

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) AND § 45.1-361.22:2

UNITWELL NAME: 139

TRACT(S): 8

LOCATION: BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-04-0615-1294-01

**APPLICANTS:**

CNX Gas Company LLC on behalf of Norfolk Southern Railway Company c/o Pocahontas  
Land Corporation

**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 12/14/2004, Recorded on 12/15/2004, Deed Book/Instrument No.  
608, Page 753.
2. Supplemental Order, Recorded on 10/03/2011, Deed Book/Instrument No. 110002450.

**NOTICE:**

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- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 8 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 8 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. Norfolk Southern Railway Company (Pocahontas Land Corporation, agent) is the gas claimant in Tracts 8. As such Norfolk Southern Railway Company (Pocahontas Land Corporation, agent) 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 Norfolk Southern Railway Company (Pocahontas Land Corporation, agent) and not escrow same. See Exhibit EE annexed hereto.

**RELIEF GRANTED:**

VGOB Disbursement

Unit 139

VGOB-04-0615-1294-01

Table 1

Tracts: 8

| Item                      | Tract | Disbursement Table                                                                                   | Fractional<br>Ownership | Net Acreage<br>Ownership | Royalty<br>Split | Escrowed<br>Acres | Percent of<br>Escrowed<br>Funds | Adjustment<br>Amount |
|---------------------------|-------|------------------------------------------------------------------------------------------------------|-------------------------|--------------------------|------------------|-------------------|---------------------------------|----------------------|
|                           |       |                                                                                                      | In Tract                | in Tract                 | Agreement        | Disbursed         | Disbursed                       |                      |
|                           |       |                                                                                                      |                         |                          |                  |                   |                                 |                      |
|                           |       |                                                                                                      |                         |                          |                  |                   |                                 |                      |
|                           |       |                                                                                                      |                         |                          |                  |                   |                                 |                      |
|                           |       |                                                                                                      |                         |                          |                  |                   |                                 |                      |
|                           |       |                                                                                                      |                         |                          |                  |                   |                                 |                      |
|                           |       |                                                                                                      |                         |                          |                  |                   |                                 |                      |
|                           |       | Total acreage in escrow before disbursement                                                          |                         |                          |                  | 2.19000           |                                 |                      |
|                           |       |                                                                                                      |                         |                          |                  |                   |                                 |                      |
| 8 Tract 8 (total acreage) |       |                                                                                                      | 0.4100                  |                          |                  |                   |                                 |                      |
| 1                         | 8     | Norfolk Southern Railway Company c/o Pocahontas Land Corporation<br>PO Box 1517, Bluefield, WV 24701 |                         | 0.4100                   | 100.00%          | 0.4100            | 18.7215%                        |                      |

**Adjustment Comments:**

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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.

160001186

DONE AND EXECUTED this 22 day of June, 2016 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

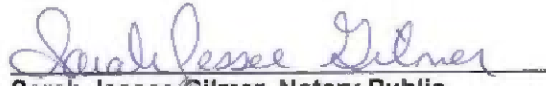
DONE AND PERFORMED this 22 day of June, 2016 by Order of the Virginia Gas and Oil Board.



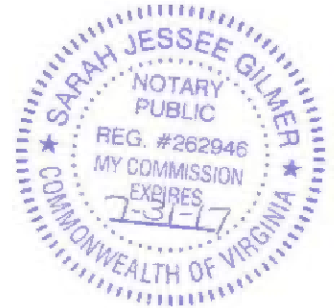
Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 22nd day of June, 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, 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 04-0615-1294-01

**RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 8 (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: 139

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(s) attributable to of Tract(s) 8 as depicted upon the annexed Table; and (2) authorization to begin paying royalties directly to Norfolk Southern Railway Company (Pocahontas Land Corporation, agent); (3) Dismissal of Coal Owner(s): Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, and CONSOL Buchanan Mining Co

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. Norfolk Southern Railway Company (Pocahontas Land Corporation, agent) is the gas claimant in Tracts 8. As such Norfolk Southern Railway Company (Pocahontas Land Corporation, agent) 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 Norfolk Southern Railway Company (Pocahontas Land Corporation, agent) 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.

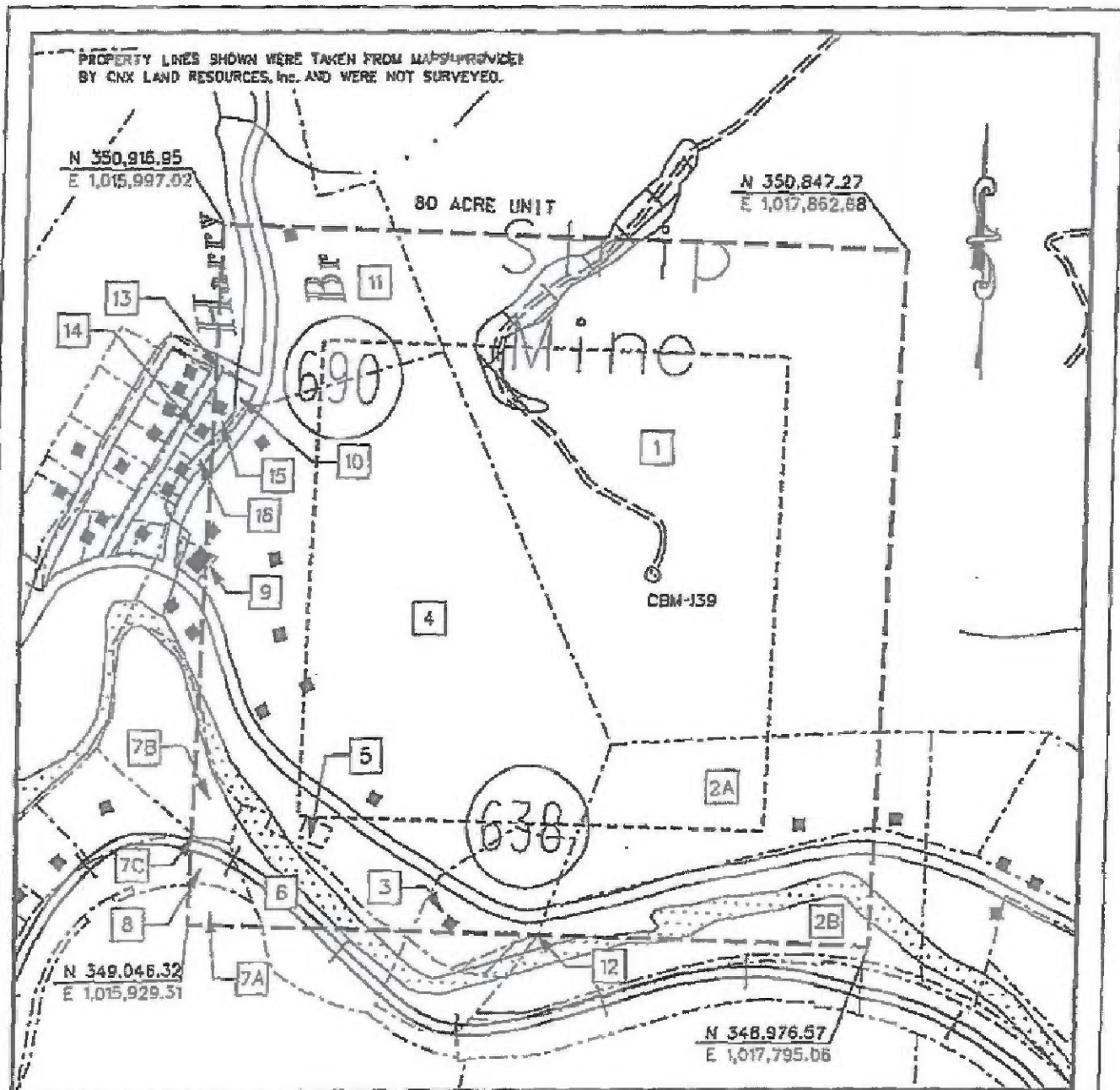


EXHIBIT A  
 FLOOD FIELD  
 UNIT 1  
 FORCE POOL AND  
 CRUDE DAMPENS - 1994

Company CNX Gas Company LLC Well Name and Number No. UNB-138  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Keen Mountain  
 County Buchanan District Garden Scale 1" = 400' Date 6/14/07  
 This plot is a new plot X ; on an updated plot \_\_\_\_\_ or a final plot \_\_\_\_\_

Form DGO-00-7  
 Rev. 9/97

Charles D. Noy  
 Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

**CNX Gas Company LLC****UNIT 1 - 39****Tract Identifications**

1. Tazewell Coal and Iron Company -- Fee  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corp. - Jewell and Jawbone Seams Leased  
CNX Gas Company LLC -- Oil, Gas and Leased  
32.29 acres 40.3625%
2. C. L. Ritter Lumber Company Tr. 40 -- All Minerals  
Reserve Coal Properties Company - Coal Below Tiller Seam Leased  
CNX Gas Company LLC - CBM Leased (Coal Seams Below Tiller Seam)  
10.10 acres 12.6250%
- 2A. Bucky McConnell, et al. - Surface
- 2B. Unknown Surface Owner
3. Bucky McConnell, et al. - Fee  
Island Creek Coal Company/Consolidation Coal Company - Tiller Seam and Below Leased  
Appalachian Energy -- Oil, Gas and CBM Leased  
1.76 acres 2.2000%
4. Claude V. Keen, et al. -- Coal (Except Jawbone Seam and 1/9<sup>th</sup> P-3 Seam )  
Island Creek Coal Company/Consolidation Coal Company -- 1/9<sup>th</sup> P-3 Seam  
Jewell Smokeless Coal Corporation - Jawbone Seam  
Island Creek Coal Company/Consolidation Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased (Except Jawbone Seam)  
Appalachian Energy - CBM Leased (Except the P-3 Seam) (81.48148%)  
CNX Gas Company LLC - CBM Leased (Except the P-3 Seam) (4.93827%)  
Appalachian Energy - CBM Leased (P-3 Seam Only) (81.37037%)  
CNX Gas Company LLC - CBM Leased (P-3 Seam Only) (5.049381%)  
Claude V. Keen, et al. -- All Minerals except Coal  
Appalachian Energy -- Oil and Gas Leased (81.48148%)  
CNX Gas Company LLC -- Oil and Gas Leased (4.93827%)  
Claude V. Keen, et al. - Surface  
27.02 acres 33.7750%
5. Unknown Fee Owner - Cemetery  
0.10 acres 0.1250%
6. Norfolk Southern Corporation - Fee (Except Coal Below 800')  
Claude V. Keen, et al. -- Coal Below 800' (Except 1/9<sup>th</sup> P-3 Seam)  
Island Creek Coal Company/Consolidation Coal Company -- 1/9<sup>th</sup> P-3 Seam  
Island Creek Coal Company/Consolidation Coal Company -- Coal Below 800' Leased  
Appalachian Energy - CBM Leased (Except Coal 800' & above and the P-3 Seam) (81.48148%)  
CNX Gas Company LLC - CBM Leased (Except Coal 800' & above and the P-3 Seam) (4.93827%)  
Appalachian Energy - CBM Leased (P-3 Seam Only) (81.37037%)  
CNX Gas Company LLC - CBM Leased (P-3 Seam Only) (3.197531%)  
CNX Gas Company LLC - CBM Leased (Coal 800' and above) (100.00%)  
1.67 acres 2.0875%

## CNX Gas Company LLC

## UNIT I - 39

## Tract Identifications

7. Yukon Pocahontas Coal Company, et al. Tr. 32 - All Minerals  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corp. - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
1.01 acres 1.2625%
- 7A. Milfred Maxwell, et al. - Surface  
7B. Unknown Surface Owner  
7C. Unknown Surface Owner
8. Norfolk Southern Corp. - Fee (Except Coal Below 800')  
Yukon Pocahontas Coal Company, et al - Coal Below 800'  
Reserve Coal Properties Company - Coal Below 800' Leased  
CNX Gas Company LLC - CBM Leased Below 800'  
0.41 acres 0.5125%
9. Claude V. Keen, et ux - Fee  
0.02 acres 0.0250%
10. Lewis Keene - Fee  
0.23 acres 0.2675%
11. Claude V. Keen, et al. - Coal (Except Jawbone Seam and 1/9<sup>th</sup> P-3 Seam)  
Island Creek Coal Company/Consolidation Coal Company - 1/9<sup>th</sup> P-3 Seam  
Jewell Smokeless Coal Corporation - Jawbone Seam  
Island Creek Coal Company/Consolidation Coal Company - Below Drainage Coal Leased  
Jewell Smokeless Coal Corporation - Above Drainage Coal Leased (Except Jawbone Seam)  
Appalachian Energy - CBM Leased (Except the P-3 Seam) (81.48148%)  
CNX Gas Company LLC - CBM Leased (Except the P-3 Seam) (7.40741%)  
Appalachian Energy - CBM Leased (P-3 Seam Only) (81.37037%)  
CNX Gas Company LLC - CBM Leased (P-3 Seam Only) (9.25826%)  
Claude V. Keen, et al. - All Minerals except Coal  
Appalachian Energy - Oil and Gas Leased (82.71805%)  
CNX Gas Company LLC - Oil and Gas Leased (4.93827%)  
Claude V. Keen, et al. - Surface  
5.28 acres 6.6000%
12. Bucky McConnell, et al OR Norfolk Southern Corp. - OVERLAP - Fee  
Island Creek Coal Company/Consolidation Coal Company - Tiller Seam and Below Leased  
OR Island Creek Coal Company/Consolidation Coal Company - P-3 Seam Leased  
Appalachian Energy - Oil, Gas and CBM Leased (If owned by Bucky McConnell, et al)  
CNX Gas Company LLC - CBM Leased (If owned by Norfolk Southern Corp.)  
0.01 acres 0.0125%

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**CNX Gas Company LLC**

**UNIT 1 - 39**

**Tract Identifications**

13. Claude V. Keen, et al. - Coal (Except Jawbone Seam and 1/8<sup>th</sup> P-3 Seam)  
Island Creek Coal Company/Consolidation Coal Company - 1/8<sup>th</sup> P-3 Seam  
*Jewell Smokeless Coal Corporation - Jawbone Seam*  
Island Creek Coal Company/Consolidation Coal Company - Below Drainage Coal Leased  
*Jewell Smokeless Coal Corporation - Above Drainage Coal Leased (Except Jawbone Seam)*  
Appalachian Energy - CBM Leased (Except the P-3 Seam) (81.48148%)  
CNX Gas Company LLC - CBM Leased (Except the P-3 Seam) (7.40741%)  
Appalachian Energy - CBM Leased (P-3 Seam Only) (81.37037%)  
CNX Gas Company LLC - CBM Leased (P-3 Seam Only) (7.51852%)  
Claude V. Keen, et al. - All Minerals except Coal  
Appalachian Energy - Oil and Gas Leased (82.71605%)  
CNX Gas Company LLC - Oil and Gas Leased (4.93827%)  
Claude V. Keen, et al. - Surface  
0.01 acres 0.0125%
14. Bill Wimmer, et ux - Fee  
0.02 acres 0.0250%
15. Bill Wimmer, et ux - Fee  
0.06 acres 0.0750%
16. Dacinia Stacy - Fee  
0.01 acres 0.0125%

Exhibit E  
Unit I-39  
Docket #VGOB 04-0615-1294-01  
List of Respondents in escrow

160001186

|                                                                                       | Acres in Unit | Percent<br>of Unit |
|---------------------------------------------------------------------------------------|---------------|--------------------|
| <b><u>Tract #5, 0.10 Acres</u></b>                                                    |               |                    |
| <i>Escrow Due to Title Conflict &amp; Unknown / Unlocatable</i>                       |               |                    |
| <b><u>COAL OWNERSHIP</u></b>                                                          |               |                    |
| (1) Unknown Heirs of E.J. Compton, et al., Trustees<br><i>Unknown / Unlocatable</i>   | 0.10 acres    | 0.1250%            |
| - OR -                                                                                |               |                    |
| (1) J.B. Brown Heirs, Devisees, Successors or Assigns<br><i>Unknown / Unlocatable</i> | 0.10 acres    | 0.1250%            |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>                                                 |               |                    |
| (1) Unknown Heirs of E.J. Compton, et al., Trustees<br><i>Unknown / Unlocatable</i>   | 0.10 acres    | 0.1250%            |
| - OR -                                                                                |               |                    |
| (1) J.B. Brown Heirs, Devisees, Successors or Assigns<br><i>Unknown / Unlocatable</i> | 0.10 acres    | 0.1250%            |

**Tract #6, 1.67 Acres**

*Tract will remain in escrow until all coal owners have received notification.*

**COAL OWNERSHIP**

|                                                                                                           |                                   |         |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------|---------|
| (1) Caroline Cole Heirs, Devisees,<br>Successors or Assigns (Coal below 600')<br><i>p/o 36 Acre Tract</i> | 1.67 acres                        | 2.0875% |
| (a) Gallie Cole Heirs, Devisees,<br>Successors or Assigns                                                 |                                   |         |
| (a.1) Harold G. Cole Heirs, Devisees, Successors or<br>Assigns                                            |                                   |         |
| (a.1.1) Kimberly Willis<br>1011 Nature Wood Circle<br>Kent, OH 44240                                      | 0.124 acres<br>2/27 of 1.67 acres | 0.1546% |
| (a.2) Donald T. Cole Heirs, Devisees,*<br>Successors or Assigns                                           |                                   |         |
| (a.2.1) Donald Stephen Cole *<br>7583 Lakewater Drive<br>Cincinnati, OH 45242-3005                        | 0.062 acres<br>1/27 of 1.67 acres | 0.0773% |
| (a.2.2) Kenneth Edward Cole *<br>12043 Windermere Crossing Circle<br>Winter Garden, FL 34787-5522         | 0.062 acres<br>1/27 of 1.67 acres | 0.0773% |
| (a.3) Norma Cole Dotson *<br>P.O. Box 226<br>Rosedale, VA 24280                                           | 0.124 acres<br>2/27 of 1.67 acres | 0.1546% |
| (b) Leonard P. Cole Heirs, Devisees,<br>Successors or Assigns                                             |                                   |         |
| (b.1) Lena McDonald Heirs, Devisees,<br>Successors or Assigns *                                           |                                   |         |

Exhibit E  
Unit I-39  
Docket #VGOB 04-0615-1294-01  
List of Respondents in escrow

160001186

|                                                                                       | Acres in Unit                      | Percent of Unit |
|---------------------------------------------------------------------------------------|------------------------------------|-----------------|
| (b.1.1) Byrd W. McDonald*<br>10456 NW 2nd Ave<br>Portland, OR 97231                   | 0.037 acres<br>1/45 of 1.67 acres  | 0.0464%         |
| (b.1.2) Tamala McDonald Pelphrey *<br>10809 Meeting St<br>Prospect, KY 40059-7593     | 0.037 acres<br>1/45 of 1.67 acres  | 0.0464%         |
| (b.1.3) Gregory B. McDonald *<br>P.O. Box 727<br>Prestonsburg, KY 41653               | 0.037 acres<br>1/45 of 1.67 acres  | 0.0464%         |
| (b.1.4) Greta McDonald Meek*<br>177 Colvin Branch<br>Oil Springs, KY 41236            | 0.037 acres<br>1/45 of 1.67 acres  | 0.0464%         |
| (b.1.5) Timothy J. McDonald *<br>P.O. Box 609<br>Prestonsburg, KY 41653               | 0.037 acres<br>1/45 of 1.67 acres  | 0.0464%         |
| (d) Nannie Garnett Cole Cooper Heirs, Devisees,<br>Successors or Assigns              |                                    |                 |
| (d.1) Thurman Cooper Heirs, Devisees, Successors<br>or Assigns                        |                                    |                 |
| (d.1.1) Bruce Michael Cooper Heirs, Devisees,<br>Successors or Assigns                |                                    |                 |
| (d.1.1.1) Teena Cooper<br>PO Box 323<br>Doran, VA 24612                               | 0.003 acres<br>1/486 of 1.67 acres | 0.0043%         |
| (d.1.2) Rita Gail Cooper<br>970 Hillman Highway NE, Lot 13<br>Abingdon, VA 24210-4132 | 0.003 acres<br>1/486 of 1.67 acres | 0.0043%         |
| (d.1.3) Thelma Cooper<br>149 Rosemont Ct, Lot 5<br>Richlands, VA 24641-3623           | 0.003 acres<br>1/486 of 1.67 acres | 0.0043%         |
| (d.1.4) Teresa Lynn Rogers<br>2410 Appleridge Dr.<br>Columbus, OH 43223-3170          | 0.003 acres<br>1/486 of 1.67 acres | 0.0043%         |
| (d.1.5) Thurman G. Cooper, Jr.<br>1309 Farmer St.<br>Richlands, VA 24641-2808         | 0.003 acres<br>1/486 of 1.67 acres | 0.0043%         |
| (d.1.6) Terry Allen Cooper<br>PO Box 2581<br>Abingdon, VA 24212-2581                  | 0.003 acres<br>1/486 of 1.67 acres | 0.0043%         |
| (d.2) Billy Cooper Heirs, Devisees,<br>Successors or Assigns                          |                                    |                 |
| (d.2.1) Lucille Cooper Christian<br>P.O. Box 51<br>Raysal, WV 24879                   | Life Estate                        |                 |
| (d.2.2) Karen C. & Brian Rowe<br>P.O. Box 781<br>Hanover, WV 24839                    | 0.010 acres<br>1/162 of 1.67 acres | 0.0129%         |

Exhibit E  
Unit I-39  
Docket #VGOB 04-0615-1294-01  
List of Respondents in escrow

160001186

|                                                                                               | Acres in Unit                      | Percent<br>of Unit |
|-----------------------------------------------------------------------------------------------|------------------------------------|--------------------|
| (d.2.3) Sharon Cooper & William Daniels<br>PO Box 1322<br>Shady Spring, WV 25918-1322         | 0.010 acres<br>1/162 of 1.67 acres | 0.0129%            |
| (d.3) Gary Cooper Heirs, Devisees,<br>Successors or Assigns                                   |                                    |                    |
| (d.3.1) Rebecca Cooper<br>P.O. Box 314<br>Hurley, VA 24620                                    | <i>Life Estate</i>                 |                    |
| (d.3.2) Melanie D. Cooper<br>c/o Rebecca Cooper, Guardian<br>P.O. Box 314<br>Hurley, VA 24620 | 0.007 acres<br>1/243 of 1.67 acres | 0.0086%            |
| (d.3.3) Corey S. Cooper<br>4455 Old Lesters Fork Rd<br>Grundy, VA 24614-5520                  | 0.007 acres<br>1/243 of 1.67 acres | 0.0086%            |
| (d.3.4) Byron D. Cooper<br>c/o Rebecca Cooper, Guardian<br>PO Box 252<br>Vansant, VA 24656    | 0.007 acres<br>1/243 of 1.67 acres | 0.0086%            |
| (e) Carolyn Cole Jones Heirs, Devisees,<br>Successors or Assigns                              |                                    |                    |
| (e.1) Caroline C. & Claude V. Keen *<br>P.O. Box 233<br>Whitewood, VA 24657                   | 0.619 acres<br>10/27 of 1.67 acres | 0.7731%            |
| (f) Sherman & Vergie M. Cole Heirs, Devisees,<br>Successors or Assigns                        |                                    |                    |
| (f.1) Mary F. Harris<br>4823 Basswood Drive<br>Columbus, GA 31904                             | 0.031 acres<br>1/54 of 1.67 acres  | 0.0367%            |
| (f.2) Larry Dean & Bridgett L. Cole<br>14573 Lee Highway<br>Bristol, VA 24202-4253            | 0.031 acres<br>1/54 of 1.67 acres  | 0.0367%            |
| (g) Kermit F. & Mona McNeil Cole Heirs, Devisees,<br>Successors or Assigns                    |                                    |                    |
| (g.1) Nancy J. Cole *<br>PO Box 2075<br>Beckley, WV 25802                                     | 0.186 acres<br>1/9 of 1.67 acres   | 0.2319%            |
| (g.2) Shirley Fuqua<br><i>(Deceased - no heirs - interest went to Nancy Cole)</i>             |                                    |                    |
| (h) Hassel Cole Heirs, Devisees,<br>Successors or Assigns                                     |                                    |                    |
| (h.1) Edith G. Street *<br>PO Box 459<br>Abingdon, VA 24212                                   | 0.093 acres<br>1/18 of 1.67 acres  | 0.1160%            |
| (h.2) Marion S. Combs Heirs, Devisees,<br>Successors or Assigns                               |                                    |                    |

Exhibit E  
Unit I-39  
Docket #VGOB 04-0615-1294-01  
List of Respondents in escrow

160001186

|                                                                                                                                             | Acres in Unit                     | Percent<br>of Unit |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------|
| (h.2.1) F.H. Combs Testamentary Trust II <sup>1</sup><br>c/o Amy and/or Eric Combs, Trustees<br>P.O. Box 841<br>Tazewell, VA 24651          | 0.031 acres<br>1/54 of 1.67 acres | 0.0387%            |
| (h.2.2) Martha E. Combs Trust <sup>1</sup><br>PO Box 1404<br>Abingdon, VA 24212-1404                                                        | 0.031 acres<br>1/54 of 1.67 acres | 0.0387%            |
| (h.2.3) CIPL LP <sup>1</sup><br>c/o John C. Irvin<br>4710 Hunterwood Circle<br>Richmond, TX 77469                                           | 0.031 acres<br>1/54 of 1.67 acres | 0.0387%            |
| (2) Island Creek Coal Company ( <i>P3 seam only</i> )<br>Drawer L<br>Oakwood, VA 24631                                                      | 0.186 acres<br>1/9 of 1.67 acres  | 0.2319%            |
| x (3) Norfolk Southern Railway Company (exc. Coal bel. '800)                                                                                | 1.67 acres                        | 2.0875%            |
| <i>Royalties paid to:</i><br>Pocahontas Land Corporation<br>Treasurer, Pocahontas Land Corporation<br>P. O. Box 1517<br>Bluefield, WV 24701 |                                   |                    |

**OIL & GAS OWNERSHIP**

|                                                                                                                                                 |            |         |
|-------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------|
| (1) Norfolk Southern Railway Company                                                                                                            | 1.67 acres | 2.0875% |
| <i>Royalties paid to:</i><br>Pocahontas Land Corporation<br>Agent for Norfolk Southern Railway Company<br>P. O. Box 1517<br>Bluefield, WV 24701 |            |         |

**Tract #12 - 0.01 acres**

**Escrow Due to Title Conflict**

**COAL OWNERSHIP**

- (1) Bucky McConnell, et al.  
(a.k.a. - A. B. Jewell Estate)
  - (a) Artemus B. Jewell, Jr.  
P.O. Box 117  
Columbia Falls, ME 04623  
*Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132*
  - (b) Bucky McConnell, Executrix  
PO Box 582  
Pounding Mill, VA 24637  
*Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132*
  - (c) Nancy J. Lowe  
P.O. Box 277  
Pounding Mill, VA 24637  
*Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132*

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|                                                                                                                                                                                             | Acres in Unit | Percent<br>of Unit |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|
| (d) Polly Ann Mallory<br>P.O. Box 290<br>Doran, VA 24612<br><i>Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132</i>                                                   |               |                    |
| (e) Janice Kear<br>P.O. Box 1609<br>Chillicothe, OH 45601<br><i>Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132</i>                                                  |               |                    |
| (f) Luanne Pugh<br>1224 2nd Street<br>Richlands, VA 24641<br><i>Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132</i>                                                  |               |                    |
| (2) Buck Jewell Resources, LLC<br>c/o Polly Mallory<br>PO Box 743<br>Doran, VA 24612<br><br>(OR - Due to mapping overlap)                                                                   | 0.01 acres    | 0.0125%            |
| (1) Norfolk Southern Railway Company<br><br><i>Royalties paid to:</i><br>Pocahontas Land Corporation<br>Agent for Norfolk Southern Railway Company<br>P. O. Box 1517<br>Bluefield, WV 24701 | 0.01 acres    | 0.0125%            |

**OIL & GAS OWNERSHIP**

- (1) Bucky McConnell, et al.  
(a.k.a. - A. B. Jewell Estate)
  - (a) Artemus B. Jewell, Jr.  
P.O. Box 117  
Columbia Falls, ME 04623  
*Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132*
  - (b) Bucky McConnell, Executrix  
PO Box 582  
Pounding Mill, VA 24637  
*Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132*
  - (c) Nancy J. Lowe  
P.O. Box 277  
Pounding Mill, VA 24637  
*Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132*
  - (d) Polly Ann Mallory  
P.O. Box 290  
Doran, VA 24612  
*Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132*
  - (e) Janice Kear  
P.O. Box 1609  
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|                                                                                                                                                 | Acres in Unit | Percent<br>of Unit |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|
| (f) Luanne Pugh<br>1224 2nd Street<br>Richlands, VA 24641<br><i>Deeded Interest to Buck Jewell Resources, LLC 8/23/2004, DB 608 PG 132</i>      |               |                    |
| (2) Buck Jewell Resources, LLC<br>c/o Polly Mallory<br>PO Box 743<br>Doran, VA 24612                                                            | 0.01 acres    | 0.0125%            |
| <i>(OR - Due to mapping overlap)</i>                                                                                                            |               |                    |
| (1) Norfolk Southern Railway Company                                                                                                            | 0.01 acres    | 0.0125%            |
| <i>Royalties paid to:</i><br>Pocahontas Land Corporation<br>Agent for Norfolk Southern Railway Company<br>P. O. Box 1517<br>Bluefield, WV 24701 |               |                    |
| <i>Total Acres remaining in escrow</i>                                                                                                          | 1.7800        |                    |
| <i>Total Percentage remaining in escrow</i>                                                                                                     |               | 2.2250%            |

Exhibit EE  
Unit 1-39  
Docket #VGOB 04-0615-1294-01  
List of Respondents with Royalty Splits/Court Orders/HB2058

160001186

|                                                                                                                                          | Acres in Unit                    | Percent<br>of Unit | Percent<br>of Escrow |
|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------|----------------------|
| <u>Tract #B, 0.41 Acres</u>                                                                                                              |                                  |                    |                      |
| <b>COAL OWNERSHIP</b>                                                                                                                    |                                  |                    |                      |
| (1) Yukon Pocahontas Coal Company et al., Tr. 32<br>(Coal below 800')                                                                    | 0.41 acres                       | 0.5125%            |                      |
| (a) Yukon Pocahontas Coal Company<br>P.O. Box 187<br>Tazewell, VA 24651                                                                  | 0.21 acres<br>1/2 of 0.41 acres  | 0.2563%            |                      |
| (b) Buchanan Coal Company<br>P.O. Box 187<br>Tazewell, VA 24651                                                                          | 0.05 acres<br>1/9 of 0.41 acres  | 0.0569%            |                      |
| (c) Sayers-Pocahontas Coal Company<br>P.O. Box 187<br>Tazewell, VA 24651                                                                 | 0.02 acres<br>1/18 of 0.41 acres | 0.0285%            |                      |
| (d) CONSOL Buchanan Mining Co*<br>3337 Contrary Creek Rd<br>Raven, VA 24639                                                              | 0.14 acres<br>1/3 of 0.41 acres  | 0.1708%            |                      |
| * Note: Plum Creek Timberlands retained their CBM interest.                                                                              |                                  |                    |                      |
| <b>OIL &amp; GAS OWNERSHIP</b>                                                                                                           |                                  |                    |                      |
| (1) Norfolk Southern Railway Company                                                                                                     | 0.41 acres                       | 0.5125%            | 18.7215%<br>HB2058   |
| Royalties paid to:<br>Pocahontas Land Corporation<br>Agent for Norfolk Southern Railway Company<br>P. O. Box 1517<br>Bluefield, WV 24701 |                                  |                    |                      |
| <b>Total Acres Resolved</b>                                                                                                              |                                  | 0.4100             |                      |
| <b>Total Percentage Resolved</b>                                                                                                         |                                  | 0.5125%            |                      |

INSTRUMENT #160001186  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
JULY 7, 2016 AT 09:17AM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB