket #VGOB 02-0917-1072-01
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.76 Acre Unit)

	Acres In Unit	Interest In Unit	Percent of Escrow
(c.1) Linda Dye 2956 East 65th Street Cleveland, OH 11427	0.49 acres 1/9 of 4.45 acres	0.8415%	n/a
(d) Russell H. Dye, Jr. 1456 Buckingham Gate Blvd., Unit F Cuyahoga Falls, OH 44221-5515	0.49 acres 1/9 of 4.45 acres	0.8415%	n/a
(e) Nancy Gioitta 13580 Brookhaven Brookpark, OH 44142	0.49 acres 1/9 of 4.45 acres	0.8415%	n/a
(f) Janice Workman 7762 State Road Parma, OH 44134	0.49 acres 1/9 of 4.45 acres	0.8415%	n/a

Exhibit A-1
Tract-by-Tract Escrow Calculation
Account Balances as of 10/31/11

BOOK 0765 PAGE 0997

Unit BA-110
 VGOB 02-0917-1072-01
 Acres Escrowed: 11.0749

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Owners' Percent of Escrow (50%)	Amount Due Owners
Buckhorn Coal Company - Coal						41.1742%	\$16,472.48
Maggie Lee Dye- O&G	4A	9.12			82.3484%	41.1742%	\$16,472.48

Wells contributing to the escrow account: BA110 & BA110A

Note: The working interest has been subtracted from the total amount as it does not apply to the tract being disbursed

Balance in First Bank and Trust account as of 10/31/11	\$53,067.32
WI Deposits as of 10/31/11	\$13,060.50
Total RI Deposits as of 10/31/11	\$40,006.82

1301819

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, on 8-16, 2013. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:49 o'clock P M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to: VA Oil + Gas Bd

TESTE: ANN S. McREYNOLDS, CLERK
 BY: Jennifer Kendrick D. CLERK