

100003360

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 Coal Mountain Mining LLP and CNX Gas Co LLC; Yukon Pocahontas Coal Co et al including Yukon Pocahontas Coal Co, Buchanan Coal Co, Sayers-Pocahontas Coal Co, Plum Creek Timberlands LP and Donald Short et al; Coal Mountain Mining Co LLP and Terry Baldwin Heirs including Matthew Baldwin and Amanda Leigh Baldwin.

DOCKET NO.

95-0418-0503-02

RELIEF SOUGHT:

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
Action: Amending Prior Orders Affecting the Drilling Unit W-31; Tracts 2, 3, 4, 5, 8, and 12 (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 W-31 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 Unit's

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 November 16, 2010 at the Russell County Government Center Conference Room, 139 Highland Drive, Lebanon VA.
2. **Appearances:** Mark A Swartz of Swartz Law Offices, PLLC appeared for the Unit Operator CNX Gas Company; and Sharon M.B. Pigeon, Sr. 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 sub accounts, 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 sub accounts. 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 or arbitration decision adjudicating the ownership of coalbed methane gas as between the conflicting claimants among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. Prior Proceedings:

4.1. Hearings regarding this unit were held on February 15, 1994 and June 16, 1992. On April 18, 1995 the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on December 19, 1995 Deed Book 444 and Pages 66 to 89, Instrument Number 2913. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk of the Circuit Court of Buchanan County on September 12, 1996 Deed Book 453, Pages 264 to 273 Instrument Number 2141-4.

(b) During 2000 the Board executed a Revised Supplemental Order from Board hearings due to testimony disclosing that Coal Mountain Mining Co and Yukon Coal Co et al and Coal Mountain Mining Co and Terry Baldwin have entered into royalty split agreements. That the Board was to vacate those portions of its prior Orders and/or Supplemental Order(s) which required the Designated Operator to deposit funds pertaining to the conflicting claims of Coal Mountain Mining Co and Yukon Pocahontas Coal co et al. and Coal Mountain Mining Co and Terry Baldwin and orders the Designated Operator after entry of this Revised Supplemental Order to pay such funds, which would otherwise have been payable to the Escrow Agent under the Board's prior Orders, directly to the parties to the said split agreements as provided in their agreements. The Revised Supplemental Order was filed with the Clerk of the Circuit Court of Buchanan County on December 20, 2000, Deed Book 517, and pages 178 to 190, Instrument Number 000003504.

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 testimony, Coal Mountain Mining Co., LLP and CNX Gas Co LLC; Yukon Pocahontas Coal Co et al including Yukon Pocahontas Coal Co, Buchanan Coal Co, Sayers-Pocahontas Coal Co, Plum Creek Timberlands LP and Donald Shortt, et al; coal Mountain Mining Co LLP and Terry Baldwin Heirs including Matthew Baldwin and Amanda Leigh Baldwin have entered into royalty split agreement(s) relative to Tracts 2, 3, 4, 5, 8 and 12 respectively. Each of the owners in the Subject Drilling Unit was in conflict and became subject to the escrow requirements of the Pooling Order.

4.3. The Unit Operator's Miscellaneous Petition , a copy of which is attached to and made a part hereof, states under oath that Coal Mountain Mining Co., LLP and CNX Gas Co LLC; Yukon Pocahontas Coal Co et al including Yukon Pocahontas Coal Co, Buchanan Coal Co, Sayers-Pocahontas Coal Co, Plum Creek Timberlands LP and Donald Shortt, et al; coal Mountain Mining Co LLP and Terry Baldwin Heirs including Matthew Baldwin and Amanda Leigh Baldwin have entered into an agreement with regards to Tracts 2, 3, 4, 5, 8, and 12 and that by the terms of the agreements, and that the parties have entered into a split agreement regarding these tracts and escrow regarding these individual conflicting claims detailed herein, is no longer required for these parties.

4.4. The Unit Operator gave notice to the Applicants that the Board would consider its disbursement authorization at its hearing on November 16, 2010 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 Tracts 2, 3, 4, 5, 8, and 12 identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to said Tracts 2, 3, 4, 5, 8, and 12 relative to the interests of Applicants 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:

(1) Coal Mountain Mining Co., LLP and CNX Gas Co LLC; Yukon Pocahontas Coal Co et al including Yukon Pocahontas Coal Co, Buchanan Coal Co, Sayers-Pocahontas Coal Co, Plum Creek Timberlands LP and Donald Shortt, et al; coal Mountain Mining Co LLP and Terry Baldwin Heirs including Matthew Baldwin and Amanda Leigh Baldwin have entered into royalty split agreement(s) relative to Tracts 2, 3, 4, 5, 8 and 12 respectively and are the owners of the coal and gas acreage estate underlying VGOB Tracts in Drilling Unit W-31;

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

VGOB Approved Disbursement
VGOB-95-0418-0503-02
W-31

As Given

Item No	Tract	Description	Frac Interest	Acreage Interest Disbursed	Court Order or Split Agreement	Escrowed Acres Total	% of Escrowed Funds
Table 1							
Disbursement Table							
		Tracts 2, 3, 4, 5, 8, and 12					
		Totals				78.1300	
	2	Coal Mountain Mining		1.24			
1	2	Coal Mountain Mining / PO box 675 / Tazewell, VA 24651	1	1.2400	50.0%	0.620	0.7935%
2	2	CNX Gas Company LLC / 2481 John Nash Blvd. Bluefield WV 24701	1	1.2400	50.0%	0.620	0.7935%
	3	Yukon Pocahontas Coal Company et al		8.73			
3	3	Yukon Pocahontas Coal Company et al / PO Box 187 / Tazewell, VA 24651	1/2	4.3650	50.0%	2.183	2.7934%
4	3	Buchanan Coal Company / PO Box 187 / Tazewell, VA 24651	1/9	0.9700	50.0%	0.485	0.6208%
5	3	Sayers-Pocahontas Coal Company / PO box 187 / Tazewell, VA 24651	1/18	0.4850	50.0%	0.243	0.3104%
6	3	Plum Creek Timberlands LP/ Attn Mineral Dept / One Concourse Parkway, Suite 755, Atlanta, GA 30328	1/3	2.9100	50.0%	1.455	1.8623%
7	3	Donald Shortt, et al / 318 Kent's Ridge Road / Richlands, VA 24641	1	8.7300	50.0%	4.365	5.5868%
	4	Coal Mountain Mining		3.25			
8	4	Coal Mountain Mining / PO box 675 / Tazewell, VA 24651	1	3.2500	50.0%	1.625	2.0799%
9	4	CNX Gas Company LLC / 2481 John Nash Blvd. Bluefield WV 24701	1	3.2500	50.0%	1.625	2.0799%
	5	Yukon Pocahontas Coal Company et al		17.19			
10	5	Yukon Pocahontas Coal Company et al / PO Box 187 / Tazewell, VA 24651	1/2	8.5950	50.0%	4.298	5.5004%
11	5	Buchanan Coal Company / PO Box 187 / Tazewell, VA 24651	1/9	1.9100	50.0%	0.955	1.2223%
12	5	Sayers-Pocahontas Coal Company / PO box 187 / Tazewell, VA 24651	1/18	0.9550	50.0%	0.478	0.6112%
13	5	Plum Creek Timberlands LP/ Attn Mineral Dept / One Concourse Parkway, Suite 755, Atlanta, GA 30328	1/3	5.7300	50.0%	2.865	3.6670%
14	5	Donald Shortt, et al / 318 Kent's Ridge Road / Richlands, VA 24641	1	17.1900	50.0%	8.595	11.0009%
	8	Coal Mountain Mining		0.11			
15	8	Coal Mountain Mining / PO box 675 / Tazewell, VA 24651	1	0.1100	50.0%	0.055	0.0704%
16	8	CNX Gas Company LLC / 2481 John Nash Blvd. Bluefield WV 24701	1	0.1100	50.0%	0.055	0.0704%
	12	Coal Mountain Mining		24.90			
17	12	Coal Mountain Mining / PO box 675 / Tazewell, VA 24651	1	24.9000	50.0%	12.450	15.9350%
18	12	Terry Baldwin Heirs					
		Matthew Baldwin / PO Box 531 / Oakwood, VA 24631	1/2	12.4500	50.0%	6.225	7.9675%
		Amanda Leigh Baldwin / 16241 Carousel Road / Abingdon, VA 24210	1/2	12.4500	50.0%	6.225	7.9675%

6. **Relief Granted:**

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.

7. **Conclusion:**

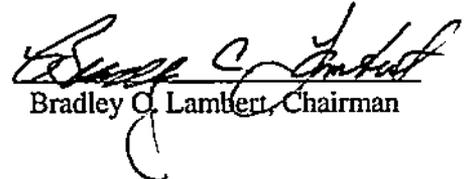
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

8. **Appeals:**

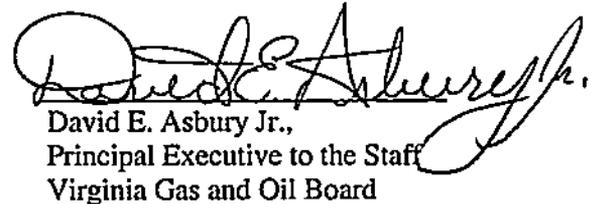
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated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

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

DONE AND EXECUTED this 17 day of Dec, 2010 by a majority of the Virginia Gas and Oil Board.


Bradley C. Lambert, Chairman

DONE AND PERFORMED this 17 day of Dec, 2010 by an Order of this Board.


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

COMMONWEALTH OF VIRGINIA)
COUNTY OF RUSSELL)

Acknowledged on this 17th day of December, 2010, 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
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 95-0418-0503-02

ESCROW REGARDING TRACT(S) 2, 3, 4, 5, 8, and 12
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: November 16, 2010

DRILLING UNIT: W-31

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) 2, 3, 4, 5, 8, and 12 as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Coal Mountain Mining Company L.P and CNX Gas Company LLC; Yukon Pocahontas Coal Company et al including Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, Plum Creek Timberlands L.P and Donald Shortt, et al; Coal Mountain Mining Company L.P and Terry Baldwin Heirs including Matthew Baldwin and Amanda Leigh Baldwin

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.

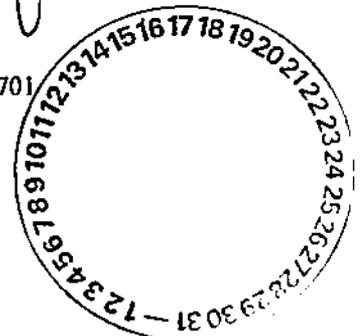
5. Factual basis for relief requested: Coal Mountain Mining Company L.P and CNX Gas Company L.L.C; Yukon Pocahontas Coal Company et al including Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, Plum Creek Timberlands L.P and Donald Shortt, et al; Coal Mountain Mining Company L.P and Terry Baldwin Heirs including Matthew Baldwin and Amanda Leigh Baldwin have entered into a royalty split agreement. Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and Exhibit A, further, specifies how said royalties are to be divided and paid.

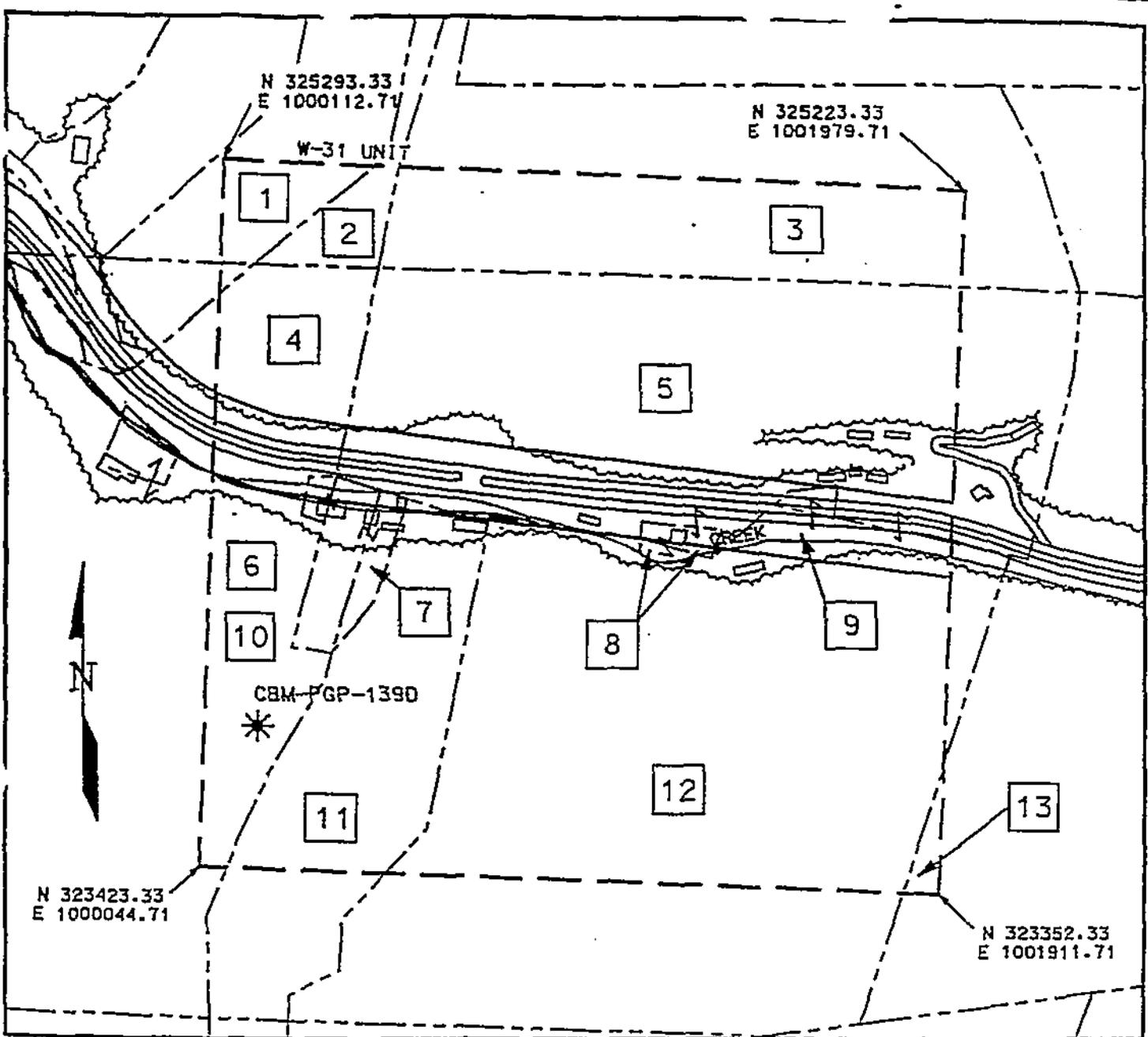
6. Attestation: The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

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





LEGEND

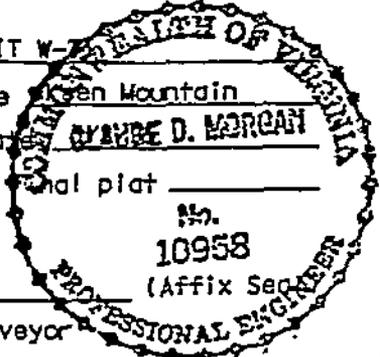
- TRACT LAND HOOK
- EXISTING CBM WELL
- PROPOSED CBM WELL
- TRACT LAND ID'S

EXHIBIT B1
OAKWOOD FIELD UNIT W-31
FORCE POOLING
VGOB-95/04/18-0503

Company: Pocahontas Gas Partnership Well Name and Number: UNIT W-31
 Tract No. _____ Elevation _____ Quadrangle: Green Mountain
 County: Buchanan District: Garden Scale: 1" = 400' Date: 7/27/91
 This plat is a new plat ; an updated plat _____ ; or a final plat _____

Form DGO-60-7
Rev. 9/91

Claude D. Moran
Licensed Professional Engineer or Licensed Land Surveyor



Pocahontas Gas Partnership
Oakwood Field Unit W-31
Tract Identifications

1. Lucy Wade Heirs - Coal
Coal Lessees
Island Creek Coal Company
Lucy Wade - Oil & Gas
1.51 acres - 1.875%

2. Coal Mountain Mining Company - TR 17 - Coal
Coal Lessees
Consolidation Coal Company
Island Creek Coal Company
United Coal Company
Consolidation Coal Company - Oil & Gas
1.24 acres - 1.55%

3. Yukon Pocahontas Coal Company - TR 111 - Coal
Coal Lessees
Jewell Smokeless Coal Company
Island Creek Coal Company
D. Shortt, et. al. - Oil & Gas
Buchanan Production Company - Oil & Gas, CBM Lessee
8.73 acres - 10.925%

4. Coal Mountain Mining Company - TR 17 - Coal
Coal Lessees
Consolidation Coal Company
Island Creek Coal Company
United Coal Company
Consolidation Coal Company - Oil & Gas
3.25 acres - 4.025%

5. Yukon Pocahontas Coal Company - TR 55 - Coal
Coal Lessees
Jewell Smokeless Coal Company
Island Creek Coal Company
Consolidation Coal Company
D. Shortt, et. al. - Oil & Gas
Buchanan Production Company - Oil & Gas, CBM Lessee
17.19 acres - 21.4875%

6. Coal Mountain Mining Company - TR 17 - Coal
Coal Lessees
Consolidation Coal Company
United Coal Company
Commonwealth of Virginia - Oil & Gas
1.50 acres - 1.875%

Pocahontas Gas Partnership
Oakwood Field Unit W-31
Tract Identifications

7. Coal Mountain Mining Company - TR 23 - Coal
Coal Lessees
United Coal Company
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Joe Davis, Jr. - Oil & Gas
Pocahontas Gas Partnership - Oil & Gas Lessee
1.60 acres - 2.0%

8. Coal Mountain Mining Company - TR 23 - Coal
Coal Lessees
United Coal Company
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Consolidation Coal Company - Oil & Gas
0.11 acres - 0.175%

9. Coal Mountain Mining Company - TR 23 - Coal
Coal Lessees
United Coal Company
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Commonwealth of Virginia - Oil & Gas
7.05 acres - 8.825%

10. Coal Mountain Mining Company - TR 17 - Coal
Coal Lessees
United Coal Company
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Yukon Pocahontas Coal Company - Oil & Gas
No Oil & Gas Lessee of Record
5.10 acres - 6.375%

11. Coal Mountain Mining Company - TR 23 - Coal
Coal Lessees
United Coal Company
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Jack Davis - Oil & Gas
7.46 acres - 9.325%

12. Coal Mountain Mining Company - TR 23 - Coal
Coal Lessees
United Coal Company
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
T. Baldwin - Oil & Gas
24.89 acres - 31.113%

Pocahontas Gas Partnership
Oakwood Field Unit W-31
Tract Identifications

13. Hurt McGuire - Coal, Oil & Gas
Coal Lessees
Jewell Smokeless Coal Company
Consolidation Coal Company
Peco - Oil & Gas Lessee
Buchanan Production Company - CBM Lessee
0.36 acres - 0.45%

Unit W-31
Exhibit E
Docket # VGOB-95-0418-0503-02
List of Conflicting Owners/Claimants

	Acres in Unit	Percent of Unit	Division of Interest in		
			7 East 0.9110%	8 East 7.1320%	9 East 4.9500%
<u>Tract #6, 1.50 Acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Coal Mountain Mining Company LLP, Tr. 17 P.O. Box 675 Tazewell, VA 24651	1.50 acres	1.8750%	0.01708%	0.13373%	0.09281%
<u>OIL & GAS OWNERSHIP</u>					
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.50 acres	1.8750%	0.01708%	0.13373%	0.09281%
<u>Tract #7, 1.60 Acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Coal Mountain Mining Company LLP, Tr. 23 P.O. Box 675 Tazewell, VA 24651	1.60 acres	2.0000%	0.01822%	0.14264%	0.09900%
<u>OIL & GAS OWNERSHIP</u>					
(1) Joe Davis, Jr. Rt. 1 Box 175B Raven, VA 24639	1.60 acres	2.0000%	0.01822%	0.14264%	0.09900%
<u>Tract #9, 7.05 Acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Coal Mountain Mining Company LLP, Tr. 23 P.O. Box 675 Tazewell, VA 24651	7.05 acres	8.8125%	0.08028%	0.62851%	0.43622%
<u>OIL & GAS OWNERSHIP</u>					
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	7.05 acres	8.8125%	0.08028%	0.62851%	0.43622%
<u>Tract #10, 5.10 Acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Coal Mountain Mining Company LLP, Tr. 17 P.O. Box 675 Tazewell, VA 24651	5.10 acres	6.3750%	0.05808%	0.45467%	0.31556%
<u>OIL & GAS OWNERSHIP</u>					
(1) Yukon Pocahontas Coal Company, et al.	5.10 acres	6.3750%	0.05808%	0.45467%	0.31556%

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Unit W-31
 Exhibit E
 Docket # VGOB-95-0418-0503-02
 List of Conflicting Owners/Claimants

	Acres in Unit	Percent of Unit	Division of Interest in		
			7 East 0.9110%	8 East 7.1320%	9 East 4.9500%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	2.55 acres 1/2 of 5.10 acres	3.1875%	0.02904%	0.22733%	0.15778%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.57 acres 1/9 of 5.10 acres	0.7083%	0.00645%	0.05052%	0.03506%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.28 acres 1/18 of 5.10 acres	0.3542%	0.00323%	0.02526%	0.01753%
(d) Highland Resources, Inc/ North American Resources, Corp. * One Concourse Parkway, NE, Suite 755 Atlanta, GA 30328					
<u>Royalties Paid to:</u>					
Plum Creek Timberlands, L.P. Attn: Mineral Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	1.70 acres 1/3 of 5.10 acres	2.1250%	0.01936%	0.15156%	0.10519%

* Note: Plum Creek Timberlands retained their CBM interest, there is no conflict. The royalty for (d) is to be paid to P Highland Resources, Inc. / North American Resources, Corp. Is owner of the Oil & Gas Only.

Tract #11, 7.46 Acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company LLP, Tr. 23 P.O. Box 675 Tazewell, VA 24651	7.46 acres	9.3250%	0.08495%	0.66506%	0.46159%
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OIL & GAS OWNERSHIP

(1) Jack Davis Box 82 Oakwood, VA 24631	7.46 acres	9.3250%	0.08495%	0.66506%	0.46159%
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Exhibit EE
Unit W-31
Docket # VGOB 95-0418-0503-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in			Percent of Escrow
			7 East 0.9110%	8 East 7.1320%	9 East 4.9500%	

Tract #2, 1.24 Acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company LLP, Tr. 17 P.O. Box 675 Tazewell, VA 24651	1.24 acres	1.5500%	0.01412%	0.11055%	0.07673%	0.7935%
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OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701 (Previously Consolidation Coal Company)	1.24 acres	1.5500%	0.01412%	0.11055%	0.07673%	0.7935%
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Tract #3, 8.73 Acres

COAL OWNERSHIP

(1) Yukon Pocahontas Coal Company, et al. Big Vein Tr 111 (42.76 acre tract)	8.73 acres	10.9125%	0.09941%	0.77828%	0.54017%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	4.37 acres 1/2 of 8.73 acres	5.4563%	0.04971%	0.38914%	0.27008%	2.7934%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.97 acres 1/9 of 8.73 acres	1.2125%	0.01105%	0.08648%	0.06002%	0.6208%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.49 acres 1/18 of 8.73 acres	0.6063%	0.00552%	0.04324%	0.03001%	0.3104%
(d) Consolidation Coal Company * 10545 Riverside Dr. Oakwood, VA 24631						

Royalties Paid to:

Plum Creek Timberlands, L.P. Attn: Mineral Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	2.91 acres 1/3 of 8.73 acres	3.6375%	0.03314%	0.25943%	0.18006%	1.8623%
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• Note: Plum Creek Timberlands retained their CBM interest, there is no conflict. The royalty for (d) is to be paid to Plum Creek.

OIL & GAS OWNERSHIP

(1) Donald Shortt, et al 318 Kent's Ridge Road Richlands, VA 24641	8.73 acres	10.9125%	0.09941%	0.77828%	0.54017%	5.5868%
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Tract #4, 3.25 Acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company LLP, Tr. 17 P.O. Box 675 Tazewell, VA 24651	3.25 acres	4.0625%	0.03701%	0.28974%	0.20109%	2.0799%
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Exhibit EE
Unit W-31
Docket # VGOB 95-0418-0503-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in			Percent of Escrow
			7 East 0.9110%	8 East 7.1320%	9 East 4.9500%	
<u>OIL & GAS OWNERSHIP</u>						
(1) CNX Gas Company 2481 John Nash Blvd. Bluefield, WV 24701 (Previously Consolidation Coal Company)	3.25 acres	4.0625%	0.03701%	0.28974%	0.20109%	2.0799%

Tract #5, 17.19 Acres

COAL OWNERSHIP

(1) Yukon Pocahontas Coal Company, et al. Big Vein Tr 111 (42.76 acre tract)	17.19 acres	21.4875%	0.19575%	1.53249%	1.06363%	
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	8.60 acres 1/2 of 17.19 acres	10.7438%	0.09788%	0.76624%	0.53182%	5.5004%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	1.91 acres 1/9 of 17.19 acres	2.3875%	0.02175%	0.17028%	0.11818%	1.2223%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.96 acres 1/18 of 17.19 acres	1.1938%	0.01088%	0.08514%	0.05909%	0.6112%
(d) Consolidation Coal Company * 10545 Riverside Dr. Oakwood, VA 24631						

Royalties Paid to:

Plum Creek Timberlands, L.P. Attn: Mineral Department One Concourse Parkway, Suite 755 Atlanta, GA 30328	5.73 acres 1/3 of 17.19 acres	7.1625%	0.06525%	0.51083%	0.35454%	3.6670%
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* Note: Plum Creek Timberlands retained their CBM interest, there is no conflict. The royalty for (d) is to be paid to Plum Creek. Highland Resources, Inc. / North American Resources, Corp. is owner of the Oil & Gas Only.

OIL & GAS OWNERSHIP

(1) Donald Shortt, et al 318 Kent's Ridge Road Richlands, VA 24641	17.19 acres	21.4875%	0.19575%	1.53249%	1.06363%	11.0009%
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Tract #8, 0.11 Acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company LLP, Tr. 23 P.O. Box 675 Tazewell, VA 24651	0.11 acres	0.1375%	0.00125%	0.00981%	0.00681%	0.0704%
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OIL & GAS OWNERSHIP

(1) CNX Gas Company 2481 John Nash Blvd. Bluefield, WV 24701 (Previously Consolidation Coal Company)	0.11 acres	0.1375%	0.00125%	0.00981%	0.00681%	0.0704%
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Exhibit EE
Unit W-31
Docket # VGOB 95-0418-0503-02
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit	Division of Interest in			Percent of Escrow
			7 East 0.9110%	8 East 7.1320%	9 East 4.9500%	
<u>Tract #12, 24.90 Acres</u>						
<u>COAL OWNERSHIP</u>						
(1) Coal Mountain Mining Company LLP, Tr. 23 P.O. Box 675 Tazewell, VA 24651	24.90 acres	31.1250%	0.28355%	2.21984%	1.54069%	15.9350%
<u>OIL & GAS OWNERSHIP</u>						
(1) Terry Baldwin Heirs, Devisees, Successors or Assigns	24.90 acres	31.1250%	0.28355%	2.21984%	1.54069%	
(a) Matthew Baldwin P.O. Box 531 Oakwood, VA 24631	12.45 acres 1/2 of 24.90 acres	15.5625%	0.14177%	1.10992%	0.77034%	7.9675%
(b) Amanda Leigh Baldwin 16241 Carousel Road Abingdon, VA 24210	12.45 acres 1/2 of 24.90 acres	15.5625%	0.14177%	1.10992%	0.77034%	7.9675%

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Exhibit A
Tract-by-Tract Escrow Calculation
Account Balances as of 7/31/10

Unit W-31
 VGOB 95-0418-0503-02
 Acres Escrowed: 78.130000

Owners	Tract #	Acres	Owner Acres	Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$67,113.15
Coal Mountain Mining Company LLP- Coal	2	1.24	1.5871%		0.7935%	\$532.58
CNX Gas Company LLC - O&G					0.7935%	\$532.58
Yukon Pocahontas Coal Company et al- Coal	3	8.73	11.1737%			
Yukon Pocahontas Coal Company			4.3650	1/2	2.7934%	\$1,874.75
Buchanan Coal Company			0.9700	1/9	0.6208%	\$416.61
Sayers-Pocahontas Coal Company			0.4850	1/18	0.3104%	\$208.31
Plum Creek Timberlands L.P. (Retained CBM Interest)			2.9100	1/3	1.8623%	\$1,249.84
Donald Shortt, et al - O&G	3	8.73	11.1737%		5.5868%	\$3,749.51
Coal Mountain Mining Company LLP- Coal	4	3.25	4.1597%		2.0799%	\$1,395.86
CNX Gas Company LLC - O&G					2.0799%	\$1,395.86
Yukon Pocahontas Coal Company et al- Coal	5	17.19	22.0018%			
Yukon Pocahontas Coal Company			8.5950	1/2	5.5004%	\$3,691.52
Buchanan Coal Company			1.9100	1/9	1.2223%	\$820.34
Sayers-Pocahontas Coal Company			0.9550	1/18	0.6112%	\$410.17
Plum Creek Timberlands L.P. (Retained CBM interest)			5.7300	1/3	3.6670%	\$2,461.02
Donald Shortt, et al - O&G	5	17.19	22.0018%		11.0009%	\$7,383.05
Coal Mountain Mining Company LLP- Coal	8	0.11	0.1408%		0.0704%	\$47.24
CNX Gas Company LLC - O&G					0.0704%	\$47.24
Coal Mountain Mining Company LLP- Coal	12	24.900000			15.9350%	\$10,694.47
Terry Baldwin Heirs - O&G		24.90				
Matthew Baldwin			12.4500	1/2	7.9675%	\$5,347.23
Amanda Leigh Baldwin			12.4500	1/2	7.9675%	\$5,347.23

Wells contributing to the escrow account:

 Gob well production allocated from 7,8,9 panel. Buc. 1 SGU 1

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