

110000690

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

**CODE OF VIRGINIA
§ 45.1-361.26**

VIRGINIA:

BEFORE THE GAS AND OIL BOARD

APPLICANTS:

CNX Gas Company LLC on behalf of Hurt
McGuire Land Trust and Martha Stilwell in
Tract 2C.

DOCKET NO.

93-0420-0354-01

RELIEF SOUGHT:

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
Action: Amending Prior Orders Affecting Drilling U-11,
Tracts 1, 2 & 4.
(Referenced herein as "the Subject Drilling Unit")

Location: Buchanan County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit U-11 by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling

REPORT OF THE BOARD

FINDINGS AND ORDER

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on January 18, 2011 at the Russell County Government Complex, Conference Center, and 139 Highland Drive, Lebanon, VA.
2. **Appearances:** Mark A. Swartz, Esq. Swartz Law Offices PLLC appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it does not have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it does not have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, the Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1 (a) On March 24, 1994 the Board executed its order pooling interests in the Subject Drilling Unit. The Pooling Order was filed with the Clerk of the Court of Buchanan County on March 31, 1994 in Deed Book 420, Page 247 to 261.
(b) On June 7, 1993 the board executed its Supplemental Order. The Supplemental Order was recorded with the Clerk of the Court of Buchanan County on June 10, 1993 in Deed Book 409, Page 397 to 403.
- 4.2 To the extent claims to the gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Harrison Wyatt, LLC and the gas interest ownership of CNX Gas Company, LLC in Tract 1; the coal interests of Harrison Wyatt, LLC and the gas interests of Christopher Wright, Nicholas Patella, Ronald Allen, Melissa Knepp in Tract 2 and the coal ownership interests of Harrison Wyatt, LLC and the gas ownership interest of Morgan Living Trust and Naaman J. Morgan Trust in Tract 4 in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding a portion of Tract 1, 2 and 4, a copy of which is attached hereto and made a part hereof, states under oath that Harrison Wyatt, LLC and CNX Gas Company, LLC; Harrison Wyatt, LLC and Christopher Wright, Nicholas Patella, Ronald Allen, Melissa Knepp and Harrison Wyatt, LLC and Morgan Living Trust and Naaman J. Morgan Trust have entered into an agreement with regards to Tract 1, 2 and 4 and that by the terms of the agreements, escrow regarding these individual conflicting claims detailed herein is no longer required for these parties.
- 4.4 The Unit Operator gave notice to Harrison Wyatt, LLC and the applicants that the Board would consider its disbursement authorization at its hearing on January 18, 2011 and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to Tract 1, a portion of tract 2 and Tract 4 identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to Tract 1, a portion of Tract 2 and Tract 4 interests identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.
- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

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

- 5.2 Applicant has certified and represented to the Board that: Harrison Wyatt, LLC and CNX Gas Company, LLC; Harrison Wyatt, LLC and Christopher Wright, Nicholas Patella, Ronald Allen, Melissa Knepp and Harrison Wyatt, LLC and Morgan Living Trust and Naaman J. Morgan Trust

(1) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

5. **Relief Granted:**

VGOB Approved Disbursement
VGOB-93-0420-0354-01
U-11

			Frac Interest	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
	Table 1						
Item	Tract	Disbursement Table					
		Totals				57,45000	
		Harrison-Wyatt LLC		18.6900			
1	1	Harrison-Wyatt LLC / PO Box 11000 / Danville, VA 24543	1	18.6900	50.0%	9.345	16.2663%
		Morgan Living Trust et al					
2	1	CNX Gas Company LLC / 2481 John Nash Blvd. / Bluefield, WV 24701	1	18.6900	50.0%	9.345	16.2663%
		Harrison-Wyatt LLC		27.4000			
3	2	Harrison-Wyatt LLC / PO Box 11000 / Danville, VA 24543		3.5392	50.0%	1.770	3.0802%
		W. W. Baldwin Heirs					
4	2	Christopher Wright, 86 Atlantic Drive, Key Largo, FL 33037	1/240	0.1142	50.0%	0.057	0.0994%
5	2	Nicholas Patella, 2217 Lime Oak Court, Sarasota, FL 34232	1/24	1.1417	50.0%	0.571	0.9936%
		Ronald Allen, 236 W. Cornelius Circle, Sarasota, FL 34232	1/24	1.1417	50.0%	0.571	0.9936%
5	2	Melissa Knepp, 5 Hannu Ct. Greer, SC 29651	1/24	1.1417	50.0%	0.571	0.9936%
		Harrison-Wyatt LLC		11.3600			
6	4	Harrison-Wyatt LLC / PO Box 11000 / Danville, VA 24543		11.3600	50.0%	5.680	9.8869%
		Morgan Living Trust					
7		Morgan Living Trust, Ethel Morgan 1093 Poe Town St., Grundy, VA 24614	5/6	9.4667	50.0%	4.733	8.2390%
8	4	Naaman J. Morgan Trust, Carl Puckett, Trustee, 513 State St., Bristol, VA 24203	1/6	1.8933	50.0%	0.947	1.6478%

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

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

6. **Conclusion:**

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

7. **Appeals:**

Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

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

DONE AND EXECUTED this 4th day of March, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert
Bradley C. Lambert, Chairman

DONE AND PERFORMED this 4th day of March, 2011, by an Order of this Board.

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

COMMONWEALTH OF VIRGINIA)
COUNTY OF RUSSELL)

Acknowledged on this 4th day of March, 2011, personally before me a notary public in and for the Commonwealth of Virginia, appeared **Bradley C. Lambert**, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

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

My commission expires: 09/30/2013



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 93-0420-0354-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 1, 2, & 4
(Royalties currently being paid under
VP8SGU3, VGOB 06-0321-1598)

HEARING DATE: January 25, 2011

DRILLING UNIT: U-11

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. Petitioner and its counsel: Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, SWARTZ LAW OFFICES, PLLC, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. Relief sought: (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 1, 2, & 4 as depicted upon the annexed Exhibit A-1. (Royalties currently being paid under VP8SGU3, VGOB 06-0321-1598)

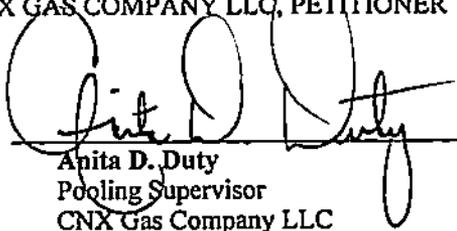
3. Legal Authority: Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of well(s): Coalbed methane.

5. Factual basis for relief requested: Harrison-Wyatt LLC and CNX Gas Company, LLC; Harrison-Wyatt LLC and W.W. Baldwin Heirs including Christopher E. Wright, Nicholas P. Patella, Ronald C. Allen, and Melissa L. Knepp; Harrison-Wyatt LLC and Morgan Living Trust, et al including Morgan Living Trust and Naaman J. Morgan Trust have entered into a royalty split agreement. The Annexed Exhibit A-1 specifies how said royalties are to be divided and paid.

6. Attestation: The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: 

Anita D. Duty
Pooling Supervisor
CNX Gas Company LLC
2481 John Nash Blvd.
Bluefield, West Virginia 24701

Latitude 37° 12' 30"
W. Clyde Dennis Jr.

Wayles R. Harrison, Jr. & London R. Wyatt, Jr. - Trustees
(Big Axe Tr. 30 (23))
(coal)

William B. Dennis, Robert J. Dennis, Buchanan Realty
Limited Partnership, Garden Realty Corporation, Ruth
Banton Wills, Mary Wiker Smith, Betty Wiker Smith
(coal, oil & gas)

Coal Lessees:
Island Creek Coal Company
Jewell Smokeless Coal Corporation
PERMAC, INC.
27.40 Ac. 34.25%

Coal Lessees:
Island Creek Coal Company
Jewell Smokeless Coal Corporation
Koch Carbon, Inc.

W. W. Baldwin Heirs
(Oil, Gas & Surface)

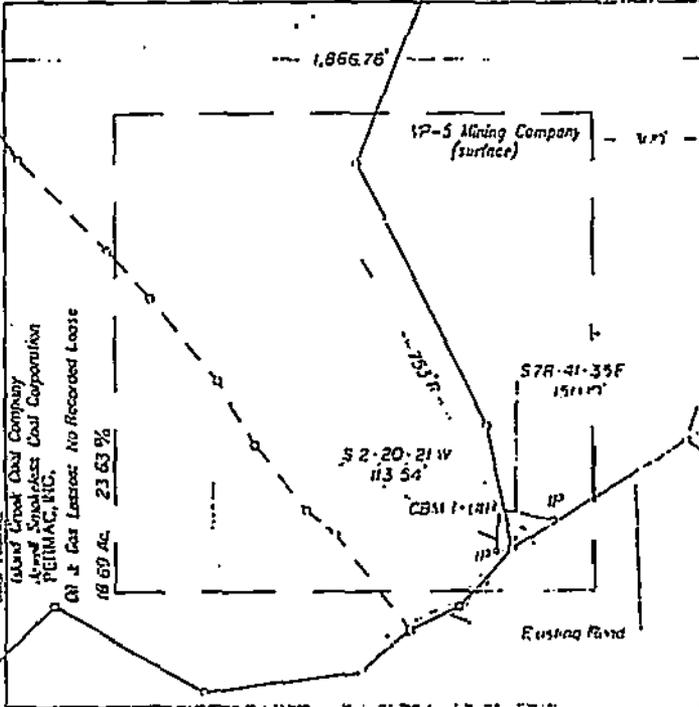
Oil & Gas Lessee: Consolidation Coal Co.
Columbia Gas Transmission Corp.
22.55 Ac. 28.12%

Wayles R. Harrison, Jr. & London R. Wyatt, Jr. - Trustees
(Big Axe Tr. 30 (23))
(coal)

Island Creek Coal Company (oil & gas)

IP-5 Mining Company (surface)

Coal Lessees:
Island Creek Coal Company
Jewell Smokeless Coal Corporation
PERMAC, INC.
Oil & Gas Lessee: No Record Lease
18.69 Ac. 23.63%



Longitude 82° 02' 30"

Wayles R. Harrison, Jr. & London R. Wyatt, Jr. - Trustees
(Big Axe Tr. 29 (31-A))
(coal)

F. E. Verman, Jr. et al
(surface, oil & gas)

Coal Lessees:
Island Creek Coal Company
Jewell Smokeless Coal Corporation
PERMAC, INC.

Oil & Gas Lessee:
OXY USA, INC.
11.36 Ac. 14.20%

Well Coordinates: (Island Creek Coal Company)
N 22367.42 E 28171.26

Coolbed Methane Lessee: OXY USA, INC.

COMPANY OXY USA, INC.
ADDRESS Drawer Q, Richlands, Virginia 24641
WELL NAME CBM 1 - 011
FARM W.R. Harrison & L.R. Wyatt TRACT B.A. 30(23)
LEASE NO. _____ ELEVATION 2480.62
ACRES 900 QUADRANGLE Vansant
COUNTY Buchanan DISTRICT Grundy
REG. ENGINEER _____ REG. NO. _____
CERT. LAND SURVEYOR X CERT. NO. 1355
FILE NO. _____ DRAWING NO. _____
DATE December 6, 1990 SCALE 1" = 400'

This plot is X new _____ updated
This plot X is _____ is not based on a mine
coordinate system established for the areas
of the well locations.

EXHIBIT "A" Page I VCOB-0521-125
FORM DGO-GO-5

WELL LOCATION MAP

Well No. CBM 1 - 011

+ Denotes Location of Well on United States
Topographic Maps, Scale 1 to 24,000, Latitude
and Longitude Lines Being Represented by
Border Lines as Shown.

CERTIFICATION OF WELL PLAT

I, the undersigned hereby certify that this
plat is correct to the best of my knowledge
and belief, and shows all the information
required by law and the regulations of the
VA Well Review Board.

Glenn E. Phillips

Registered Engineer or Certified
Land Surveyor in Charge

Exhibit E
Oakwood Field Unit U-11/B
VGOB-93-0420-0354
List of Conflicting Owners/Claimants that Require Escrow

	in Unit	Net Interest Unit	Division of Interest in	
			1-West 25.4420%	2-West 3.2580%
<u>TRACT #2 - 27.40 acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Harrison-Wyatt, LLC (Big Ax Tract 23 - 900.00 acres) P.O. Box 11000 Danville, VA 24543	27.40 acres	34.2500%	8.7139%	1.1159%
<u>OIL & GAS OWNERSHIP</u>				
W.W. Baldwin Heirs, Devisees, Successors or Assigns, et al. (100 Acre Tract)	27.40 acres	34.2500%	8.7139%	1.1159%
(1) Sara Ida Baldwin Looney Heirs, Devisees, Successors or Assigns				
(a) Grace Looney Lutes Heirs, Devisees, Successors or Assigns				
(a.1) David William Lutes 870 Walnut Dr. Tuscaloosa, AL 35405	0.34 acres 1/80 of 27.40 acres	0.4281%	0.1089%	0.0139%
(a.2) Betty Lutes Spencer 8639 Inverness Lane Tuscaloosa, AL 35405	0.34 acres 1/80 of 27.40 acres	0.4281%	0.1089%	0.0139%
(b) William Robert Looney Heirs, Devisees, Successors or Assigns				
(b.1) Jimmy Looney Heirs, Devisees, Successors or Assigns				
(b.1.1) James E. Looney, Jr 1850 Cotton Court Montgomery, AL 36110	0.09 acres 1/320 of 27.40 acres	0.1070%	0.0272%	0.0035%
(b.1.2) Paul Brian Looney 3010 Brewton St. Montgomery, AL 36109	0.09 acres 1/320 of 27.40 acres	0.1070%	0.0272%	0.0035%
(b.2) Rebecca Looney Sloane 505 Birch St. Montgomery, AL 36117	0.17 acres 1/160 of 27.40 acres	0.2141%	0.0545%	0.0070%
(b.3) William Robert Looney, Jr. Heirs, Devisees, Successors or Assigns				
(b.3.1) Virginia H. Looney, w 610 Boxwood Rd. Prattville, AL 36067	0.17 acres 1/160 of 27.40 acres	0.2141%	0.0545%	0.0070%
(b.4) Brenda L. Young 3208 Little John Dr. Montgomery, AL 36109-3544	0.17 acres 1/160 of 27.40 acres	0.2141%	0.0545%	0.0070%
(c) Bascom Looney Heirs, Devisees, Successors or Assigns				

Exhibit E
 Oakwood Field Unit U-11/B
 VGOB-93-0420-0354
 List of Conflicting Owners/Claimants that Require Escrow

	in Unit	Net Interest Unit	Division of Interest In	
			1-West 25.4420%	2-West 3.2580%
(c.1) Phyllis Vance Heirs, Devisees, Successors or Assigns				
(c.1.1) Patricia L. Hagemar	0.69 acres	0.8563%	0.2178%	0.0279%
Apt. 12 B-605 Furnis	1/40 of 27.40 acres			
Selma, AL 36701				
(d) Fullen Sherman Looney Heirs, Devisees, Successors or Assigns				
(d.1) Onie Dell Etheridge Looney (wife) Heirs, Devisees, Successors or Assigns				
(d.1.1) Sherman Looney He (<i>Interest left to his two brothers, Scotty Looney & William Samuel Looney</i>) Successors or Assigns				
(d.1.2) Scotty Looney	0.34 acres	0.4281%	0.1089%	0.0139%
1283 Eagle Park Rd.	1/80 of 27.40 acres			
Birmingham, AL 35242				
(d.1.3) William Samuel Loo	0.34 acres	0.4281%	0.1089%	0.0139%
215 Norwick Forest C	1/80 of 27.40 acres			
Alabaster, AL 35007				
(e) Harvey Hooker Looney Heirs, Devisees, Successors or Assigns				
(e.1) Terry Looney Heirs, Devisees, Successors or Assigns				
(e.1.1) Tommy Looney Heirs, Devisees, Successors or Assigns				
(e.1.1.1) Karen Looney	0.69 acres	0.8563%	0.2178%	0.0279%
108 Blythe La	1/40 of 27.40 acres			
Prattville, AL 36066				
(2) William "Otis" M. Baldwin Heirs, Devisees, Successors or Assigns				
(a) Gertrude Baldwin Wright (wife) Heirs, Devisees, Successors or Assigns				
(a.1) William Otis Baldwin, Jr. Heirs, Devisees, Successors or Assigns				
(a.1.1) Lenore Baldwin (Jr.'s wife) Heirs, Devisees, Successors or Assigns				
(a.1.1.1) Susan B. Gra	0.57 acres	0.7135%	0.1815%	0.0232%
1229 Thomp	1/48 of 27.40 acres			
Bluefield, WV 24701				
(a.1.1.2) Cynthia B. Re	0.57 acres	0.7135%	0.1815%	0.0232%
3310 Maywor	1/48 of 27.40 acres			
Ona, WV 25545				
(a.2) Mary E. Shoemaker	1.14 acres	1.4271%	0.3631%	0.0465%
175 Camellia Lane	1/24 of 27.40 acres			
Peil City, AL 35128				

Exhibit E
Oakwood Field Unit U-11/B
VGOB-93-0420-0354
List of Conflicting Owners/Claimants that Require Escrow

	in Unit	Net Interest Unit	Division of Interest in		
			1-West 25.4420%	2-West 3.2580%	
(a.3) Ruth B. Mihall Heirs, Devisees, Successors or Assigns					
(a.3.1) Ruth B. Mihall Trust	1.14 acres	1.4271%	0.3631%	0.0465%	
1607 Cody Drive	1/24 of 27.40 acres				
Silver Spring, MD 20902					
<i>(Documentation Pending)</i>					
(3) J.W.W. Baldwin Heirs, Devisees, Successors or Assigns					
(a) John Baldwin (deceased)	<i>John Baldwin's Interest purchased by Donald Stass Baldwin</i>				
(b) Donald Stass Baldwin	0.47 acres	0.5851%	0.1489%	0.0191%	
P.O. Box 97	41/2400 of 27.40 acres				
Vansant, VA 24656					
(c) Paul Edwin Baldwin	0.24 acres	0.2997%	0.0762%	0.0098%	
PO Box 97	7/800 of 27.40 acres				
Vansant, VA 24656					
(d) Harold W. Baldwin	0.24 acres	0.2997%	0.0762%	0.0098%	
10338 Ivy Ridge Rd.	7/800 of 27.40 acres				
Bent Mountain, VA 24059					
(e) Donald (Doug) MacArthur Baldwin	0.24 acres	0.2997%	0.0762%	0.0098%	
PO Box 1912	7/800 of 27.40 acres				
Grundy, VA 24614					
(f) Virginia Pauline Baldwin-Fleming	0.24 acres	0.2997%	0.0762%	0.0098%	
13224 Fountain Street Rd.	7/800 of 27.40 acres				
Sherwood, OH 43556					
(g) Effie Sue Baldwin Harding	0.24 acres	0.2997%	0.0762%	0.0098%	
PO Box 3883	7/800 of 27.40 acres				
Wise, VA 24293					
(h) Harman Hasenger Baldwin Heirs, Devisees, Successors or Assigns					
(h.1) Lucy Baldwin (wife)	0.25 acres	0.3140%	0.0799%	0.0102%	
31 W. Lamington Rd.	11/1200 of 27.40 acres				
Hampton, VA 23669					
(i) William J. Baldwin	0.25 acres	0.3140%	0.0799%	0.0102%	
5210 14th St. W. Lot 57	11/1200 of 27.40 acres				
Bradenton, FL 34207					
(j) Carson D. Baldwin					
(j.1) Carson D. Baldwin, Jr.	0.06 acres	0.0785%	0.0200%	0.0026%	
2514 57th Street	11/4800 of 27.40 acres				
Sarasota, FL 34236					
(j.2) Joanne Baldwin Wilson	0.06 acres	0.0785%	0.0200%	0.0026%	
1000 13th Street North	11/4800 of 27.40 acres				
Wytheville, VA 24382					
(j.3) William Douglas Baldwin	0.06 acres	0.0785%	0.0200%	0.0026%	
3325 Bradenton Road	11/4800 of 27.40 acres				
Sarasota, FL 34234					
(j.4) Larry Allen Baldwin	0.06 acres	0.0785%	0.0200%	0.0026%	12/2/2010

Exhibit E
Oakwood Field Unit U-11/B
VGOB-93-0420-0354
List of Conflicting Owners/Claimants that Require Escrow

	In Unit	Net Interest Unit	Division of Interest in	
			1-West 25.4420%	2-West 3.2580%
869 South Orange Avenue #/ Sarasota, FL 34236	11/4800 of 27.40 acres			
(k) Curtis E. Baldwin Heirs, Devisees, Successors or Assigns (Deceased - no issue)				
(l) Gladys B. Smith Heirs, Devisees, Successors or Assigns				
(l.1) Geraldine Smith Mosier 791 E. Northfield Blvd. Murfreeboro, TN 37130	0.25 acres 11/1200 of 27.40 acres	0.3140%	0.0799%	0.0102%
(m) Flora M. Smith 118 Avondale Dr. Smyrna, TN 37167	0.25 acres 11/1200 of 27.40 acres	0.3140%	0.0799%	0.0102%
(n) Trula B. Ryan 7608 Sunny Bank Dr. Richmond, VA 23229	0.25 acres 11/1200 of 27.40 acres	0.3140%	0.0799%	0.0102%
(o) Amelia A. Shoup 14441 Marsh Pike Hagerstown, MD 21742	0.25 acres 11/1200 of 27.40 acres	0.3140%	0.0799%	0.0102%
(4) Alta Baldwin Hahlbeck Heirs, Devisees, Successors or Assigns				
(a) Virginia Hahlbeck Inness 610 224th Rd. Milford, NE 68405	3.43 acres 1/8 of 27.40 acres	4.2813%	1.0892%	0.1395%
(5) Hobert McKinley Baldwin Heirs, Devisees, Successors or Assigns				
(a) Hobert M. Baldwin, Jr. Heirs, Devisees, Successors or Assigns				
(a.1) Karen Baldwin 193-9851 Meadowglen Lane Houston, TX 77042	0.23 acres 1/120 of 27.40 acres	0.2854%	0.0726%	0.0093%
(a.1.1) Hobert M. Baldwin, III Heirs, Devisees, Successors or Assigns				
(a.1.1.1) Damon Sun 2312 So. Bri Sarasota, FL 34239	0.07 acres 1/420 of 27.40 acres	0.0815%	0.0207%	0.0027%
(a.1.2) Michela Baldwin PO Box 1912 Stonington, ME 04681	0.07 acres 1/420 of 27.40 acres	0.0815%	0.0207%	0.0027%
(a.1.3) Sarah Ann Baldwin Rt. 1, 1870 Rum Islar High Springs, FL 32655-1870	0.07 acres 1/420 of 27.40 acres	0.0815%	0.0207%	0.0027%

Exhibit E
Oakwood Field Unit U-11/B
VGOB-93-0420-0354
List of Conflicting Owners/Claimants that Require Escrow

		In Unit	Net Interest Unit	Division of Interest in	
				1-West 25.4420%	2-West 3.2580%
(a.1.4)	Joseph S. Baldwin PO Box 443 Anna Marie, FL 34216	0.07 acres 1/420 of 27.40 acres	0.0815%	0.0207%	0.0027%
(a.1.5)	David Carr Baldwin 1859 Manitoba Court Middleburg, FL 32068	0.07 acres 1/420 of 27.40 acres	0.0815%	0.0207%	0.0027%
(a.1.6)	Jeremiah James Baldwin <i>(Deceased - no heirs - distribute interest to siblings)</i>				
(a.1.7)	Elizabeth Josephine I 8209 62nd St., Court Sarasota, FL 34243	0.07 acres 1/420 of 27.40 acres	0.0815%	0.0207%	0.0027%
(a.1.8)	James Michael Baldw 13104 Woodward Dri Hudson, FL 34667	0.07 acres 1/420 of 27.40 acres	0.0815%	0.0207%	0.0027%
(b)	Sarah Ann Baldwin Carsky 5613 Sheffield Green Circle Sarasota, FL 34243	0.69 acres 1/40 of 27.40 acres	0.8563%	0.2178%	0.0279%
(c)	Edward O. Baldwin Heirs, Devisees, Successors or Assigns				
(c.1)	Helen Ann Baldwin 72 Tall Trees Ct. Sarasota, FL 34232-1965	0.69 acres 1/40 of 27.40 acres	0.8563%	0.2178%	0.0279%
(d)	William J. Baldwin 3400 Lebanon Pike Murfreesboro, TN 37129	0.69 acres 1/40 of 27.40 acres	0.8563%	0.2178%	0.0279%
(e)	Margaret O. Baldwin Wright Heirs, Devisees, Successors or Assigns				
(e.2)	Virginia (Ginger) Margaret W 2037 Union Place Columbia, TN 38401	0.11 acres 1/240 of 27.40 acres	0.1427%	0.0363%	0.0046%
(e.3)	Leonard A. Wright 909 Joel Creek Blvd. Franklin, TN 37064	0.11 acres 1/240 of 27.40 acres	0.1427%	0.0363%	0.0046%
(e.4)	Douglas L. Wright, Jr. Summer Terrace Apt. B-4, C Summertown, TN 38483	0.11 acres 1/240 of 27.40 acres	0.1427%	0.0363%	0.0046%
(e.5)	Theresa Wright Brown 120 W. Oak Hills Dr. Florence, AL 35630	0.11 acres 1/240 of 27.40 acres	0.1427%	0.0363%	0.0046%
(e.6)	Darren Miller Wright 1609 Highland Ave. Columbia, TN 38401	0.11 acres 1/240 of 27.40 acres	0.1427%	0.0363%	0.0046%
(6)	Effie Baldwin Hagy Heirs, Devisees, Successors or Assigns				

Exhibit E
Oakwood Field Unit U-11/B
VGOB-93-0420-0354
List of Conflicting Owners/Claimants that Require Escrow

	in Unit	Net Interest Unit	Division of Interest in	
			1-West 25.4420%	2-West 3.2580%
(a) Dorothy Riggs Atkins Heirs, Devisees, Successors or Assigns				
(a.1) Jane Mundie 8260 Burr Dr. Mechanicsville, VA 23111-1416	1.71 acres 1/16 of 27.40 acres	2.1406%	0.5446%	0.0697%
(b) Edith Ratliff Heirs, Devisees, Successors or Assigns				
(b.1) Dorothy May Stacy 4509 Green Castle Rd. Louisville, TN 37777	0.43 acres 1/64 of 27.40 acres	0.5352%	0.1362%	0.0174%
(b.2) Elizabeth June Pierce PO Box 345 Amelia, VA 23002	0.43 acres 1/64 of 27.40 acres	0.5352%	0.1362%	0.0174%
(b.3) Shirley Ruth Day 2304 W. Park Dr. Paduch, KY 42001	0.43 acres 1/64 of 27.40 acres	0.5352%	0.1362%	0.0174%
(b.4) Sue R. McClanahan 22836 Osprey Ridge Rd. Bristol, VA 24202	0.43 acres 1/64 of 27.40 acres	0.5352%	0.1362%	0.0174%
(7) Susie Baldwin Looney Heirs, Devisees, Successors or Assigns				
(a) Clair Looney Shooter Heirs, Devisees, Successors or Assigns				
(a.1) Eugene (Gene) Anthony Sh 3109 High Meadows Dr. Abilene, TX 79605-6714	3.43 acres 1/8 of 27.40 acres	4.2813%	1.0892%	0.1395%

Exhibit EE
Unit: U-11
VGOB-93-0420-0354-01
List of Conflicting Owners/Claimants with Royalty Split Agreements

	in Unit	Net Interest Unit	Division of Interest in		Percent of Escrow
			1-West 25.4420%	2-West 3.2580%	
<u>TRACT #1 - 18.69 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Harrison-Wyatt, LLC <i>(Big Ax Tract 23 - 900.00 acres)</i> P.O. Box 11000 Danville, VA 24543	18.69 acres	23.3625%	5.9439%	0.7612%	16.2663%
<u>OIL & GAS OWNERSHIP</u>					
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, VA 24701 <i>(Previously Island Creek Coal Company)</i>	18.69 acres	23.3625%	5.9439%	0.7612%	16.2663%
<u>TRACT #2 - 27.40 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Harrison-Wyatt, LLC <i>(Big Ax Tract 23 - 900.00 acres)</i> P.O. Box 11000 Danville, VA 24543	27.40 acres	34.2500%	8.7139%	1.1159%	3.0802%
<u>OIL & GAS OWNERSHIP</u>					
W.W. Baldwin Heirs, Devisees, Successors or Assigns, et al. <i>(100 Acre Tract)</i>	27.40 acres	34.2500%	8.7139%	1.1159%	
(5) Hobert McKinley Baldwin Heirs, Devisees, Successors or Assigns					
(e) Margaret O. Baldwin Wright Heirs, Devisees, Successors or Assigns					
(e.1) Christopher E. Wright 86 Atlantic Drive Key Largo, FL 33037	0.11 acres 1/240 of 27.40 acres	0.1427%	0.0363%	0.0046%	0.0994%
(8) Flora Baldwin Beavers Huber Heirs, Devisees, Successors or Assigns					
(a) Lynn Patella Heirs, Devisees, Successors or Assigns					
(a.1) Nicholas P. Patella 2217 Lime Oak Court Sarasota, FL 34232-6813	1.14 acres 1/24 of 27.40 acres	1.4271%	0.3631%	0.0465%	0.9936%
(a.2) Ronald C. Allen 236 W. Cornelius Circle Sarasota, FL 34232	1.14 acres 1/24 of 27.40 acres	1.4271%	0.3631%	0.0465%	0.9936%
(a.3) Melissa L. Knepp 5 Hannu Ct. Greer, SC 29651	1.14 acres 1/24 of 27.40 acres	1.4271%	0.3631%	0.0465%	0.9936%

Exhibit EE
Unit: U-11
VGOB-93-0420-0354-01
List of Conflicting Owners/Claimants with Royalty Split Agreements

	in Unit	Net Interest Unit	Division of Interest in		Percent of Escrow
			1-West 25.4420%	2-West 3.2580%	
<u>TRACT #4 - 11.36 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Harrison-Wyatt, LLC (Big Ax Tract 31 - 450.00 acres) P.O. Box 11000 Danville, VA 24543	11.36 acres	14.2000%	3.6128%	0.4626%	9.8869%
<u>OIL & GAS OWNERSHIP</u>					
(1) Morgan Living Trust, et al. (N. Morgan, et al.) (ICCC Tr. 215 - 450.00 Acre Tract)	11.36 acres	14.2000%	3.6128%	0.4626%	
(a) Morgan Living Trust Ethel V. Morgan 1093 Poe Town St. Grundy, VA 24614-9613	9.47 acres 5/6 of 11.36 acres	11.8333%	3.0106%	0.3855%	8.2390%
(b) Naaman J. Morgan Trust Carl Puckett, Trustee 513 State Street Bristol, VA 24203-0129	1.89 acres 1/6 of 11.36 acres	2.3667%	0.6021%	0.0771%	1.6478%

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Exhibit A-1
Tract-by-Tract Escrow Calculation
Account Balances as of 10/31/10
Unit U11
VGOB 93-0420-0354-01
Acres Escrowed: 57.450000

Owners	Tract #	Acres	Owner Acres	Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$4,564.17
Harrison-Wyatt LLC - Coal	1	18.89			16.2663%	\$742.42
CNX Gas Company LLC - O&G					16.2663%	\$742.42
Harrison-Wyatt LLC - Coal	2	27.40000			3.0802%	\$140.59
W.W. Baldwin Heirs - O&G		27.40				
Christopher E. Wright			0.11	1/240	0.0994%	\$4.54
Nicholas P. Patella			1.14	1/24	0.9936%	\$45.35
Ronald C. Allen			1.14	1/24	0.9936%	\$45.35
Melissa L. Knepp			1.14	1/24	0.9936%	\$45.35
Harrison-Wyatt LLC - Coal	4	11.36			9.8869%	\$451.25
Morgan Living Trust, et al - O&G						
Morgan Living Trust			9.47	5/6	8.2390%	\$376.04
Naaman J. Morgan Trust			1.89	1/6	1.6478%	\$75.21

INSTRUMENT #110000670
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MARCH 22, 2011 AT 02:16PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGE