

VIRGINIA;

130001266

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 12-0417-3049

ELECTIONS: UNIT B-33
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on November 26, 2012, which was recorded at Document 130000101 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on January 14, 2013, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit B-33;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

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

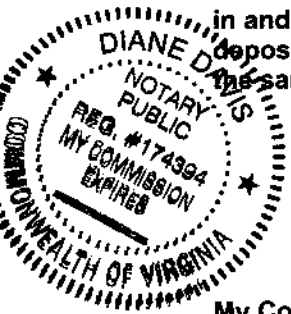
DONE AND EXECUTED this 22 day of May, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 22nd day of May, 2013, 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.



Diane J. Davis, Notary Public
174394

My Commission expires: September 30, 2013

DONE AND PERFORMED this 23 day of May, 2013 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 May, 2013, 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 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, Notary Public
174394

My Commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit B-33
VGOB 12-0417-3049 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on November 26, 2012, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on January 14, 2013;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

Carried Operator (Option 9.3)- Gregory Poulos, Jason Poulos and Pamela Poulos

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of November 26, 2012;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

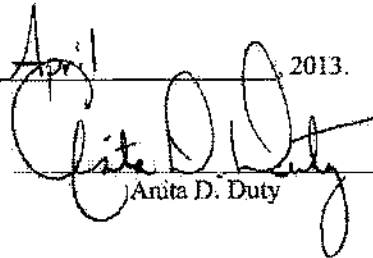
Wealthy A. Brown Heirs; Kelly Tolliver

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

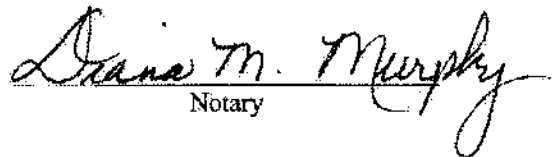
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 23rd day of April, 2013.

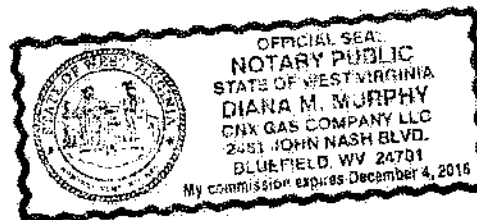

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

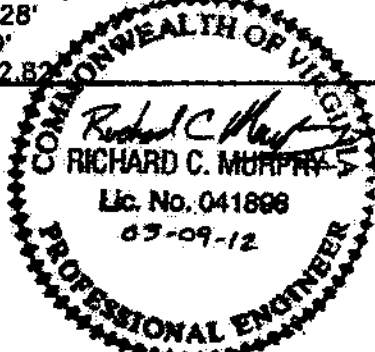
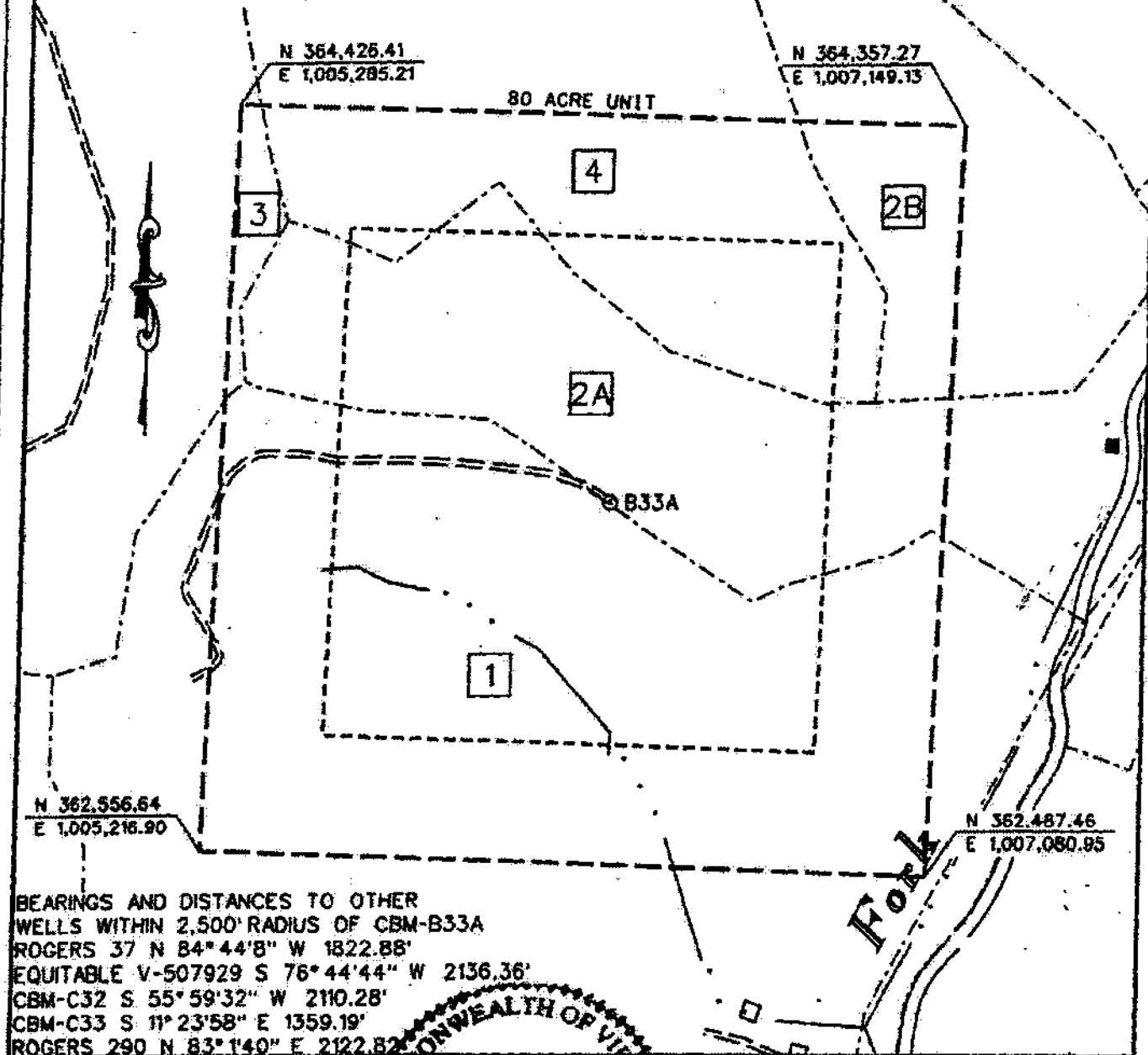
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 23rd day of April, 2013.


Notary

My commission expires: December 4, 2016



Property lines shown on this plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



Company CNX Gas Company LLC Well Name and Number UNIT B33

Tract No. _____ Elevation _____ Quadrangle PATTERSON

County BUCHANAN District GARDEN Scale: 1" = 400' Date _____

This plot is a new plot X ; on an updated plot _____ ; or a final plot _____

Form DGD-GD-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

CNX Gas Company LLC
UNIT B33
Tract Identifications

1. C. L. Ritter Lumber Company Tr. 28 (98.77 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal In Tiller Seam and Above Leased
Hard Rock Exploration and Carter Oil & Gas - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
Ned R. Lovett, et ux – Surface
40.47 acres 50.5875%

2. LBR Holdings, LLC (44.40 Acre Tract) – All Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
Reserve Coal Properties Company – P-3 Seam Subleased
Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased
LBR Holdings, LLC, et al – Oil and Gas
EQT Production Company – Oil, Gas and CBM Leased (75%)
23.16 acres 28.9500%

- 2A. Cecil Rife, et ux – Surface
2B. Unknown Surface Owner

3. LBR Holdings, LLC (211.80 Acre Tract) – All Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
Reserve Coal Properties Company – P-3 Seam Subleased
Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased
LBR Holdings, LLC, et al – Oil and Gas
EQT Production Company – Oil, Gas and CBM Leased (75%)
Kim Smith, et al - Surface
1.22 acres 1.5250%

4. Muriel R. Short, et al (30 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased (77.40%)
Unknown Surface Owner
15.15 acres 18.9375%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Exhibit B-2
Unit B-33
Docket # VGOB 12-0417-3049
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL OWNERSHIP			
<u>Tract #3, 1.22 Acres</u>			
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	1.22 acres	1.5250%	
(b) Wealthy A. Brown Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.17 acres 1/7 of 1.22 acres	0.2179%	Not an Owner
<u>Tract #4, 15.15 Acres</u>			
(1) Muriel R. Short, et al (30 Acre Tract)	15.15 acres	18.9375%	
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7) Leck Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1) Ruby Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1.1) Kelly Tolliver Address Unknown	0.29 acres 1/52 of 15.15 acres	0.3642%	Not an Owner
II. OIL & GAS OWNERSHIP			
<u>Tract #3, 1.22 Acres</u>			
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	1.22 acres	1.5250%	
(i) Wealthy A. Brown Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.17 acres 1/7 of 1.22 acres	0.2179%	Not an Owner
<u>Tract #4, 15.15 Acres</u>			
(1) Muriel R. Short, et al (30 Acre Tract)	15.15 acres	18.9375%	
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7) Leck Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1) Ruby Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1.1) Kelly Tolliver Address Unknown	0.29 acres 1/52 of 15.15 acres	0.3642%	Not an Owner

Exhibit B-3
Unit B-33
Docket # VGOB 12-0417-3049
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
I. COAL OWNERSHIP			
<u>Tract #4, 15.15 Acres</u>			
(1) Muriel R. Short, et al (30 Acre Tract)	15.15 acres	18.9375%	
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)			
(a.1.4) Stephen Ray PO Box 1580 Lebanon, VA 24266-1580	0.95 acres 1/16 of 15.15 acres	1.1836%	Deemed Leased
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.2) Roy Tolliver	Conveyed interest (DB-263-401)		
(b.1.2.1) Carol Ellenburg 316 N. High St. Chillicothe, OH 45601	0.29 acres 1/52 of 15.15 acres	0.3642%	Deemed Leased
(b.1.2.2) James Ellenburg Address Unknown	0.29 acres 1/52 of 15.15 acres	0.3642%	Deemed Leased
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns			
(b.1.6.2) Vernon Hays Heirs, Devisees, Successors or Assigns			
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.67 acres 1/208 of 15.15 acres	0.0910%	Deemed Leased
(b.1.6.2.4) Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.07 acres 1/208 of 15.15 acres	0.0910%	Deemed Leased
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns			
(b.1.8.1.1) Robert Graves Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.2) James Graves Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.3) Tammy Green Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.4) Charles Robinson Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.5) Bobbie Beakman 2215 Spunk Run Rd. Piketon, OH 45661	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased

Exhibit B-3
Unit B-33
Docket # VGOB 12-0417-3049
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b.1.8.3) Merrill Smith 2283 Spunk Run Rd. Piketon, OH 45661	0.10 acres 1/156 of 15.15 acres	0.1214%	Deemed Leased
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.6.1) Troy Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased
(b.1.8.6.2) Terry Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased
(b.1.8.6.3) Chrystal Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased
(b.1.8.6.4) Todd Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evalyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.2) Lou Sena Aldridge 939 S. Hampton Rd. New Carlisle, OH 45344	0.29 acres 1/52 of 15.15 acres	0.3642%	Deemed Leased
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns			
(b.1.11.1) Lou Ellen Wilson 726 Buckskin Trail Xenia, OH 45385	0.19 acres 1/78 of 15.15 acres	0.2428%	Deemed Leased
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.19 acres 1/78 of 15.15 acres	0.2428%	Deemed Leased
(b.1.11.3) Anthony Bowles 2058 Jodora Dr. Urbana, OH 43078	0.19 acres 1/78 of 15.15 acres	0.2428%	Deemed Leased
(b.1.12) Ruby T. Brewster c/o Teresa Barnhart, POA 12200 Academy Rd, NE Apt 322 Albuquerque, NM 87111	0.58 acres 1/26 of 15.15 acres	0.7284%	Deemed Leased
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown)	0.58 acres 1/26 of 15.15 acres	0.7284%	Deemed Leased
<u>TOTAL COAL ESTATE:</u>			
Acreage in Unit Deemed Leased		4.01	
Percentage of Unit Deemed Leased			5.0075%

II. OIL & GAS OWNERSHIP

Tract #2, 23.16 Acres

(1) LBR Holdings, LLC, et al. (44.40 Acre Tract)	23.16 acres	28.9500%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.72 acres 1/32 of 23.16 acres	0.9047%	Deemed Leased

Exhibit B-3
Unit B-33
Docket # VGOB 12-0417-3048
List of all Unleased Owners/Claimants

	Acres In Unit	Percent of Unit	Election
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.72 acres 1/32 of 23.16 acres	0.9047%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.72 acres 1/32 of 23.16 acres	0.9047%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.72 acres 1/32 of 23.16 acres	0.9047%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.97 acres 1/24 of 23.16 acres	1.2063%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.97 acres 1/24 of 23.16 acres	1.2063%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.97 acres 1/24 of 23.16 acres	1.2063%	Carried Operator
<u>Tract #3, 1.22 Acres</u>			
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	1.22 acres	1.6250%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.04 acres 1/32 of 1.22 acres	0.0477%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.04 acres 1/32 of 1.22 acres	0.0477%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.04 acres 1/32 of 1.22 acres	0.0477%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.04 acres 1/32 of 1.22 acres	0.0477%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.05 acres 1/24 of 1.22 acres	0.0635%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.05 acres 1/24 of 1.22 acres	0.0635%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.05 acres 1/24 of 1.22 acres	0.0635%	Carried Operator
<u>Tract #4, 15.15 Acres</u>			
(1) Muriel R. Short, et al (30 Acre Tract)	15.15 acres	18.9375%	
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)			
(a.1.4) Stephen Ray PO Box 1580 Lebanon, VA 24266-1580	0.95 acres 1/16 of 15.15 acres	1.1836%	Deemed Leased

Exhibit B-3
Unit B-33
Docket # VGOB 12-0417-3049
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.2) Roy Tolliver			
Conveyed interest (DB 263-401)			
(b.1.2.1) Carol Ellenburg 316 N. High St. Chillicothe, OH 45601	0.29 acres 1/52 of 15.15 acres	0.3642%	Deemed Leased
(b.1.2.2) James Ellenburg Address Unknown	0.29 acres 1/52 of 15.15 acres	0.3642%	Deemed Leased
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns			
(b.1.6.2) Vernon Hays Heirs, Devisees, Successors or Assigns			
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.07 acres 1/208 of 15.15 acres	0.0910%	Deemed Leased
(b.1.6.2.4) Vernia Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.07 acres 1/208 of 15.15 acres	0.0910%	Deemed Leased
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns			
(b.1.8.1.1) Robert Graves Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.2) James Graves Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.3) Tammy Green Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.4) Charles Robinson Address Unknown	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.1.5) Bobbie Beakman 2215 Spunk Run Rd. Piketon, OH 45661	0.02 acres 1/780 of 15.15 acres	0.0243%	Deemed Leased
(b.1.8.3) Merrill Smith 2283 Spunk Run Rd. Piketon, OH 45661	0.10 acres 1/156 of 15.15 acres	0.1214%	Deemed Leased
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.6.1) Troy Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased
(b.1.8.6.2) Terry Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased
(b.1.8.6.3) Chrystal Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased

Exhibit B-3
Unit B-33
Docket # VGOB 12-0417-3049
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b.1.8.6.4) Todd Smith Address Unknown	0.02 acres 1/624 of 15.15 acres	0.0303%	Deemed Leased
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evalyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.2) Lou Sena Aldridge 939 S. Hampton Rd. New Carlisle, OH 45344	0.29 acres 1/52 of 15.15 acres	0.3642%	Deemed Leased
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns			
(b.1.11.1) Lou Ellen Wilson 726 Bucksin Trail Xenia, OH 45385	0.19 acres 1/78 of 15.15 acres	0.2428%	Deemed Leased
(b.1.11.2) Cary Bowles 716 Rainbow Forest Dr. Lynchburg, VA 24502	0.19 acres 1/78 of 15.15 acres	0.2428%	Deemed Leased
(b.1.11.3) Anthony Bowles 2058 Jodora Dr. Urbana, OH 43078	0.19 acres 1/78 of 15.15 acres	0.2428%	Deemed Leased
(b.1.12) Ruby T. Brewster c/o Teresa Barnhart, POA 12200 Academy Rd, NE Apt 322 Albuquerque, NM 87111	0.58 acres 1/26 of 15.15 acres	0.7284%	Deemed Leased
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown)	0.58 acres 1/26 of 15.15 acres	0.7284%	Deemed Leased
<u>TOTAL OIL & GAS ESTATE:</u>			
Acres in Unit Deemed Leased	10.10		
Percentage of Unit Deemed Leased		12.6263%	

Exhibit E
Unit B-33
Docket # VGOB 12-0417-3049
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #2, 23.16 Acres</u>		
<i>Only 1/4 of LBR Holdings, LLC interest should be escrowed due to conflicting CBM claim.</i>		
<u>COAL OWNERSHIP</u>	23.16 acres	28.9500%
(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (44.40 Acre Tract)	5.79 acres 1/4 of 23.16 acres	7.2375%
<u>OIL & GAS OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (44.40 Acre Tract)	23.16 acres	28.9500%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.72 acres 1/32 of 23.16 acres	0.9047%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.72 acres 1/32 of 23.16 acres	0.9047%
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.72 acres 1/32 of 23.16 acres	0.9047%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.72 acres 1/32 of 23.16 acres	0.9047%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.97 acres 1/24 of 23.16 acres	1.2063%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.97 acres 1/24 of 23.16 acres	1.2063%
(h) Pamela Poulos 5000 SW 63rd St. Miami, FL 33143-8510	0.97 acres 1/24 of 23.16 acres	1.2063%
<u>Tract #3, 1.22 Acres</u>		
<i>Only 1/4 of LBR Holdings, LLC interest should be escrowed due to conflicting CBM claim.</i>		
<u>COAL OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	1.22 acres	1.5250%
(a) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427	0.31 acres 1/4 of 1.22 acres	0.3813%
<u>OIL & GAS OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	1.22 acres	1.5250%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.03 acres 3/112 of 1.22 acres	0.0408%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.03 acres 3/112 of 1.22 acres	0.0408%

Exhibit E
Unit B-33
Docket # VGOB 12-0417-3049
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.03 acres 3/112 of 1.22 acres	0.0408%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.03 acres 3/112 of 1.22 acres	0.0408%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.04 acres 1/28 of 1.22 acres	0.0545%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.04 acres 1/28 of 1.22 acres	0.0545%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.04 acres 1/28 of 1.22 acres	0.0545%

Tract #4, 15.15 Acres

Escrow due to Unknown/Unlocatable

COAL OWNERSHIP

(1) Muriel R. Short, et al (30 Acre Tract)	15.15 acres	18.9375%
(b) George Tolliver Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.2) Roy Tolliver	<i>Conveyed interest (DB 263-401)</i>	
(b.1.2.2) James Ellenburg <i>Address Unknown</i>	0.29 acres 1/52 of 15.15 acres	0.3642%
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>		
(b.1.8.1.1) Robert Graves <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.1.2) James Graves <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.1.3) Tammy Green <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.1.4) Charles Robinson <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%
(b.1.8.6.2) Terry Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%
(b.1.8.6.3) Chrystal Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%

Exhibit E
Unit B-33
Docket # VGOB 12-0417-3040
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b.1.8.6.4) Todd Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns <i>(Heirs/Address Unknown)</i>	0.58 acres 1/26 of 15.15 acres	0.7284%
<u>OIL & GAS OWNERSHIP</u>		
(1) Muriel R. Short, et al <i>(30 Acre Tract)</i>	15.15 acres	18.9375%
(b) George Tolliver Heirs, Devisees, Successors or Assigns <i>(Heirs/Address Unknown)</i>		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.2) Roy Tolliver	<i>Conveyed interest (DB 263-401)</i>	
(b.1.2.2) James Ellenburg <i>Address Unknown</i>	0.29 acres 1/52 of 15.15 acres	0.3642%
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>(Heirs/Address Unknown)</i>		
(b.1.8.1.1) Robert Graves <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.1.2) James Graves <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.1.3) Tammy Green <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.1.4) Charles Robinson <i>Address Unknown</i>	0.02 acres 1/780 of 15.15 acres	0.0243%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%
(b.1.8.6.2) Terry Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%
(b.1.8.6.3) Chrystal Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%
(b.1.8.6.4) Todd Smith <i>Address Unknown</i>	0.02 acres 1/624 of 15.15 acres	0.0303%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns <i>(Heirs/Address Unknown)</i>	0.58 acres 1/26 of 15.15 acres	0.7284%
<u>TOTAL CONFLICTS:</u>		
Acres in Unit	7.10	
Percentage of Unit		8.4753%

B4
\$26
\$26

INSTRUMENT #130001266
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JULY 11, 2013 AT 01:49PM
BEVERLY S. TILLER, CLERK
RECORDED BY: MAB