

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 93-0420-0358-03

ELECTIONS: UNIT N-40 (*Wells 608, 611, N40A*)  
(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 June 20, 2015 which was recorded at Document 150001058 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on July 6, 2015, (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 N-40;

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: Escrow Agent 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.

150001666

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.

150001666

DONE AND EXECUTED this 23 day of September, 2015 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 23 day of September, 2015 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 23 day of September, 2015, 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 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.

  
Sally Settle Ketron, Notary Public  
7623162

My Commission expires: January 31, 2019



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 N-40  
VGOB 93-0420-0358-03 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 LLC, 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 June 20, 2015, 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 July 6, 2015;

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:

*None*

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 June 20, 2015;

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:

*None*

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:

None

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.

See attached Exhibit EE

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 2nd day of September, 2015.

Anita D. Duty  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

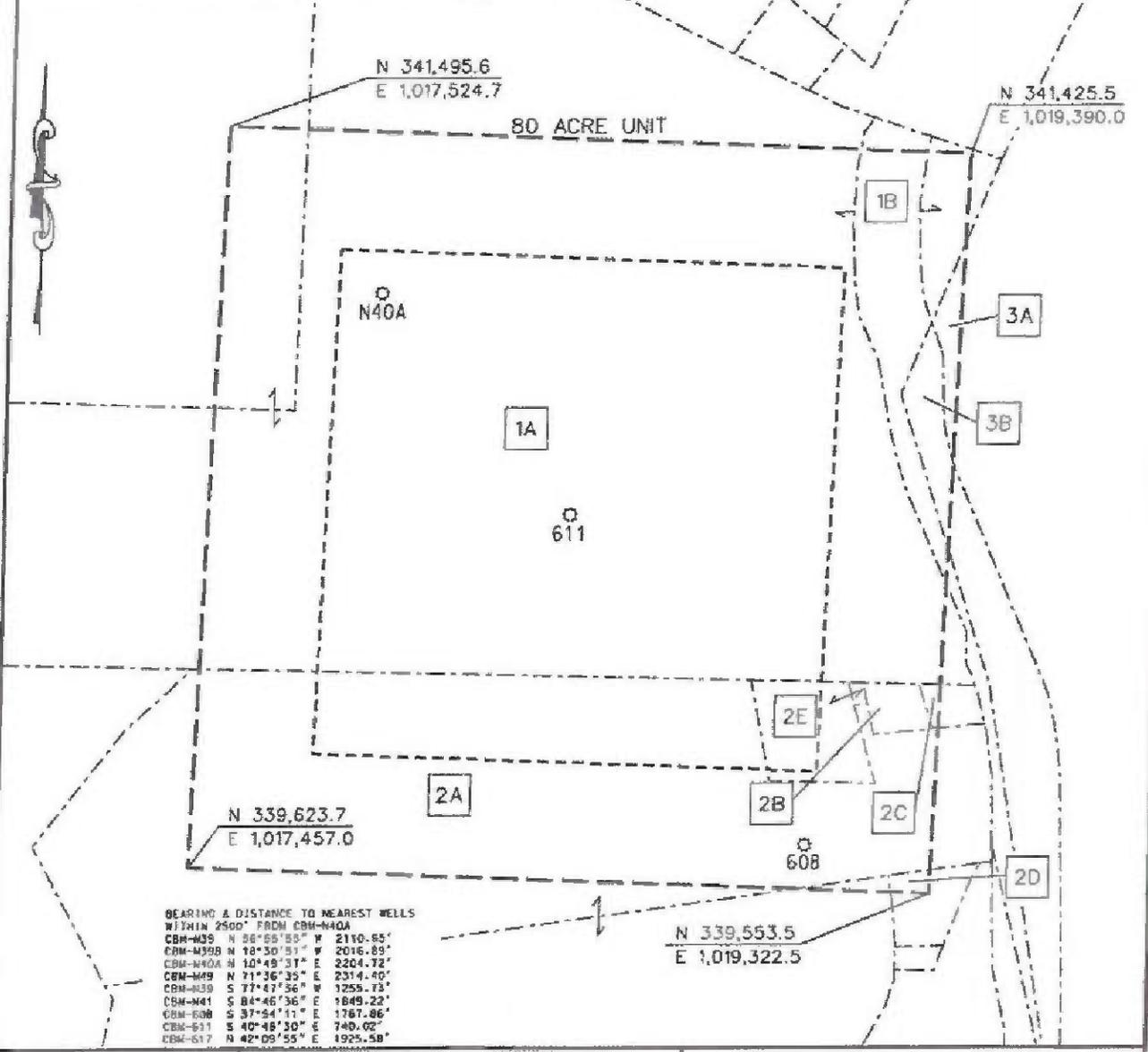
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 2nd day of September, 2015.

