

Instrument prepared by:

**VIRGINIA GAS AND OIL BOARD**

Order recorded under:

**CODE OF VIRGINIA**

**§ 45.1-361.26**

2017 004083

**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:** FF39

**TRACT(S):** A portion of 1E

**LOCATION:** TAZEWELL County, Virginia

**TAX ID NUMBERS:** Tax Map Identification Numbers for all parcels affected by this order are shown on: Tract Identification Sheet

**DOCKET NUMBER:** VGOB-03-1021-1208-06

**APPLICANTS:** CNX Gas Company LLC on behalf of Dennis Simmons, Jack Simmons

**HEARING DATE AND LOCATION:** On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

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

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 12/15/2003, Recorded on 12/22/2003, Deed Book/Instrument No. 898, Page 182.
2. Supplemental Order Executed 10/08/2004, Recorded on 10/19/2004, Deed Book/Instrument No. 924, Page 880.
3. Disbursement Order -01, Recorded on 11/30/2009, Deed Book/Instrument No. 1066, Page 0444.
4. Disbursement Order -02, Recorded on 02/16/2012, Deed Book/Instrument No. 1108, Page 0914.

862

- 5. Disbursement Order -04 Executed 08/24/2016, Recorded on 08/31/2016, Deed Book/Instrument No. 2016, Page 1373.
- 6. Disbursement Order -05 Executed 11/10/2016, Recorded on 11/29/2016, Deed Book/Instrument No. 2016, Page 1848.

**NOTICE:**

- (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 1E identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 1E 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. Dennis Simmons & Jack Simmons are the gas claimants in a portion of Tr. 1E. As such Dennis Simmons & Jack Simmons are entitled to 100% of the CBM royalties attributable to their gas claims that are 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 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.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 03-1021-1208-04, it dismissed the coal claimant(s) Coal Mountain Mining Company as a Respondent to these proceedings. Accordingly, Coal Mountain Mining Company was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- 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 Dennis Simmons & Jack Simmons and shall not escrow same. See Exhibit EE annexed hereto.

EA 2017 004084



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.

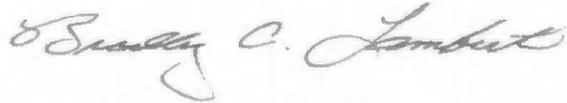
**APPEALS:**

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.

BA 2017 004036

SK 2017 PG 04 087

DONE AND EXECUTED this 8 day of March, 2017 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 8 day of March, 2017 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 8<sup>th</sup> day of March, 2017, 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.



Charles Blair Linford, Notary Public  
7710935

My Commission expires: March 31, 2021



BK 2017 004088

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**PETITIONER:** CNX Gas Company LLC

**DIVISION OF GAS AND OIL**

**DOCKET NO:** VGOB 03-1021-1208-06

**RELIEF SOUGHT:** (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 1E (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:** On June 16, 2015, the Virginia Gas and Oil Board, on its own motion, granted the Director of the Division of Gas and Oil the authority to process coal owner dismissal disbursements that have no pending deficiencies or issues. Code of Virginia Section 45.1-361.22:2. Effective date: July 1, 2015.

**DRILLING UNIT:** FF39

**TAZEWELL 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(s) attributable to Tract(s) portion of Tr. 1E as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Dennis Simmons & Jack Simmons.

**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. Dennis Simmons & Jack Simmons are the gas claimants in a portion of Tr. 1E. As such Dennis Simmons & Jack Simmons are entitled to 100% of the CBM royalties attributable to their gas claims that are 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 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.
- c. That when the Board granted Petitioner's Miscellaneous Petition in VGOB 03-1021-1208-04, it dismissed the coal claimant(s) Coal Mountain Mining Company as a Respondent to these proceedings. Accordingly, Coal Mountain Mining Company was not provided further notice under § 45.1-361.19 and 22 of the hearing set on this Petition.
- 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 Dennis Simmons & Jack Simmons and shall 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.

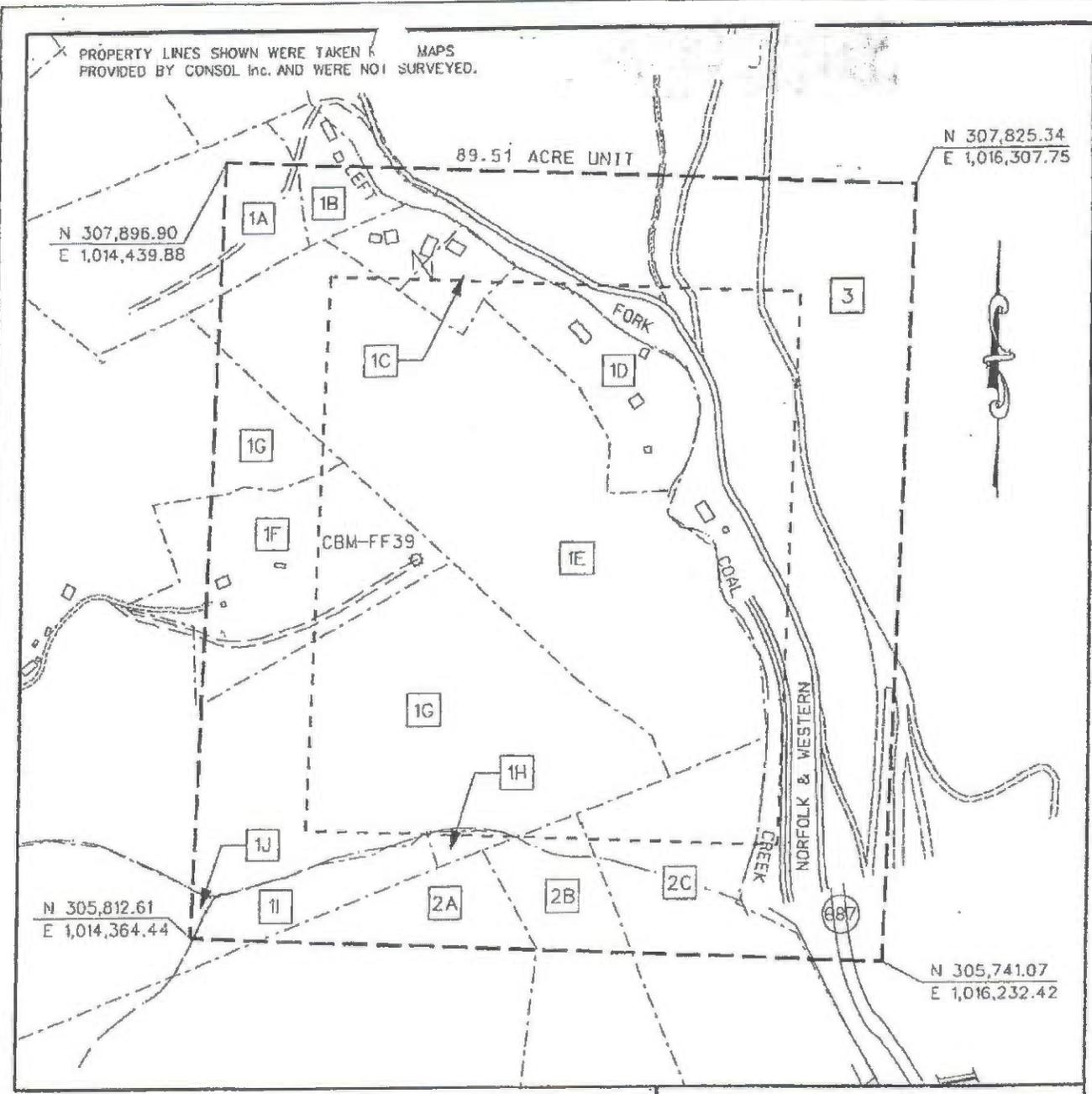


EXHIBIT A  
 OAKWOOD FIELD UNIT FF-39  
 FORCE POOLING  
 VGOB-03-1021-1208

Company CNX Gas Company LLC Well Name and Number UNIT FF-39  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Keen Mountain  
 County Tazewell District Maiden Springs Scale: 1" = 400' Date 9/19/03  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form D60-GO-7  
 Rev. 9/91  
 \_\_\_\_\_  
 Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

**CNX GAS COMPANY LLC**  
**UNIT FF-39**  
 Tract Identifications

- 1A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Betty J. Short, et al - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 1.47 acres 1.6423 %
- 1B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Perry Deskins, et ux - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 0.89 acres 0.9943 %
- 1C. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Raymond E. Shelton, et al. - Surface and All Minerals except Coal  
 2.00 acres 2.2344 %
- 1D. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Charlie Deskins, et ux. - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 3.51 acres 3.9214 %
- 1E. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Wanda Simmons, et al. - All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased (70.4861%)  
 Knox Creek Carbon Company - Surface  
 19.51 acres 21.7964 %
- 1F. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Carl N. Ball, et ux. - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 5.57 acres 6.2228 %

**CNX GAS COMPANY LLC**  
**UNIT FF-39**  
 Tract Identifications

- 1G. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 James M. Short, et al. - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 17.08 acres                      19.0817 %
- 1H. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Knox Creek Coal Corporation - Surface and All Minerals except Coal  
 0.31 acres                      0.3463 %
- 1I. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Alvie Newberry - Surface and All Minerals except Coal  
 1.74 acres                      1.9439 %
- 1J. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Carl Ball, et ux. - Surface and All Minerals except Coal  
 CNX Gas Company LLC - Oil, Gas and CBM Leased  
 0.09 acres                      0.1005 %
- 2A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 20 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Alvie Newberry - Surface and All Minerals except Coal  
 2.24 acres                      2.5025 %
- 2B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 20 - Coal Consolidation Coal Company - Below Drainage Coal Leased  
 Knox Creek Coal Corporation - Above Drainage Coal Leased  
 CNX Gas Company LLC - CBM Leased  
 Knox Creek Coal Corporation - Surface and All Minerals except Coal  
 2.00 acres                      2.2344 %

**CNX GAS COMPANY LLC**  
**UNIT FF-39**  
**Tract Identifications**

- 2C.      **Coal Mountain Mining Co. Limited Partnership, LLP Tr. 20 - Coal**  
          **Consolidation Coal Company - Below Drainage Coal Leased**  
          **Knox Creek Coal Corporation - Above Drainage Coal Leased**  
          **CNX Gas Company LLC - CBM Leased**  
          **Knox Creek Coal Corporation, et al - Surface and All Minerals except Coal**  
          **4.88 acres                      5.4519 %**
3.         **Commonwealth Coal Company (May & Painter Tr.) - Fee**  
          **Reserve Coal Properties Company - Below Tiller Coal Leased**  
          **Knox Creek Coal Corporation - Tiller and Above Coal Leased**  
          **Reserve Coal Properties Company - Oil and Gas Leased**  
          **CNX Gas Company LLC - CBM Leased**  
          **28.22 acres                      31.5272 %**

EX 2017 004094

**Exhibit E**  
**Unit FF-39**  
**Docket #VGOB 03-1021-1208-06**  
**List of Respondents that require escrow**  
**(89.51 Acre Unit)**

	Acres in Unit	Interest in Unit
<b><u>Tract #1B, 0.89 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.89 acres	0.9943% <i>Dismissed with 04 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<i>W9/Affidavit Pending</i>		
(1) Perry and Sylvia Naydine Deskins		
<i>Conveyed by Deed of Gift to Harold &amp; Shirley Deskins (TE) on 11/16/2001, recorded in Tazewell Co. on 11/16/2001 in Deed Book 833, Page 630</i>		
(a) Harold and Shirley Deskins 111 Woodland Dr. Raven, VA 24639	0.89 acres	0.9943%
<b><u>Tract #1E, 19.51 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	19.51 acres	21.7964% <i>Dismissed with 04 petition</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Wanda Simmons, et al. <i>(aka Mary Jane Short Heirs, Devisees, Successors or Assigns)</i>	19.51 acres	21.7964%
(a) Maude Murray Heirs, Devisees, Successors or Assigns		
<i>W9/Affidavit not received from the respondents listed below</i>		
(a.2) Gloria J. King 265 Conway Drive Rio Vista, CA 94571	0.36 acres 7/384 of 19.51 acres	0.3973%
(a.3) Patricia Barnett <i>(pre-deceased)</i>		
(a.3.1) Billy Barnett, Jr. Heirs, Devisees, Successors or Assigns <i>(mailed req. for doc. 5/10/2016)</i>	0.12 acres 7/1152 of 19.51 acres	0.1324%
(a.3.1.1) Harley Ray Barnett 524 S. East St Ft Gibson, OK 74464		
(a.3.1.2) Carl Gene Barnett 17720 S. Old Highway 62 Tahlequah, OK 74464		
(a.3.1.3) Billy Ray Barnett, III 17720 S. Old Highway 62 Tahlequah, OK 74464		
(a.3.3) Christina Barnett 120 S. Rounds Street Fort Gibson, OK 74434	0.12 acres 7/1152 of 19.51 acres	0.1324%
(a.4) Shirley Murray 808 N. Birch Ave Sand Springs, OK 74063	0.36 acres 7/384 of 19.51 acres	0.3973%

**Exhibit E**  
**Unit FF-39**  
**Docket #VGOB 03-1021-1208-06**  
**List of Respondents that require escrow**  
**(89.51 Acre Unit)**

	Acres in Unit	Interest in Unit
(b) Ruby Boice Heirs, Devisees, Successors or Assigns		
(b.1) Judy L. Collins 1409 Old Manor Road Chesapeake, VA 23323	0.71 acres 7/192 of 19.51 acres	0.7947%
(d) Carolyn Phelps Heirs, Devisees, Successors or Assigns		
(d.1) Robert L. Phelps, widower 3108 Sterling Way Portsmouth, VA 23703	1.42 acres 7/96 of 19.51 acres	1.5893%
(f) James H. Short Heirs, Devisees, Successors or Assigns		
(f.1) James H. Short Revocable Trust		
(f.1.1) James H. Short QTIP Marital Trust Aurelia G. Short - Trustee Chandler Harper Dr. Portsmouth, VA 23701	1.42 acres 7/96 of 19.51 acres	1.5893%
(h) Alfred V. Short Heirs, Devisees, Successors or Assigns		
(h.1) Alfred V. Short, Jr. 109 Wyoming Avenue Portsmouth, VA 23701	0.47 acres 7/288 of 19.51 acres	0.5298%
(h.2) Cheryl Wood 13 California Avenue Portsmouth, VA 23701	0.47 acres 7/288 of 19.51 acres	0.5298%
(h.3) Patricia Clark 6101 #B College Drive Suffolk, VA 23435	0.47 acres 7/288 of 19.51 acres	0.5298%
(i) Daniel A. Short Heirs, Devisees, Successors or Assigns		
(i.1) Delmar Short White (spouse) 4416 Clifford Street Portsmouth, VA 23707	1.42 acres 7/96 of 19.51 acres	1.5893%
(j) Max O. Short Heirs, Devisees, Successors or Assigns		
(j.1) Frances Marie Short Heirs, Devisees, Successors or Assigns		
(j.2) Mary Ann Rowe 4316 Arundel Lane Chesapeake, VA 23321	0.71 acres 7/192 of 19.51 acres	0.7947%
(k) John D. Short 6178 Knootts Creek Lane Suffolk, VA 23435	1.42 acres 7/96 of 19.51 acres	1.5893%
(l) Wanda Simmons Heirs, Devisees, Successors or Assigns		
(l.1) Michael Simmons 201 Lily Street Edisto Island, SC 29438		
(l.2) Bernard Simmons Heirs, Devisees, Successors or Assigns		
(l.2.1) Bernard Rolf Simmons Marital Trust 16308 Old Jonesborough Rd. Bristol, VA 24202	0.18 acres 7/768 of 19.51 acres	0.1987%

BK 2017 0004096

Exhibit E  
Unit FF-39  
Docket #VGOB 03-1021-1208-06  
List of Respondents that require escrow  
(89.51 Acre Unit)

	Acres In Unit	Interest In Unit
(I.4) Norma Lee Heirs, Devisees, Successors or Assigns		
(I.4.1) Robert Lee	0.18 acres	0.1987%
c/o Dennis Lee POA & Susan Lee POA	7768 of 19.51 acres	
102 Florence Circle		
Tazewell, VA 24651		
<b>Total tract acres</b>	<b>10.0175</b>	
<b>Total tract percent</b>	<b>11.1915%</b>	
<b>Acreage in Unit</b>	<b>10.9075</b>	
<b>Percentage of Unit</b>		<b>12.1858%</b>

EX-2017 PG04097

Exhibit EE  
 Unit FF-39  
 Docket #VGOB 03-1021-1208-06  
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
 (89.51 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1A, 1.47 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.47 acres	1.6423%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Betty J. Short <i>(Previously listed as Betty J. Short, et al)</i>			
(a) Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	1.47 acres	1.6423%	
<i>Royalties should be paid as follows:</i>			
Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	1.10 acres 3/4 of 1.47 acres	1.2317%	n/a
Russell Bryan Rakes 1716 Green Mountain Road Cedar Bluff, VA 24609	0.37 acres 1/4 of 1.47 acres	0.4106%	n/a
<i>By Deed of Gift dated 4/9/11, Russell Bryan Rakes conveyed his 25% ownership inherited from Charles G. Rakes to Betty J. Short. (DB1092/PG708). In exchange, Betty J. Short assigned Russell Bryan Rakes a 25% royalty interest, executed 5/5/11.</i>			
<b>Note:</b> CBM ownership was adjudicated to the prevailing plaintiff under Case no. CL 11-206 The Order was executed March 11, 2011 and plaintiff was awarded 100% of the Coalbed Methane Gas underlying this tract.			
<b><u>Tract #1C, 2.00 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.00 acres	2.2344%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Raymond E. & Lora Frances Shelton, t/e 147 Highland Lane Raven, VA 24639 <i>(Previously shown as et al. s/b et ux.)</i>	2.00 acres	2.2344%	n/a
<b><u>Tract #1D, 3.51 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.51 acres	3.9214%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Charlie & Nadeline Deskins <i>(t/e)</i>			
(a) Nadeline Deskins 130 Almond Lane Raven, VA 24639	3.51 acres	3.9214%	n/a

BK2017 004098

Exhibit EE  
Unit FF-39  
Docket #VGOB 03-1021-1208-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1E, 19.51 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	19.51 acres	21.7964%	n/a
<u>OIL &amp; GAS OWNERSHIP</u>			
(1) Wanda Simmons, et al. (aka Mary Jane Short Heirs, Devisees, Successors or Assigns)	19.51 acres	21.7964%	
(a) Maude Murray Heirs, Devisees, Successors or Assigns			
(a.1) Billie Yvonne Looney (pre-deceased)			
(a.1.1) Camille Lee 2101 S. Harvey Ave, Apt 316 Oklahoma City, OK 73109	0.356 acres 7/384 of 19.51 acres	0.3973%	n/a
(a.3) Patricia Barnett (pre-deceased)			
(a.3.2) Victoria Quaid 1614 N. Jupiter Road #2021 Garland, TX 75042	0.119 acres 7/1152 of 19.51 acres	0.1324%	n/a
(b) Ruby Boice Heirs, Devisees, Successors or Assigns			
(b.2) Charlotte A. Morgan 2101 Arbutus Circle Chesapeake, VA 23323	0.711 acres 7/192 of 19.51 acres	0.7947%	n/a
(c) Millie Maxwell Campbell 216 Cassidy Avenue Virginia Beach, VA 23452	1.423 acres 7/96 of 19.51 acres	1.5893%	n/a
(e) George H. Short Heirs, Devisees, Successors or Assigns			
(e.1) George H. Short Trust			
(e.1.1) G.H.S. Credit Shelter Trust	<i>Upon death of Helen Mae Short (1/25/06) interest passed to child</i>		
(e.1.1.1) George Larry Short 8092 Westfield Circle Vero Beach, FL 32966	0.711 acres 7/192 of 19.51 acres	0.7947%	n/a
(e.1.1.2) Sheila Rae Wyatt 800 W. Franklin St. Wytheville, VA 24382	0.711 acres 7/192 of 19.51 acres	0.7947%	n/a
(g) Donald Blaine Short 4404 Point West Drive Portsmouth, VA 23703	1.423 acres 7/96 of 19.51 acres	1.5893%	n/a
(j) Max O. Short Heirs, Devisees, Successors or Assigns			
(j.3) Carol J. Short 824 Aspin Ct. San Diego, CA 92109	0.711 acres 7/192 of 19.51 acres	0.7947%	n/a
(l) Wanda Simmons Heirs, Devisees, Successors or Assigns			

2017 04099

Exhibit EE  
Unit FF-39  
Docket #VGOB 03-1021-1208-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(89.51 Acre Unit)

	Acres In Unit	Interest in Unit	Percent of Escrow
(1.3) Dennis Simmons 109 Eagle St. Richlands, VA 24641	0.18 acres 7/768 of 19.51 acres	0.1987%	1.5788% HB2058
(1.5) Billy R. Simmons P.O. Box 45 Doran, VA 24612	0.178 acres 7/768 of 19.51 acres	0.1987%	n/a
(1.6) Jack Simmons 433 Terry Drive Richlands, VA 24641	0.18 acres 7/768 of 19.51 acres	0.1987%	1.5788% HB2058
(1.7) Sandra Spruell 8088 Westfield Circle Vero Beach, FL 32966	0.178 acres 7/768 of 19.51 acres	0.1987%	n/a
(1.8) Renee Simmons 2016 Brandon Avenue SW, Apt. 4 Roanoke, VA 24015	0.178 acres 7/768 of 19.51 acres	0.1987%	n/a
(2) Knox Creek Coal Corporation P.O. Box 519 Raven, VA 24639	2.439 acres 1/8 of 19.51 acres	2.7246%	n/a
	<b>Total tract acres</b>	<b>9.4925</b>	
	<b>Total tract percent</b>	<b>10.6050%</b>	

Tract #1F, 5.57 acres

**COAL OWNERSHIP**

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	5.57 acres	6.2228%	n/a
--	------------	---------	-----

**OIL & GAS OWNERSHIP**

(1) Carl N. Ball, et ux. Heirs, Devisees, Successors or Assigns			
(a) David D. Ball 384 Leonards Drive Raven, VA 24639	5.57 acres	6.2228%	n/a

Tract #1G, 17.08 acres

*Deed of Confirmation dated 7/30/09, James Short 72.5% CBM rights / Coal Mountain 27.5% CBM rights.*

**COAL OWNERSHIP**

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	17.08 acres	19.0817%	n/a
--	-------------	----------	-----

**OIL & GAS OWNERSHIP**

(1) James M. Short 181 Vickey Drive Richlands, VA 24641	17.08 acres	19.0817%	n/a
---	-------------	----------	-----

Tract #1H, 0.31 acres

**COAL OWNERSHIP**

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.31 acres	0.3463%	n/a
--	------------	---------	-----

EX-2017 PB04100

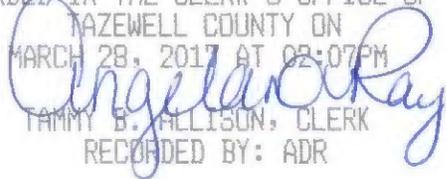
Exhibit EE  
Unit FF-39  
Docket #VGOB 03-1021-1208-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Knox Creek Coal Corporation One Alpha Place, PO Box 16429 Bristol, VA 24209	0.31 acres	0.3463%	n/a
<b><u>Tract #1I, 1.74 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.74 acres	1.9439%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Alvie Newberry Heirs, Deviseses, Successors or Assigns			
(a) Mae Newberry, widow (Deeded to Edward Newberry, et ux. On Feb 17, 2004, DB902 PG666)			
(a.1) Edward Newberry, et ux. 3686 Road Ridge Turnpike Raven, VA 24639	1.74 acres	1.9439%	n/a
<b><u>Tract #1J, 0.09 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.09 acres	0.1005%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Carl N. Ball, et ux. Heirs, Deviseses, Successors or Assigns			
(a) David D. Ball 384 Leonards Drive Raven, VA 24639	0.09 acres	0.1005%	n/a
<b><u>Tract #2A, 2.24 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.20 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.24 acres	2.5025%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Alvie Newberry Heirs, Deviseses, Successors or Assigns			
(a) Mae Newberry, widow (Deeded to Edward Newberry, et ux. On Feb 17, 2004, DB902 PG666)			
(a.1) Edward Newberry, et ux. 3686 Road Ridge Turnpike Raven, VA 24639	2.24 acres	2.5025%	n/a

REC-2017 PB04101

Exhibit EE  
Unit FF-39  
Docket #VGOB 03-1021-1208-06  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058  
(89.51 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<b>Tract #2B, 2.00 acres</b>			
<b>COAL OWNERSHIP</b>			
(1) Coal Mountain Mining Company, Tr.20 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.00 acres	2.2344%	n/a
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) Knox Creek Coal Corporation One Alpha Place, PO Box 18429 Bristol, VA 24209	2.00 acres	2.2344%	n/a
<b>Tract #2C, 4.88 acres</b>			
<b>COAL OWNERSHIP</b>			
(1) Coal Mountain Mining Company, Tr.20 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	4.88 acres	5.4519%	n/a
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) Knox Creek Coal Corporation One Alpha Place, PO Box 16429 Bristol, VA 24209	4.88 acres	5.4519%	n/a
	<b>Acres in Unit</b>	<b>50.38</b>	
	<b>Percentage of Unit</b>	<b>56.2870%</b>	

INSTRUMENT #170000862  
RECORDED IN THE CLERK'S OFFICE OF  
TAEWELL COUNTY ON  
MARCH 28, 2017 AT 02:07PM  
  
TAMMY B. ALLISON, CLERK  
RECORDED BY: ADR