

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

**UNIT/WELL NAME:** A33

**TRACT(S):** A portion of 4

**LOCATION:** BUCHANAN County, Virginia

**DOCKET NUMBER:** VGOB-13-0618-4014-03

**APPLICANTS:** CNX Gas Company LLC on behalf of Cynthia Rhodes, Verna Napier

**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, Recorded on 10/11/2013, Deed Book/Instrument No. 130001985.
2. Supplemental Order Executed 02/20/2014, Recorded on 03/17/2014, Deed Book/Instrument No. 140000398.
3. Disbursement Order -01 Executed 10/21/2015, Recorded on 10/27/2015, Deed Book/Instrument No. 150001769.
4. Disbursement Order -02 Executed 10/18/2017, Recorded on 10/31/2017, Deed Book/Instrument No. 170002293.

180000203

**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 4 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) A portion of 4 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. Cynthia Rhodes & Verna Napier are the gas claimants in Tracts 4. As such Cynthia Rhodes & Verna Napier 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 Cynthia Rhodes & Verna Napier and not escrow same. See Exhibit EE annexed hereto.



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.

DONE AND EXECUTED this 16 day of January, 2018 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

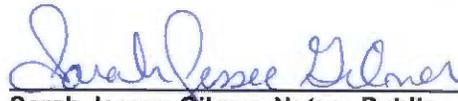
DONE AND PERFORMED this 16 day of January, 2018 by Order of the Virginia Gas and Oil Board.



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 16<sup>th</sup> day of January, 2018, 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, 2021



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 13-0618-4014-03

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) A portion of 4 (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: A33

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, attributable to Tract 4, as depicted upon the annexed table; and (2) authorization to begin paying royalties directly to Cynthia Rhodes and Verna Napier.

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)

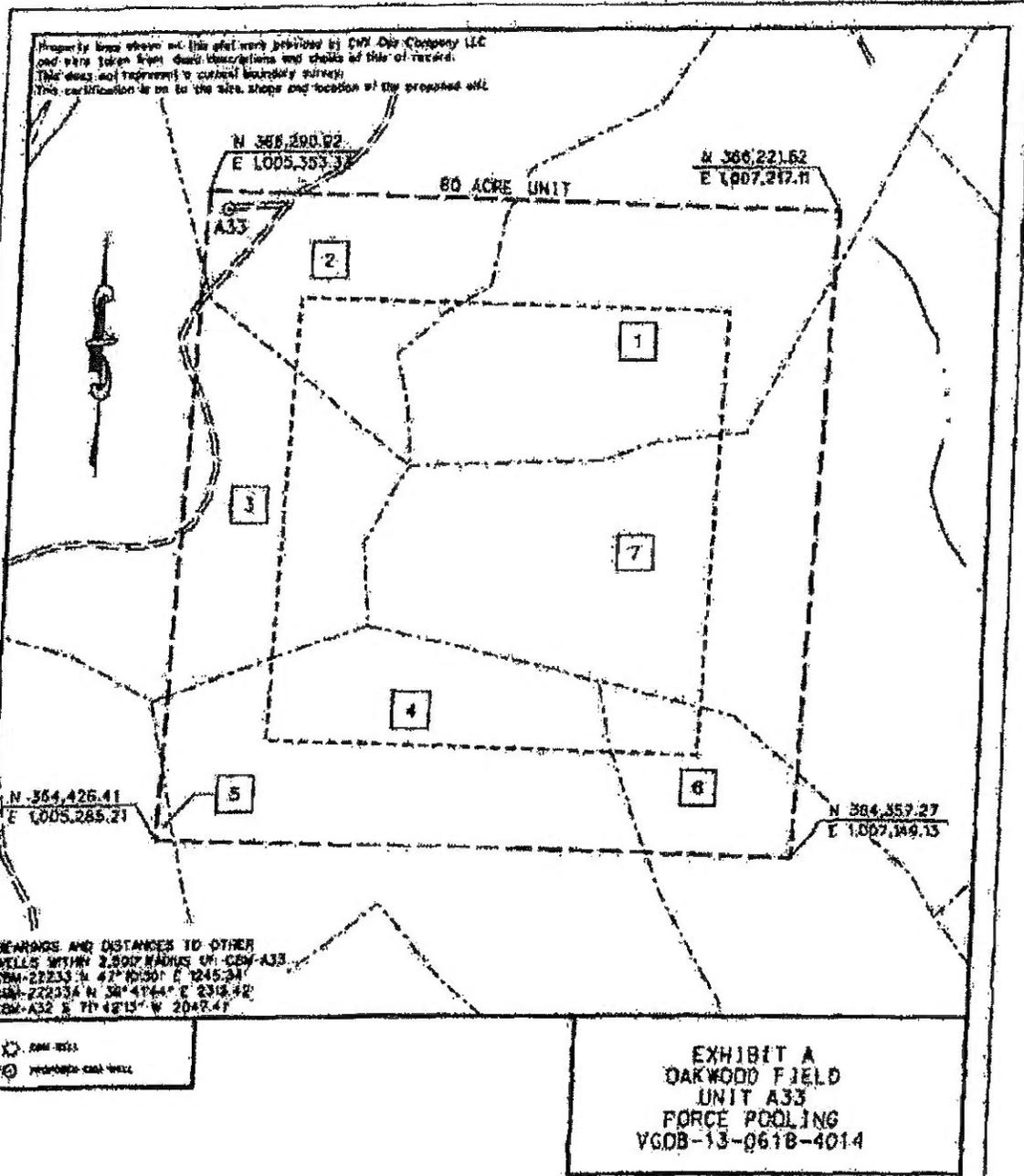
Coalbed Methane

5. Factual basis for relief requested

- a. Cynthia Rhodes & Verna Napier are the gas claimants in Tracts 4. As such Cynthia Rhodes & Verna Napier 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 Cynthia Rhodes & Verna Napier 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.



Company CNG Gas Company LLC Well Name and Number UNIT A33  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle PATTERSON  
 County BUCHANAN District GARDEN Scale: 1" = 400' Date \_\_\_\_\_  
 This plot is a new plot X on updated plot \_\_\_\_\_

Form BGO-60-7  
 Rev. 9/91 Licensed Professional Engineer or Licensed L



**CNX Gas Company LLC  
UNIT A33  
Tract Identifications**

1. LBR Holdings, LLC (38.90 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%)  
Unknown Surface Owner  
16.98 acres 21.2000%
2. LBR Holdings, LLC (85.80 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%)  
J.G. Belcher, Jr., et al - Surface  
9.42 acres 11.7750%
3. CMT Investment Group, LLC, et al (74.10 Acre Tract) - All Minerals  
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased (50%)  
Jewell Smokeless Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
Kim Smith, et al - Surface  
11.38 acres 14.2250%
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  
16.42 acres 20.5250%
5. LBR Holdings, LLC (211.60 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  
0.13 acres 0.1625%
6. 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%)  
Unknown Surface Owner  
4.80 acres 6.1250%

"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."

**CNX Gas Company LLC  
UNIT A33  
Tract Identifications**

7. LBR Holdings, LLC (61.30 Acre Tract) - All Coal  
 Island Creek Coal Company/Gonsol Energy, Inc. - Coal Below Jawbone Seam Leased  
 Reserva 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 (76%)  
 Unknown Surface Owner  
 20.79 acres                      29.9675%

\*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 E  
Unit A-33  
Docket # VGOB 13-0618-4014-03  
List of Respondents that require escrow

	Acres in Unit	Percent of Unit
<b>Tract #4, 16.42 Acres</b>		
(1) Muriel R. Short, et al <i>(30 Acre Tract)</i>	16.42 acres	20.5250%
(b) George Tolliver Heirs, Devisees, Successors or Assigns		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>Documentation requested 5/9/16</i>	0.0632 acres 1/260 of 16.42 acres	0.0789%
(b.1.8.1.1) Robert L. Graves Heirs, Devisees, Successors or Assigns		
(b.1.8.1.1.1) Robert Graves, Jr 8619 Camp Creek Rd Lucasville, OH 45648		
(b.1.8.1.1.2) James Graves 1662 Lapperell rd Peebles, OH 45660		
(b.1.8.1.1.3) Tammy Green <i>Address Unknown</i>		
(b.1.8.1.1.4) Charles Robinson Heirs, Devisees, Successors or Assi	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.1.1.4.1) Pamela Jo Robinson 1029 Greenlee Rd Seaman, OH 45679		
(b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1.3) Jody J. Smith 2731 Rainbow Trail Waverly, OH 45690	0.0351 acres 1/468 of 16.42 acres	0.0439%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.2) Terry Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.3) Chrystal Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.4) Todd Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns		

Exhibit E  
Unit A-33  
Docket # VGOB 13-0618-4014-03  
List of Respondents that require escrow

	Acres In Unit	Percent of Unit
(b.1.13.3) Rodney B Snyder Terez Krt. 39 3/3 H067 Budapest, Hungary	0.2105 acres 1/78 of 16.42 acres	0.2631%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
<b><i>Escrow due to Unknown/Unlocatable; Outstanding W9/Affidavit</i></b>		
(1) Muriel R. Short, et al (30 Acre Tract)	16.42 acres	20.5250%
(b) George Tolliver Heirs, Devisees, Successors or Assigns		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>Documentation requested 5/9/16</i>	0.0632 acres 1/260 of 16.42 acres	0.0789%
(b.1.8.1.1) Robert L. Graves Heirs, Devisees, Successors or Assigns		
(b.1.8.1.1.1) Robert Graves, Jr 8619 Camp Creek Rd Lucasville, OH 45648		
(b.1.8.1.1.2) James Graves 1662 Lapperell rd Peebles, OH 45660		
(b.1.8.1.1.3) Tammy Green <i>Address Unknown</i>		
(b.1.8.1.1.4) Charles Robinson Heirs, Devisees, Successors or Assi	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.1.1.4.1) Pamela Jo Robinson 1029 Greenlee Rd Seaman, OH 45679		
(b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1.3) Jody J. Smith 2731 Rainbow Trail Waverly, OH 45690	0.0351 acres 1/468 of 16.42 acres	0.0439%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.2) Terry Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.3) Chrystal Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%

Exhibit E  
Unit A-33  
Docket # VGOB 13-0618-4014-03  
List of Respondents that require escrow

180000203

	Acres in Unit	Percent of Unit
(b.1.8.6.4) Todd Smith <i>Address Unknown</i>	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns		
(b.1.13.3) Rodney B Snyder Terez Krt. 39 3/3 H067 Budapest, Hungary	0.2105 acres 1/78 of 16.42 acres	0.2631%
	<b><u>TOTAL</u></b>	
	<b>Acreage in Unit</b>	0.4351
	<b>Percentage of Unit</b>	0.5438%

Exhibit EE  
Unit A-33  
Docket # VGOB 13-0618-4014-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

180000203

	Acres in Unit	Percent of Unit	Percent of Escrow
<b><u>Tract #1, 16.96 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 <i>(36.90 Acre Tract)</i>	16.96 acres	21.2000%	
	4.24 acres 1/4 of 16.96 acres	5.3000%	<i>n/a</i>
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) LBR Holdings, LLC, et al. <i>(36.90 Acre Tract)</i>	16.96 acres	21.2000%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.53 acres 1/32 of 16.96 acres	0.6625%	<i>n/a</i>
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.53 acres 1/32 of 16.96 acres	0.6625%	<i>n/a</i>
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.53 acres 1/32 of 16.96 acres	0.6625%	<i>n/a</i>
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.53 acres 1/32 of 16.96 acres	0.6625%	<i>n/a</i>
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.71 acres 1/24 of 16.96 acres	0.8833%	<i>n/a</i>
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.71 acres 1/24 of 16.96 acres	0.8833%	<i>n/a</i>
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.71 acres 1/24 of 16.96 acres	0.8833%	<i>n/a</i>
<i>*Prevailing plaintiff under Case No. 550-13 Awarded 100% of the CBM royalty.</i>			
	Acres Percent	4.2400 5.3000%	

**Tract #2, 9.42 Acres**

**COAL OWNERSHIP**

(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 <i>(85.50 Acre Tract)</i>	9.42 acres	11.7750%	
	2.36 acres 1/4 of 9.42 acres	2.9438%	<i>n/a</i>

**OIL & GAS OWNERSHIP**

(1) LBR Holdings, LLC, et al. <i>(85.50 Acre Tract)</i>	9.42 acres	11.7750%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.29 acres 1/32 of 9.42 acres	0.3680%	<i>n/a</i>
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.29 acres 1/32 of 9.42 acres	0.3680%	<i>n/a</i>

Exhibit EE  
Unit A-33  
Docket # VGOB 13-0618-4014-03  
List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Percent of Escrow
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.29 acres 1/32 of 9.42 acres	0.3680%	<i>n/a</i>
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.29 acres 1/32 of 9.42 acres	0.3680%	<i>n/a</i>
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.39 acres 1/24 of 9.42 acres	0.4906%	<i>n/a</i>
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.39 acres 1/24 of 9.42 acres	0.4906%	<i>n/a</i>
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.39 acres 1/24 of 9.42 acres	0.4906%	<i>n/a</i>
<i>*Prevailing plaintiff under Case No. 550-13 Awarded 100% of the CBM royalty.</i>			
	Acres	2.3550	
	Percent	2.9438%	

**Tract #4, 16.42 Acres****COAL OWNERSHIP**

(1) Muriel R. Short, et al (30 Acre Tract)	16.42 acres	20.5250%	
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(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 Eilenburg 11599 Keran St S. Salem, OH 45681	0.3158 acres 1/52 of 16.42 acres	0.3947%	<i>n/a</i>
(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 146 Oak St Fairborn, OH 45324	0.0789 acres 1/208 of 16.42 acres	0.0987%	<i>n/a</i>
(b.1.6.2.4) Verna Napier 223 W Funderburg Rd Apt 3 Fairborn, OH 45324	0.0789 acres 1/208 of 16.42 acres	0.0987%	<i>n/a</i>
(b.1.11) Opal T. Bowles (aka Opal Rubie) Heirs, Devisees, Successors or Assigns			
(b.1.11.2) Cary Bowles 804 Margaret Dr Kerrville, TX 78028	0.2105 acres 1/78 of 16.42 acres	0.2631%	<i>n/a</i>
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns			
(b.1.13.1) Carolyn S. Gaik 775 Yates Circle Clarksville, GA 30523	0.2105 acres 1/78 of 16.42 acres	0.2631%	<i>n/a</i>

Exhibit EE  
 Unit A-33  
 Docket # VGOB 13-0618-4014-03  
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Percent of Escrow
(b.1.13.2) Lawrence B Snyder 5719 Roscoe Rd Lewisburg, OH 45338	0.2105 acres 1/78 of 16.42 acres	0.2631%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Muriel R. Short, et al (30 Acre Tract)	16.42 acres	20.5250%	
(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.1.2.2) James Ellenburg 11599 Keran St S. Salem, OH 45681	0.3158 acres 1/52 of 16.42 acres	0.3947%	n/a
(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 146 Oak St Fairborn, OH 45324	0.0789 acres 1/208 of 16.42 acres	0.0987%	13.3136%
(b.1.6.2.4) Verna Napier 223 W Funderburg Rd Apt 3 Fairborn, OH 45324	0.0789 acres 1/208 of 16.42 acres	0.0987%	13.3136%
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns			
(b.1.11.2) Cary Bowles 804 Margaret Dr Kerrville, TX 78028	0.2105 acres 1/78 of 16.42 acres	0.2631%	n/a
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns			
(b.1.13.1) Carolyn S. Gaik 775 Yates Circle Clarksville, GA 30523	0.2105 acres 1/78 of 16.42 acres	0.2631%	n/a
(b.1.13.2) Lawrence B Snyder 5719 Roscoe Rd Lewisburg, OH 45338	0.2105 acres 1/78 of 16.42 acres	0.2631%	n/a
	Acres 1.1052 Percent 1.3815%		

**Tract #5, 0.13 Acres**

**COAL OWNERSHIP**

(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (211.80 Acre Tract)	0.13 acres	0.1625%	
	0.033 acres 1/4 of 0.13 acres	0.0406%	n/a

**OIL & GAS OWNERSHIP**

(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	0.13 acres	0.1625%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.004 acres 1/32 of 0.13 acres	0.0051%	n/a

Exhibit EE  
 Unit A-33  
 Docket # VGOB 13-0618-4014-03  
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Percent of Escrow
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.004 acres 1/32 of 0.13 acres	0.0051%	n/a
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.004 acres 1/32 of 0.13 acres	0.0051%	n/a
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.004 acres 1/32 of 0.13 acres	0.0051%	n/a
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.005 acres 1/24 of 0.13 acres	0.0068%	n/a
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.005 acres 1/24 of 0.13 acres	0.0068%	n/a
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.005 acres 1/24 of 0.13 acres	0.0068%	n/a

\*Prevailing plaintiff under Case No. 550-13  
 Awarded 100% of the CBM royalty.

Acres 0.0325  
 Percent 0.0406%

Tract #6, 4.90 Acres

COAL OWNERSHIP

(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (44.40 Acre Tract)	4.90 acres 1.23 acres 1/4 of 4.90 acres	6.1250% 1.5313%	n/a
---	---	--------------------	-----

OIL & GAS OWNERSHIP

(1) LBR Holdings, LLC, et al. (44.40 Acre Tract)	4.90 acres	6.1250%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.15 acres 1/32 of 4.90 acres	0.1914%	n/a
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.15 acres 1/32 of 4.90 acres	0.1914%	n/a
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.15 acres 1/32 of 4.90 acres	0.1914%	n/a
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.15 acres 1/32 of 4.90 acres	0.1914%	n/a
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.20 acres 1/24 of 4.90 acres	0.2552%	n/a
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.20 acres 1/24 of 4.90 acres	0.2552%	n/a
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.20 acres 1/24 of 4.90 acres	0.2552%	n/a

\*Prevailing plaintiff under Case No. 550-13  
 Awarded 100% of the CBM royalty.

Acres 1,2250  
 Percent 1.5313%  
 Page 4 of 5

Exhibit EE  
 Unit A-33  
 Docket # VGOB 13-0618-4014-03  
 List of Respondents with Royalty Split Agreements/Court Orders/HB2058

	Acres in Unit	Percent of Unit	Percent of Escrow
<b>Tract #7, 20.79 Acres</b>			
<b>COAL OWNERSHIP</b>			
(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (81.80 Acre Tract)	20.79 acres  5.20 acres 1/4 of 20.79 acres	25.9875%  6.4969%	  <i>n/a</i>
<b>OIL &amp; GAS OWNERSHIP</b>			
(1) LBR Holdings, LLC, et al. (81.80 Acre Tract)	20.79 acres	25.9875%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.65 acres 1/32 of 20.79 acres	0.8121%	<i>n/a</i>
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.65 acres 1/32 of 20.79 acres	0.8121%	<i>n/a</i>
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.65 acres 1/32 of 20.79 acres	0.8121%	<i>n/a</i>
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.65 acres 1/32 of 20.79 acres	0.8121%	<i>n/a</i>
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.87 acres 1/24 of 20.79 acres	1.0828%	<i>n/a</i>
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.87 acres 1/24 of 20.79 acres	1.0828%	<i>n/a</i>
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.87 acres 1/24 of 20.79 acres	1.0828%	<i>n/a</i>
<i>*Prevailing plaintiff under Case No. 550-13 Awarded 100% of the CBM royalty.</i>			
	Acres	5.1975	
	Percent	6.4969%	
	<b><u>TOTAL</u></b>		
	Acres in Unit	14.1552	
	Percentage of Unit	17.6940%	

INSTRUMENT 180000203  
 RECORDED IN THE CLERK'S OFFICE OF  
 BUCHANAN COUNTY CIRCUIT COURT ON  
 January 29, 2018 AT 04:06 PM  
 BEVERLY S. TILLER, CLERK  
 RECORDED BY: GGB