Melissa Cumbow  
Notary

My commission expires: April 9, 2023



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.



☉ CBM WELL  
⊙ PROPOSED CBM WELL

EXHIBIT A  
OAKWOOD FIELD  
UNIT N40  
FORCE POOLING  
VGOB-93-0420-0358-03

Company CNX Gas Company LLC Well Name and Number UNIT N40

Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_

County BUCHANAN District GARDEN

This plot is a new plat  ; an updated plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

Licensed Professional Engineer or L

JAMES R. DILLS, Jr.  
Lic. No. 048409

PROFESSIONAL ENGINEER

JEWELL BLIDGE  
DN: c=US, o=IdenTrust ACES  
Business Representative, ou=D.R.  
PRICE ENGINEERING AND LAND  
SURVEYING INC PC, cn=James R  
Dills Jr.,  
0.9.2342.15200308.15001-A0109  
690000012E01701153000027EA  
Date: 2015.04.03 07:22:42 -04'00'

**CNX Gas Company LLC**  
**UNIT N40**  
**Tract Identifications**

1. P. J. Brown Heirs, et al (573.80 Acre Tract) – All Minerals  
 CONSOL Buchanan Mining Company LLC – Coal below Drainage Leased  
 Jewell Smokeless Coal Corporation – Coal above Drainage Leased  
 Dismal Processing, LLC – Lessee (Coal Refuse Only)  
 CNX Gas Company LLC – Oil, Gas and CBM Leased (99.8677%)  
 56.92 Acres 71.1500%
- 1A. P.J. Brown Heirs, et al – Surface  
 1B. Norfolk Southern Railway Company – Surface
- 2A. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 CONSOL Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal above Jawbone (1/2)  
 Ronald Clyborne – Coal above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 CONSOL Buchanan Mining Company LLC – Coal below Jawbone Leased (1/2)  
 CNX Gas Company LLC OR Cora Metcalf Frank Heirs (1/4), Ruth Culbertson Heirs (1/4) and  
 CNX Gas Company LLC (1/2) – Gas  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 CONSOL Buchanan Mining Company LLC – Surface  
 19.72 Acres 24.6500%
- 2B. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 CONSOL Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal above Jawbone (1/2)  
 Ronald Clyborne – Coal above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 CONSOL Buchanan Mining Company LLC – Coal below Jawbone Leased (1/2)  
 Trustees for Pentecostal Faith Temple OR Cora Metcalf Frank Heirs (1/4), Ruth Culbertson Heirs (1/4) and  
 CNX Gas Company LLC (1/2) – Gas  
 CNX Gas Company LLC – Oil, Gas and CBM Leased (50% - Scott A. Sweeney, et al; 50% of Cora Metcalf Franks, et al)  
 Trustees for Pentecostal Faith Temple - Surface  
 0.39 Acres 0.4875%
- 2C. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 CONSOL Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal above Jawbone (1/2)  
 Ronald Clyborne – Coal above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 CONSOL Buchanan Mining Company LLC – Coal below Jawbone Leased (1/2)  
 Scott A. Sweeney, et al OR Cora Metcalf Frank Heirs (1/4), Ruth Culbertson Heirs (1/4) and  
 CNX Gas Company LLC (1/2) – Gas  
 CNX Gas Company LLC – Oil, Gas and CBM Leased (50% - Scott A. Sweeney, et al; 50% of Cora Metcalf Franks, et al)  
 Scott A. Sweeney, et al – Surface  
 0.08 Acres 0.1000%

"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 N40**  
**Tract Identifications**

- 2D. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 CONSOL Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal above Jawbone (1/2)  
 Ronald Clyborne – Coal above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 CONSOL Buchanan Mining Company LLC – Coal below Jawbone Leased (1/2)  
 Pamela Brown Taylor, et al **OR** Cora Metcalf Frank Heirs (1/4), Ruth Culbertson Heirs (1/4) and  
 CNX Gas Company LLC (1/2) – Gas  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 Pamela Brown Taylor, et al – Surface  
 0.12 Acres      0.1500%
- 2E. Ruth Culbertson Heirs, Tract 7A (Mary A. Day 67.50 Acre Tract) – All Minerals except Gas (1/4)  
 Cora Metcalf Franks Estate – All Minerals except Gas (1/4)  
 CONSOL Buchanan Mining Company LLC – All Minerals except Gas, CBM, and Coal above Jawbone (1/2)  
 Ronald Clyborne – Coal above Jawbone (1/2)  
 Fincastle Mining Company – Jawbone Seam of Coal Leased (1/2)  
 CONSOL Buchanan Mining Company LLC – Coal below Jawbone Leased (1/2)  
 CNX Gas Company LLC **OR** Cora Metcalf Frank Heirs (1/4), Ruth Culbertson Heirs (1/4) and  
 CNX Gas Company LLC (1/2) – Gas  
 CNX Gas Company LLC – Oil, Gas and CBM Leased  
 CONSOL Buchanan Mining Company LLC – Surface  
 1.53 Acres      1.9125%
3. P. J. Brown Heirs, et al (889 Acre Tract) – All Minerals  
 CONSOL Buchanan Mining Company LLC – Coal Below Drainage Leased  
 Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
 Dismal Processing, LLC – Lessee (Coal Refuse Only)  
 CNX Gas Company LLC – Oil, Gas and CBM Leased (99.8677%)  
 1.24 Acres      1.5500%
- 3A. P.H. Brown Heirs, et al – Surface  
 3B. Norfolk Southern Railway Company – Surface

"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-3  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of Respondents to be Pooled

	Net Acres in Unit	Interest in Unit
<b>I. COAL OWNERSHIP</b>		
<u>Tract #1 - 56.92 acres</u>		
(1) P.J. Brown Heirs, et al (573.60 Acre Tract)	56.92 acres	71.1500%
(f) James B. Brown Heirs, Devisees, Successors or Assigns (1/6)		
(f.5) Henry P. Brown Heirs, Devisees, Successors or Assigns (1/42 + 1/252 = 1/36) (1/252 remaining)		
(f.5.4) Eugene Lee Brown Heirs, Devisees Successors or Assigns (1/504)		
(f.5.4.2) Virginia Brown Palmer 26068 NC Highway 8 Denton, NC 27239	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.3) Benjamin Patton Brown 72 Beths Lane Cedar Bluff, VA 24609	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.4) Charles Henry Brown 14376 Peaceful Valley Road Abingdon, VA 24210	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.5) William David Brown 609 Fulton Street Millville, NJ 08332	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.6) Eugene L. Brown, Jr. 3875 Gratton Road Tazewell, VA 24651	0.015 acres 1/3780 of 56.92 acres	0.0188%
<u>Tract #3 - 1.24 acres</u>		
(1) Patton J. Brown Heirs, et al (889.00 Acre Tract)	1.24 acres	1.5500%
(6) James B. Brown Heirs, Devisees, Successors or Assigns (1/6)		
(6.5) Henry P. Brown Heirs, Devisees, Successors or Assigns		
(6.5.2.2) Eugene Lee Brown Heirs, Devisees Successors or Assigns (1/504)		
(6.5.2.2.2) Virginia Brown Palmer 26068 NC Highway 8 Denton, NC 27239	0.0003 acres 1/3780 of 1.24 acres	0.0004%
(6.5.2.2.3) Benjamin Patton Brown 72 Beths Lane Cedar Bluff, VA 24609	0.0003 acres 1/3780 of 1.24 acres	0.0004%
(6.5.2.2.4) Charles Henry Brown 14376 Peaceful Valley Road Abingdon, VA 24210	0.0003 acres 1/3780 of 1.24 acres	0.0004%
(6.5.2.2.5) William David Brown 609 Fulton Street Millville, NJ 08332	0.0003 acres 1/3780 of 1.24 acres	0.0004%
(6.5.2.2.6) Eugene L. Brown, Jr. 3875 Gratton Road Tazewell, VA 24651	0.0003 acres 1/3780 of 1.24 acres	0.0004%
<b><u>TOTAL COAL ESTATE:</u></b>		
Acreage in Unit Released	0.08	
Percentage of Unit Released		0.0962%
Page 1 of 3		

Exhibit B-3  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of Respondents to be Pooled

15000166C

	Net Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #1 - 56.92 acres</u></b>		
(1) P.J. Brown Heirs, et al <i>(573.80 Acre Tract)</i>	56.92 acres	71.1500%
(f) James B. Brown Heirs, Devisees, Successors or Assigns (1/6)		
(f.5) Henry P. Brown Heirs, Devisees, Successors or Assigns (1/42 + 1/252 = 1/36) (1/252 remaining)		
(f.5.4) Eugene Lee Brown Heirs, Devisees Successors or Assigns (1/504)		
(f.5.4.2) Virginia Brown Palmer 26068 NC Highway 8 Denton, NC 27239	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.3) Benjamin Patton Brown 72 Beths Lane Cedar Bluff, VA 24609	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.4) Charles Henry Brown 14376 Peaceful Valley Road Abingdon, VA 24210	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.5) William David Brown 609 Fulton Street Millville, NJ 08332	0.015 acres 1/3780 of 56.92 acres	0.0188%
(f.5.4.6) Eugene L. Brown, Jr. 3875 Gratton Road Tazewell, VA 24651	0.015 acres 1/3780 of 56.92 acres	0.0188%
<b><u>Tract #2C - 0.08 acres</u></b>		
(1) Scott A. Sweeney, et al <i>(0.50 acre tract)</i>	0.08 acres	0.1000%
(b) Athleen Sweeney c/o Francis Marion Manor, 2nd Floor Nursing Unit 100 Francis Marion Lane Marion, VA 24352	0.04 acres 1/2 of 0.08 acres	0.0500%
<b><u>Tract #3 - 1.24 acres</u></b>		
(1) Patton J. Brown Heirs, et al <i>(889.00 Acre Tract)</i>	1.24 acres	1.5500%
(6) James B. Brown Heirs, Devisees, Successors or Assigns (1/6)		
(6.5) Henry P. Brown Heirs, Devisees, Successors or Assigns		
(6.5.2) Beatrice F. Brown		
(6.5.2.2) Eugene Lee Brown Heirs, Devisees Successors or Assigns (1/504)		
(6.5.2.2.2) Virginia Brown Palmer 26068 NC Highway 8 Denton, NC 27239	0.0003 acres 1/3780 of 1.24 acres	0.0004%
(6.5.2.2.3) Benjamin Patton Brown 72 Beths Lane Cedar Bluff, VA 24609	0.0003 acres 1/3780 of 1.24 acres	0.0004%
(6.5.2.2.4) Charles Henry Brown 14376 Peaceful Valley Road Abingdon, VA 24210	0.0003 acres 1/3780 of 1.24 acres	0.0004%

Exhibit B-3  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of Respondents to be Pooled

15000166C

	Net Acres in Unit	Interest in Unit
(6.5.2.2.5) William David Brown 609 Fulton Street Millville, NJ 08332	0.0003 acres 1/3780 of 1.24 acres	0.0004%
(6.5.2.2.6) Eugene L. Brown, Jr. 3875 Gratton Road Tazewell, VA 24651	0.0003 acres 1/3780 of 1.24 acres	0.0004%
<b><u>TOTAL OIL &amp; GAS ESTATE:</u></b>		
Acres in Unit Unleased	0.12	
Percentage of Unit Unleased		0.1482%

Exhibit E  
 Unit N-40  
 Docket #VGOB-93-0420-0358-03  
 List of Owners/Claimants in Escrow

150001666

	Net Acres in Unit	Interest in Unit
<b>Tract #2B - 0.39 acres</b>		
<i>Escrow due to Title conflict</i>		
<b>COAL OWNERSHIP</b>		
(1) Ruth Culbertson Heirs <i>Tract 7A (Mary A. Day Tract - 67.50 acres)</i>	0.39 acres	0.4875%
(a) Ruth Culbertson Heirs, Devisees, Successors or Assigns <i>(1/4 Minerals except Gas)</i>		
(a.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.02 acres 1/16 of 0.39 acres	0.0305%
(a.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.02 acres 1/16 of 0.39 acres	0.0305%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.02 acres 1/16 of 0.39 acres	0.0305%
(a.4) Nancy Elaine Culbertson Ratiff 175 Acre Lane Cedar Bluff, VA 24609	0.02 acres 1/16 of 0.39 acres	0.0305%
(b) Cora Metcalf Franks Estate <i>(1/4 Minerals except Gas)</i> c/o J. C. Franks 621 Peavler Street Marion, VA 24354	0.10 acres 1/4 of 0.39 acres	0.1219%
(c) Consolidation Coal Company <i>(1/2 of Coal in &amp; Below)</i> 10545 Riverside Drive Oakwood, VA 24631	0.20 acres 1/2 of 0.39 acres	0.2438%
(d) Ronald Gyborne <i>(1/2 Coal Above Jawbone Seam)</i> 9325 Olympic View Drive Edmonds, WA 98020-2397	0.20 acres 1/2 of 0.39 acres	0.2438%
*** NOTE: The coal above the Jawbone seam is above drainage and was not perforated/fractured and the		
<b>OIL &amp; GAS OWNERSHIP</b>		
(1) Trustees for Pentecostal Faith Temple PO Box 101 Pilgrims Knob, VA 24634	0.39 acres	0.4875%
- OR -		
(1) CNX Gas Company LLC, et al <i>Tract 7A (Mary A. Day Tract - 67.50 acres)</i>	0.39 acres	0.4875%
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.20 acres 1/2 of 0.39 acres	0.2438%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24354	0.10 acres 1/4 of 0.39 acres	0.1219%
(c) Ruth Culbertson Heirs, Devisees, Successors or Successors or Assigns <i>(1/4)</i>		
(c.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.02 acres 1/16 of 0.39 acres	0.0305%

Exhibit E  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of Owners/Claimants in Escrow

	Net Acres in Unit	Interest in Unit
(c.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.02 acres 1/16 of 0.39 acres	0.0305%
(c.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.02 acres 1/16 of 0.39 acres	0.0305%
(c.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	0.02 acres 1/16 of 0.39 acres	0.0305%

Tract #2C - 0.08 acres

*Escrow due to Title conflict*

COAL OWNERSHIP

(1) Ruth Culbertson Heirs <i>Tract 7A (Mary A. Dey Tract - 67.50 acres)</i>	0.08 acres	0.1000%
(a) Ruth Culbertson Heirs, devisees, Successors or Assigns <i>(1/4 Minerals except Gas)</i>		
(a.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.01 acres 1/16 of 0.08 acres	0.0063%
(a.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.01 acres 1/16 of 0.08 acres	0.0063%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.01 acres 1/16 of 0.08 acres	0.0063%
(a.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	0.01 acres 1/16 of 0.08 acres	0.0063%
(b) Cora Metcalf Franks Estate <i>(1/4 Minerals except Gas)</i> c/o J. C. Franks 621 Peavler Street Marion, VA 24354	0.02 acres 1/4 of 0.08 acres	0.0250%
(c) Consolidation Coal Company <i>(1/2 of Coal in &amp; Below)</i> 10545 Riverside Drive Oakwood, VA 24631	0.04 acres 1/2 of 0.08 acres	0.0500%
(d) Ronald Cyboroné <i>(1/2 Coal Above Jawbone Seam)</i> 9325 Olympic View Drive Edmonds, WA 98020-2397	0.04 acres 1/2 of 0.08 acres	0.0500%

*\*\* NOTE: The coal above the Jawbone seam is above drainage and was not perforated/fractured and the*

OIL & GAS OWNERSHIP

(1) Scott A. Sweeney, et al <i>(0.50 acre tract)</i>	0.08 acres	0.1000%
(a) Scotty Allen Sweeney P. O. Box 703 Adkins, VA 24311	0.04 acres 1/2 of 0.08 acres	0.0500%
(b) Athleen Sweeney c/o Francis Marion Manor, 2nd Floor Nursing Unit 100 Francis Marion Lane Marion, VA 24352	0.04 acres 1/2 of 0.08 acres	0.0500%

- OR -

Exhibit E  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of Owners/Claimants in Escrow

15000166C

	Net Acres in Unit	Interest in Unit
(1) CNX Gas Company LLC, et al <i>Tract 7A (Mary A. Day Tract - 67.50 acres)</i>	0.08 acres	0.1000%
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.040 acres 1/2 of 0.08 acres	0.0500%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Merion, VA 24354	0.020 acres 1/4 of 0.08 acres	0.0250%
(c) Ruth Culbertson Heirs, Devisees, Successors or Successors or Assigns		
(c.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.005 acres 1/16 of 0.08 acres	0.0063%
(c.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.005 acres 1/16 of 0.08 acres	0.0063%
(c.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.005 acres 1/16 of 0.08 acres	0.0063%
(c.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	0.005 acres 1/16 of 0.08 acres	0.0063%

Tract #2D - 0.12 acres

*Escrow due to Title conflict*

COAL OWNERSHIP

(1) Ruth Culbertson Heirs <i>Tract 7A (Mary A. Day Tract - 67.50 acres)</i>	0.12 acres	0.1500%
(a) Ruth Culbertson Heirs, Devisees, Successors or Assigns <i>(1/4 Minerals except Gas)</i>		
(a.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.01 acres 1/16 of 0.12 acres	0.0094%
(a.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.01 acres 1/16 of 0.12 acres	0.0094%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.01 acres 1/16 of 0.12 acres	0.0094%
(a.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	0.01 acres 1/16 of 0.12 acres	0.0094%
(b) Cora Metcalf Franks Estate <i>(1/4 Minerals except Gas)</i> c/o J. C. Franks 621 Peavler Street Merion, VA 24354	0.03 acres 1/4 of 0.12 acres	0.0375%
(c) Consolidation Coal Company <i>(1/2 of Coal in &amp; Below)</i> 10545 Riverside Drive Oakwood, VA 24631	0.06 acres 1/2 of 0.12 acres	0.0750%

Exhibit E  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of Owners/Claimants in Escrow

15000166C

	Net Acres in Unit	Interest in Unit
(d) Ronald Clyborne (1/2 Coal Above Jawbone Seam) 9325 Olympic View Drive Edmonds, WA 98020-2397	0.06 acres 1/2 of 0.12 acres	0.0750%

\*\*\* NOTE: The coal above the Jawbone seam is above drainage and was not perforated/fractured and the

**OIL & GAS OWNERSHIP**

(1) Pamela Brown Taylor, et al (1.50 acre tract)	0.12 acres	0.1500%
(a) Beulah Day Brown Heirs, Devisees, Successors or Assigns		
(a.1) Pamela Brown Taylor P. O. Box 308 Rosedale, VA 24280	0.060 acres 1/2 of 0.12 acres	0.0750%
(b) Erbie Verlin Brown Heirs, Devisees, Successors or Assigns		
(b.1) Robin Viets Fields 750 Buskill Avenue Richlands, VA 24641	0.030 acres 1/4 of 0.12 acres	0.0375%
(b.2) Myra Brown Poseno Mullins 301 Oakview Road Jewell Ridge, VA 24622	0.030 acres 1/4 of 0.12 acres	0.0375%

- OR -

(1) CNX Gas Company LLC, et al Tract 7A (Mary A. Day Tract - 67.50 acres)	0.12 acres	0.1500%
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.060 acres 1/2 of 0.12 acres	0.0750%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavler Street Marion, VA 24354	0.030 acres 1/4 of 0.12 acres	0.0375%
Ruth Culbertson Heirs, Devisees, Successors or Successors or Assigns (1/4)		
(c.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.008 acres 1/16 of 0.12 acres	0.0094%
(c.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.008 acres 1/16 of 0.12 acres	0.0094%
(c.3) Carol Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.008 acres 1/16 of 0.12 acres	0.0094%
(c.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	0.008 acres 1/16 of 0.12 acres	0.0094%

**TOTAL ACRES IN ESCROW:**

Acreage in Unit	0.5800	
Percentage of Unit		0.7375%

Exhibit EE  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of All Owners/Claimants having Royalty Division Agreements

	Net Acres In Unit	Interest In Unit
<b>Tract #2A - 19.72 acres</b>		
<i>There is a Title Conflict pertaining to the ownership of the Gas Estate on this tract but Royalty Division Agreements were executed between all of the parties.</i>		
<b>COAL OWNERSHIP</b>		
(1) Ruth Culbertson Heirs Tract 7A (Mary A. Day Tract - 67.50 acres)	19.72 acres	24.6500%
(a) Ruth Culbertson Heirs, Devisees, Successors or Assigns (1/4 Minerals except Gas)		
(a.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	1.23 acres 1/16 of 19.72 acres	1.5406%
(a.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	1.23 acres 1/16 of 19.72 acres	1.5406%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	1.23 acres 1/16 of 19.72 acres	1.5406%
(a.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	1.23 acres 1/16 of 19.72 acres	1.5406%
(b) Cora Metcalf Franks Estate (1/4 Minerals except Gas) c/o J. C. Franks 621 Peavier Street Marion, VA 24354	4.93 acres 1/4 of 19.72 acres	6.1625%
(c) Consolidation Coal Company (1/2 of Coal In & Below Jawbone Seam) 10545 Riverside Drive Oakwood, VA 24631	9.86 acres 1/2 of 19.72 acres	12.3250%
(d) Ronald Clyburne (1/2 Coal Above Jawbone Seam) *** 9325 Olympic View Drive Edmonds, WA 98020-2397	9.86 acres 1/2 of 19.72 acres	12.3250%

\*\*\* NOTE: The coal above the Jawbone seam is above drainage and was not perforated/fractured and therefore is of No

**OIL & GAS OWNERSHIP**

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	19.72 acres	24.6500%
- OR -		
(1) CNX Gas Company LLC, et al Tract 7A (Mary A. Day Tract - 67.50 acres)	19.72 acres	24.6500%
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	9.86 acres 1/2 of 19.72 acres	12.3250%
(b) Cora Metcalf Franks Estate c/o J. C. Franks 621 Peavier Street Marion, VA 24354	4.93 acres 1/4 of 19.72 acres	6.1625%
(c) Ruth Culbertson Heirs, Devisees, Successors or Successors or Assigns (1/4)		
(c.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	1.23 acres 1/16 of 19.72 acres	1.5406%

Exhibit EE  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of All Owners/Claimants having Royalty Division Agreements

	Net Acres in Unit	Interest in Unit
(c.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	1.23 acres 1/16 of 19.72 acres	1.5406%
(c.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	1.23 acres 1/16 of 19.72 acres	1.5406%
(c.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	1.23 acres 1/16 of 19.72 acres	1.5406%

**Tract #2E - 1.53 acres**

*There is a Title Conflict pertaining to the ownership of the Gas Estate on this tract but Royalty Division Agreements were executed between all of the parties.*

**COAL OWNERSHIP**

(1) Ruth Culbertson Heirs <i>Tract 7A (Mary A. Day Tract - 67.50 acres)</i>	1.53 acres	1.9125%
(a) Ruth Culbertson Heirs, devisees, Successors or Assigns <i>(1/4 Minerals except Gas)</i>		
(a.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.10 acres 1/16 of 1.53 acres	0.1195%
(a.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.10 acres 1/16 of 1.53 acres	0.1195%
(a.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.10 acres 1/16 of 1.53 acres	0.1195%
(a.4) Nancy Elaine Culbertson Ratliff 175 Acre Lane Cedar Bluff, VA 24609	0.10 acres 1/16 of 1.53 acres	0.1195%
(b) Cora Metcalf Franks Estate <i>(1/4 Minerals except Gas)</i> c/o J. C. Franks 621 Peavler Street Marion, VA 24354	0.38 acres 1/4 of 1.53 acres	0.4781%
(c) Consolidation Coal Company <i>(1/2 of Coal In &amp; Below Jawbone Seam)</i> 10545 Riverside Drive Oakwood, VA 24631	0.77 acres 1/2 of 1.53 acres	0.9563%
(d) Ronald Clybome <i>(1/2 Coal Above Jawbone Seam) ***</i> 9325 Olympic View Drive Edmonds, WA 98020-2397	0.77 acres 1/2 of 1.53 acres	0.9563%

\*\*\* NOTE: The coal above the Jawbone seam is above drainage and was not perforated/fractured and therefore is of No

**OIL & GAS OWNERSHIP**

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	1.53 acres	1.9125%
<b>- OR -</b>		
(1) CNX Gas Company LLC, et al <i>Tract 7A (Mary A. Day Tract - 67.50 acres)</i>	1.53 acres	1.9125%
(a) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317	0.77 acres 1/2 of 1.53 acres	0.9563%

150001666

Exhibit EE  
Unit N-40  
Docket #VGOB-93-0420-0358-03  
List of All Owners/Claimants having Royalty Division Agreements

	Net Acres in Unit	Interest in Unit
(b) Cora Melcalf Franks Estate c/o J. C. Franks 621 Peavier Street Marion, VA 24354	0.38 acres 1/4 of 1.53 acres	0.4781%
(c) Ruth Culbertson Heirs, Devisees, Successors or Successors or Assigns (1/4)		
(c.1) George M. Culbertson 22400 NE 23rd Court Ridgefield, WA 98642	0.10 acres 1/16 of 1.53 acres	0.1195%
(c.2) William A. Culbertson P.O. Box 185 Doran, VA 24612	0.10 acres 1/16 of 1.53 acres	0.1195%
(c.3) Carole Lee Culbertson Meade P.O. Box 123 Williamson, SC 29697	0.10 acres 1/16 of 1.53 acres	0.1195%
(c.4) Nancy Elaine Culbertson Rattiff 175 Acre Lane Cedar Bluff, VA 24609	0.10 acres 1/16 of 1.53 acres	0.1195%

INSTRUMENT #150001666  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
OCTOBER 9, 2015 AT 04:39PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB