

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 Sarah K. Wade in Tract 22; Coal Mountain Mining and Elizabeth Ann McCowan Tract 50; Coal Mountain Mining and Anna R Lambert in Tract 51; Coal Mountain Mining and Ralph Keen in Tract 52.

**DOCKET NO.****98-1117-0697-02****RELIEF  
SOUGHT:**

**Issuance:** A Supplemental Order for Disbursement of Escrowed Funds  
**Action:** Amending Prior Orders Affecting the Buchanan No 1 Sealed Gob Unit (SGU) 1; Tracts 22, 50, and 51. Tract 52 was proposed but not approved by the Board due to Counsel Objections regarding the "split" agreement. (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 Buchanan No 1. SGU1 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

**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 Center, 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. On December 15, 1998 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 May 12, 1999, Deed Book 491 and Pages 744 to 799, Instrument Number 990001281. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk of the Circuit Court of Buchanan County on March 17, 2000, Deed Book 503, Pages 541 to 585 Instrument Number 000000751.
- b) On June 20, 2000 the Board executed a modification for the Subject Drilling Unit. The modification was filed with the Clerk of the Circuit Court in Buchanan County on January 3, 2001, Deed Book 517, Pages 609 to 656. A Supplemental Order regarding VGOB 98-1117-0697-01 was entered by the Board *sua sponte* and filed with the Clerk of the Circuit Court of Buchanan County on May 1, 2001 in Deed Book 523, Pages 238 to 274, Instrument Number 010001170.
- 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 a final order entered by Judge Keary Williams on August 31, 2010, Civil action No. CL09-476, Sarah Kathleen Wade is entitled to 100% of the Royalties on her owned gas acreage of Tract 22 in the unit. In addition, Coal Mountain Mining Co., LLP and Elizabeth Ann McCowan Justice; Coal Mountain Mining Co. LLP and Ana R. Lambert; Coal Mountain Mining Co LLP and Ralph Keen have entered into royalty split agreement(s) relative to Tracts 50, 51 and 52 respectively. During the Board hearing on November 16, 2010, the split agreement document of Ralph Keen was challenged by Counsel, was not approved but continued by the Board. 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 regarding Tracts 22, 50 and 51, a copy of which is attached to and made a part hereof, states under oath that 1) The Board received a Court Order under Civil action No CL09-476, adjudicating 100% ownership of ownership of coalbed methane gas to Sarah Kathleen Wade for Tract 22 in the drilling unit. 2) Coal Mountain Mining LLP and Elizabeth Ann McCowan Justice and Ana R. Lambert have entered into an agreement with regards to Tracts 50 and 51 and that by the terms of the agreements, Coal Mountain Mining LLP and Elizabeth Ann McCowan Justice and Ana R. Lambert 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 Coal Mountain Mining LLP and 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 22, 50 and 51 identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 4 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) A Court of Competent Jurisdiction has adjudicated 100% ownership of coalbed methane gas to Sarah Kathleen Wade for Tract 22 in the Buchanan 1 SGU1 detailed in civil action CL09-476.
- (2) Coal Mountain Mining LLP and Elizabeth Ann McCowan Justice in Tract 50; Coal Mountain Mining LLP and Ana R. Lambert in Tract 51 are the owners of the coal and gas acreage estate underlying VGOB Tracts in the Buchan No. 1 Sealed Gob Unit (SGU) 1;
- (3) Net interests attributable and to be disbursed to Applicants are shown in **Table 1**,

VGOB Approved Disbursement  
VGOB-98-1117-0697-02  
Buchanan No 1 SGU1

As Given		Court Order or Split Agreement	Escrowed Acres Total	% of Escrowed Funds
Frac Interest	Acreage Interest Disbursed			

<b>Table 1</b>						
<b>Disbursement Table</b>						
Item No	Tract	Tract 2b, 2c and 2d				
		Totals			265.6100	
	22	Torch Oil and Gas Company	41.05			
1	22	Torch Oil and Gas Company - Coal	1	41.0500	0.0%	
2	22	Sara Kathleen Wade (Thomas Wade) PO Box 225 Oakwood, VA 24631	1	41.0500	100.0%	15.4550%
	50	Coal Mountain Mining	1.13			
3	50	Coal Mountain Mining / PO box 675 / Tazewell, VA 24651	1	1.1300	50.0%	0.2127%
4	50	Elizabeth Ann McCowan Justice / PO Box 677 / Rosedale, VA 24280	1	1.1300	50.0%	0.2127%
	51	Coal Mountain Mining	0.55			
5	51	Coal Mountain Mining / PO box 675 / Tazewell, VA 24651	1	0.5500	50.0%	0.1035%
6	51	Anna R. Lambert / 182 Blankenship Drive / North Tazewell, VA 24630	1	0.5500	50.0%	0.1035%
	52	Coal Mountain Mining	0.23			
7	52	Coal Mountain Mining / PO box 675 / Tazewell, VA 24651				
8	52	Ralph Keen / 200 Summit Avenue / Lebanon, VA 24266				

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:**

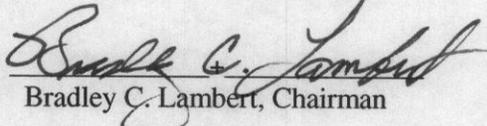
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED**.

8. **Appeals:**

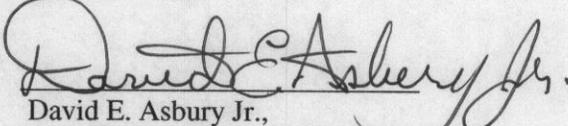
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated 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.

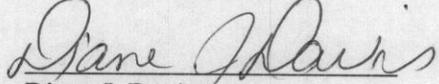
  
Bradley C. Lambert, Chairman

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 17<sup>th</sup> day of December, 2009, 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



VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF BUCHANAN

SARAH KATHLEEN WADE,

Civil Action No.: CL09-476

Plaintiff,

v.

HUGH MACRAE LAND TRUST And  
TORCH OIL & GAS COMPANY, et al.,  
a Delaware corporation,

Defendants.

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

This matter, having come before the Court on the Motion of Plaintiff Sarah Kathleen Wade ("Plaintiff") for Summary Judgment, and the Court having reviewed the papers submitted by the parties and having heard oral argument of counsel, and for good cause shown, hereby ORDERS:

1. Plaintiff brings this action, pursuant to Virginia Code § 8.01-184, as a suit for a declaration of rights under the Virginia Gas and Oil Act (the "Act"), Virginia Code § 45.1-361.1 *et. seq.* Specifically, Plaintiff seeks a determination under the Act that in connection with the ostensible ownership conflict between Defendants and Plaintiff regarding the parties' coalbed methane ownership rights in certain tracts, as a matter of controlling law under *Harrison-Wyatt v. Ratliff*, 267 Va. 549, 593 S.E.2d 234 (2004) and Virginia Code § 45.1-361.21:1, no such ownership conflict exists.

2. The Act states that "[t]he Board shall order payment . . . from the escrow account to conflicting claimants only after . . . a final decision of a court of competent

jurisdiction adjudicating the ownership of coalbed methane gas as between them." §45.1-361.22.5 (emphasis added).

3. Pursuant to the express language of the statute, the ownership determination is binary: either the gas is owned by one conflicting claimant, or it is owned by the other conflicting claimant. Ownership conflicts under the Act are by definition limited to conflicts only between the named conflicting claimants.

4. It is undisputed that in 1997 and 1998, Defendant CNX filed with the Gas and Oil Board a series of forced pooling petitions that related to the tracts at issue in this case. In each of those petitions, CNX claimed that a conflict existed regarding ownership of the coalbed methane rights, which conflict required CNX to deposit all royalties into an escrow account.

5. In each of the petitions filed, pursuant to the statutory requirements, CNX identified the two "conflicting claimants": Sarah Kathleen Wade (the land owner) and Hugh Macrae Land Trust (the coal owner).

6. Consistent with the dictates of the Act, this Court's role is to determine whether an ownership conflict exists "as between" Ms. Wade and the Land Trust. If such a conflict exists, then the money should remain in escrow; if such a conflict does not exist, then the money must be released from escrow.

7. The Virginia Supreme Court held in *Ratliff* that when a surface owner or his predecessor-in-title "has conveyed all the coal in and under his land, title to the coal bed methane gas in the tract has not passed to the coal owner along with the coal."

8. Along the same lines, Virginia Code § 45.1-361.21:1, as amended, mandates that "a conveyance, reservation, or exception of coal shall not be deemed to include

coalbed methane gas, and in accordance with § 45.1-361.21:1(3), . . . an emergency exists and this act is in force from its passage. Approved by Governor - Chapter 730 (effective 4/13/10).”

9. Both *Ratliff* and the new statute stand for the basic proposition that when a landowner enters into a severance deed for coal only, the landowner retains the rights to the gas under her land. Thus, it is controlling Virginia law that when a landowner or her predecessors convey only coal to an operator through a severance deed or lease, there is a legal presumption that the landowner owns the rights to the gas under her land.

10. That presumption is rebuttable with admissible evidence that the other “conflicting party” named in the forced pooling petition owns the rights to the gas under the landowner’s land. The coal or gas operator bears the evidentiary burden to come forward with such evidence of ownership. In the absence of such evidence, there is no ownership conflict “as between” the conflicting parties under the Act.

11. Turning to the facts of this case, Plaintiff has provided the Court with undisputed evidence that the severance deed related to the tracts in question conveyed only coal. See Complaint, Ex. F. As a matter of law, title to the coalbed methane gas at issue was not conveyed with the coal underlying Plaintiff’s land.

12. This coal-only severance deed creates a legal presumption that Plaintiff owns the rights to the coalbed methane under her land.

13. To prove that an ownership conflict under §45.1-361.22.5 exists, the burden shifts to Defendants to adduce evidence that one of the other “conflicting parties” – and not Plaintiff – owns the rights to the gas.

JUDGE

14. Defendants have failed to produce any such evidence. Instead, Defendants argue that Plaintiff has not proven that she owns the gas. Defendants' attempts to shift the evidentiary burden to Plaintiff are unavailing.

15. Defendants have raised no questions of material fact that support their contention that there are conflicting ownership claims to the coalbed methane in the relevant tracts.

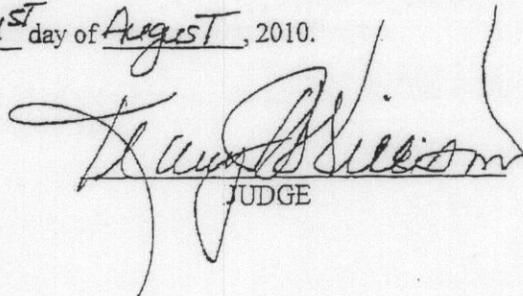
16. Because there are no issues of material fact in dispute regarding the ownership of the coalbed methane at issue, the Court grants Plaintiff's motion for summary judgment in full.

17. The Court rules that pursuant to §45.1-361.22.5 of the Act, the operator of the tracts at issue CNX is required within thirty days of notification of this decision to file with the Virginia Gas and Oil Board a petition to disburse from the escrow account to Plaintiff all principal and accrued interest associated with the tracts at issue, less the escrow account fees.

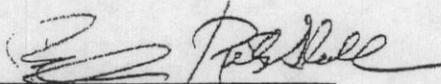
18. The Court directs the Virginia Gas and Oil Board to act expeditiously in disbursing Plaintiff's funds.

19. The Court retains jurisdiction over this matter until Plaintiff has received from the Board all principal and accrued interest, less escrow account fees.

SO ORDERED this 31<sup>st</sup> day of August, 2010.

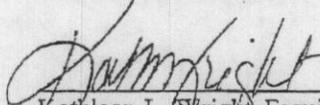
  
JUDGE

SEEN AND REQUESTED:



Peter G. Glubiak, Esquire, (VSB#31271)  
GLUBIAK LAW OFFICE  
P. O. Box 144  
Aylett, Virginia 23009  
Telephone: (804) 769-1616  
Facsimile: (804) 769-1897  
*Counsel for Plaintiff*

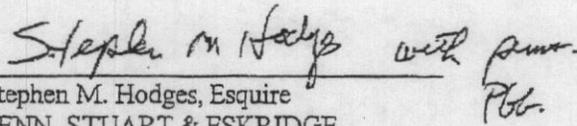
SEEN AND ~~AGREED~~ OBJECTED TO for reasons stated in oral argument, in Torch Oil & Gas Company's Response to Plaintiff's Motion for Summary Judgment, and in Torch's July 29, 2010 letter to the Court, as well as



Kathleen L. Wright Esquire  
GENTRY LOCKE RAKES & MOORE, LLP  
P. O. Box 40013  
Roanoke, Virginia 24022-0013  
*Counsel for Torch Oil & Gas Company*

the objections stated on the attached list.

SEEN AND AGREED:



Stephen M. Hodges, Esquire  
PENN, STUART & ESKRIDGE  
P. O. Box 2288  
Abingdon, Virginia 24212  
*Counsel for CNX Gas Company, LLC*

Objections of Torch Oil & Gas Company ("Torch") to the  
Order Granting Motion for Summary Judgment.

1. Torch objects to the Order on the grounds that it contradicts the Court's letter opinion of August 13, 2010, in that the Court considered title information provided by the plaintiff in reaching its decision, and did not rely on any claimed legal presumption based on the 1887 coal-severance deed.
2. Torch objects to the Court's reliance on force pooling documents that were not before the Court as evidence or in any other form. Torch also objects to the consideration of CNX's force pooling documents on the grounds that the documents were redacted without explanation, the documents were not authenticated, and the plaintiff did not lay any evidentiary foundation for the documents. The only portions of force pooling documents the Plaintiff provided Torch copies of were apparently created in 1992 or earlier, and contained no supporting documentation.
3. Torch objects to the Order to the extent it concludes that a plaintiff filing an action under the Virginia Gas and Oil Act is not required to prove ownership of the gas rights on the real estate at issue or ownership of the escrowed royalties in order to be awarded the escrowed royalty amounts.
4. Torch objects to the Court's consideration and reliance on inadmissible hearsay.
5. Torch objects to the Order to the extent it concludes that the existence of a "coal-only" severance deed from 1887, describing approximately 200 acres, is sufficient proof of the plaintiff's 2010 gas or royalty ownership on approximately 50 acres.
6. Torch objects to the Order on the grounds that the Court did not require the plaintiff to prove that the 50 acres through which she claimed ownership of gas royalties was within the property described in the 1887 coal severance deed.
7. Torch objects to the Order on the grounds that it places the burden of proof on a defendant and creates a default rule in favor of the plaintiff without requiring the plaintiff to prove anything. (Order, ¶¶ 10, 13).
8. Torch objects that Paragraph 12 of the Order as an incorrect statement of the law of Virginia. A coal-only severance deed from 1887, describing approximately 200 acres, cannot create a legal presumption that Kathleen Wade owns the gas rights on 50 acres.
9. Torch objects to Paragraph 14 of the Order on the grounds that the evidentiary burden was and is on the Plaintiff, not the Defendants.

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 98-1117-0697-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM  
ESCROW REGARDING TRACT(S) 22, 50, 51, & 52  
(2) AND AUTHORIZATION FOR DIRECT  
PAYMENT OF ROYALTIES

HEARING DATE: November 16, 2010

DRILLING UNIT: Buchanan No.1 SGU1

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, 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) 22, 50, 51, & 52 as depicted upon the annexed Exhibits A and A1; and (2) authorization to begin paying royalties directly to Sarah Kathleen Wade as she is entitled to 100% of the Royalties according to the final order which was entered by Judge Keary Williams on August 31, 2010, Civil action No: CL09-476, adjudicating the ownership of coalbed methane gas. In addition, authorization to begin paying royalties directly to the parties to the royalty split agreement(s) between Coal Mountain Mining Co., LLP and Elizabeth Ann McCowan Justice; Coal Mountain Mining Co., LLP and Anna R. Lambert; Coal Mountain Mining Co., LLP and Ralph Keen.

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:** Sarah Kathleen Wade is entitled to 100% of the Royalties according to the final order which was entered by Judge Keary Williams on August 31, 2010, Civil action No: CL09-476, adjudicating the ownership of coalbed methane gas. In addition, Coal Mountain Mining Co., LLP and Elizabeth Ann McCowan Justice; Coal Mountain Mining Co., LLP and Anna R. Lambert; Coal Mountain Mining Co., LLP and Ralph Keen have entered into royalty split agreement(s). Said Court Order and/or royalty split agreement(s) allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A1, 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

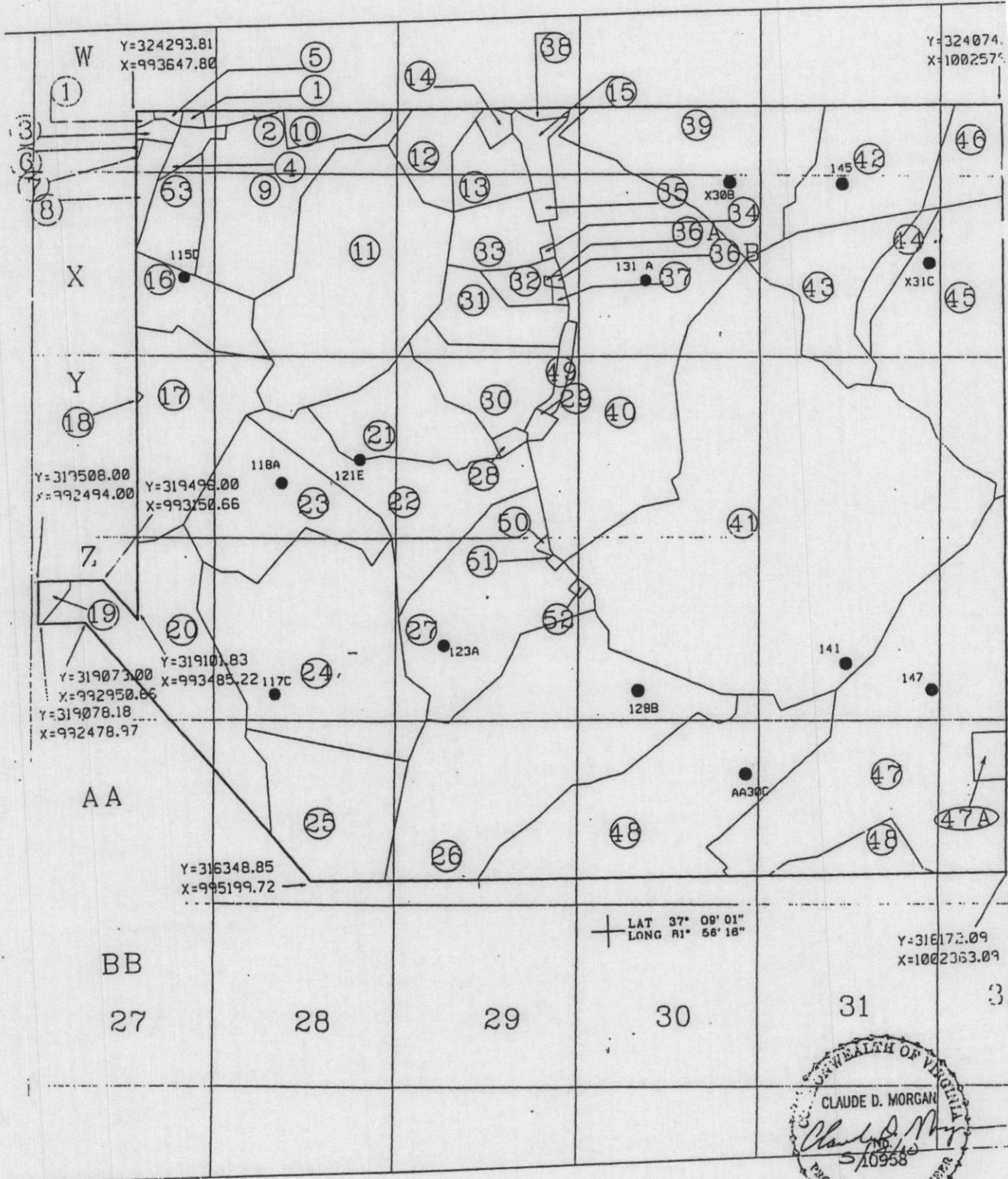
By: \_\_\_\_\_

Anita D. Duty  
Pooling Supervisor  
CNX Land Resources, Inc.  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701



BUCHANAN CO.

VA



+ LAT 37° 09' 01"  
 LONG R1° 58' 18"

COMMONWEALTH OF VIRGINIA  
 CLAUDE D. MORGAN  
*Claude D. Morgan*  
 5/10/98  
 PROFESSIONAL ENGINEER

EXHIBIT A

VG0B-98-1117-0697-0

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**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

1. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
1.50 acres                      0.09431%
  
2. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
Ernest Addison Heirs - Oil & Gas  
1.95 acres                      0.12261%
  
3. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
1.83 acres                      0.11506%
  
4. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
3.72 acres                      0.23390%
  
5. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Jackie Meadows - Oil & Gas  
0.72 acres                      0.04527%

**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

6. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
0.17 acres                      0.01069%
  
7. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
0.08 acres                      0.00503%
  
8. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
4.55 acres                      0.28608%
  
9. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
48.15 acres                      3.02746%
  
10. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
7.33 acres                      0.46088%

**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

11. Hugh MacRae Land Trust - TR 2 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
Ernest Keen Heirs - Oil & Gas  
81.53 acres                      5.12625%
  
12. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
Ernest Keen Heirs - Oil & Gas  
12.69 acres                      0.79789%
  
13. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
Glen Rose - Oil & Gas  
10.92 acres                      0.68660%
  
14. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
1.57 acres                      0.09871%
  
15. Yukon Pocahontas Coal Company et al Tr 50-2 - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
8.49 acres                      0.53381%

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POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
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16. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
19.18 acres                      1.20596%
17. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
48.86 acres                      3.07211%
18. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
0.11 acres                      0.00692%
19. Hugh MacRae Land Trust - TR 21 - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
2.04 acres                      0.12827%
20. Hugh MacRae Land Trust - TR 21A - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
54.47 acres                      3.42484%

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POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
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21. Hugh MacRae Land Trust - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
18.55 acres                      1.16634%
22. Hugh MacRae Land Trust - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
Thurman Wade - Oil & Gas  
41.05 acres                      2.58105%
23. Hugh MacRae Land Trust - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
42.57 acres                      2.67662%
24. Hugh MacRae Land Trust - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
Coal Mountain Mining - Oil & Gas  
79.56 acres                      5.00239%
25. Coal Mountain Mining - TR 2 - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
40.23 acres                      2.52949%

**POCAHONTAS GAS PARTNERSHIP**  
**BUCHANAN #1 SOUTH SGU**  
**Tract Identifications**

26. Coal Mountain Mining - TR 6 - Coal, Oil & Gas  
 Coal Lessees  
 Permac, Inc.  
 Consolidation Coal Company  
 United Coal Company  
 Pocahontas Gas Partnership - Oil & Gas Lessee  
 Pocahontas Gas Partnership - CBM Lessee  
 106.39 acres                      6.68934%
27. Coal Mountain Mining - TR 14 - Coal  
 Coal Lessees  
 Permac, Inc.  
 Consolidation Coal Company  
 United Coal Company  
 Pocahontas Gas Partnership - Oil & Gas Lessee  
 Pocahontas Gas Partnership - CBM Lessee  
 Ernest Keen Heirs - Oil & Gas  
 57.61 acres                      3.62227%
28. Hugh MacRae Land Trust - TR 5 - Coal  
 Coal Lessees  
 Permac, Inc.  
 Consolidation Coal Company  
 United Coal Company  
 Pocahontas Gas Partnership - CBM Lessee  
 Pocahontas Gas Partnership - Oil & Gas Lessee  
 Winfred Wade - Oil & Gas  
 1.27 acres                      0.07985%
29. Hugh MacRae Land Trust - TR 5 - Coal  
 Coal Lessees  
 Permac, Inc.  
 Consolidation Coal Company  
 United Coal Company  
 Pocahontas Gas Partnership - CBM Lessee  
 Pocahontas Gas Partnership - Oil & Gas Lessee  
 Agnes Deskins - Oil & Gas  
 1.34 acres                      0.08425%
30. Hugh MacRae Land Trust - TR 17 - Coal  
 Coal Lessees  
 Permac, Inc.  
 Consolidation Coal Company  
 United Coal Company  
 Pocahontas Gas Partnership - CBM Lessee  
 Pocahontas Gas Partnership - Oil & Gas Lessee  
 Earl Marshall Heirs - Oil & Gas  
 20.06 acres                      1.26129%

**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

- 31. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
19.31 acres                      1.21413%
  
- 32. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Julius Rowe - Oil & Gas  
6.64 acres                      0.41749%
  
- 33. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Bobby Steele - Oil & Gas  
19.07 acres                      1.19904%
  
- 34. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Grady Horn - Oil & Gas  
0.77 acres                      0.04841%
  
- 35. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Ruth Steele - Oil & Gas  
1.78 acres                      0.11192%

**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

- 36A. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
A. Ferrell Heirs - Oil & Gas  
0.11 acres                      0.00692%
- 36B. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Nancy Rose - Oil & Gas.  
0.26 acres                      0.01635%
37. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas  
0.64 acres                      0.04024%
38. Coal Mountain Mining - TR 24 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Garden Realty Corporation - Oil & Gas  
1.56 acres                      0.09809%
39. Coal Mountain Mining - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Yukon Pocahontas et al Tr 112 - Oil & Gas  
55.74 acres                      3.50469%

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**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

40. Coal Mountain Mining - TR 19 - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
122.60 acres                      7.70856%
41. Coal Mountain Mining - TR 9A - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
248.27 acres                      15.61015%
42. Coal Mountain Mining - TR 23 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Terry Baldwin - Oil & Gas  
37.15 acres                      2.33583%
43. Coal Mountain Mining - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Terry Baldwin - Oil & Gas  
31.48 acres                      1.97933%
44. Coal Mountain Mining - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Gary Davis et al - Oil & Gas  
7.88 acres                      0.49546%

**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

- 45. Coal Mountain Mining - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Gary Davis et al - Oil & Gas  
65.40 acres                      4.11207%
  
- 46. Hurt McGuire Land Trust - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
15.21 acres                      0.95634%
  
- 47. Coal Mountain Mining - TR 7 - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
128.74 acres                      8.09461%
  
- 47A. John Astor Rife - Coal, Oil & Gas  
Coal Lessees  
Consolidation Coal Company - Pocahontas No. 3 Seam Lessee  
Island Creek Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
3.98 acres                      0.25025%
  
- 48. Coal Mountain Mining - TR 9 - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
88.90 acres                      5.58965%
  
- 49. Consolidation Coal Company - Coal, Oil & Gas  
2.99 acres                      0.18800%
  
- 50. Coal Mountain Mining - TR 24 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company

**POCAHONTAS GAS PARTNERSHIP  
BUCHANAN #1 SOUTH SGU  
Tract Identifications**

United Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
Roy & Ann McCowan - Oil & Gas  
1.13 acres                      0.07105%

51.      Coal Mountain Mining - TR 14 - Coal  
          Coal Lessees  
          Permac, Inc.  
          Consolidation Coal Company  
          United Coal Company  
          Pocahontas Gas Partnership - CBM Lessee  
          Pocahontas Gas Partnership - Oil & Gas Lessee  
          Ann R. Lambert - Oil & Gas  
          0.55 acres                      0.03458%

52.      Coal Mountain Mining - TR 14 - Coal  
          Coal Lessees  
          Permac, Inc.  
          Consolidation Coal Company  
          United Coal Company  
          Pocahontas Gas Partnership - CBM Lessee  
          Pocahontas Gas Partnership - Oil & Gas Lessee  
          Ralph Keen - Oil & Gas  
          0.23 acres                      0.01446%

53.      Hugh MacRae Land Trust - TR 17 - Coal  
          Coal Lessees  
          Permac, Inc.  
          Consolidation Coal Company  
          United Coal Company  
          Pocahontas Gas Partnership - CBM Lessee  
          Consolidation Coal Company - Oil & Gas  
          11.56 acres                      0.72684%

Exhibit E  
 Buchanan #1 South Sealed Gob Unit 1  
 Docket #VGOB 98-1117-0697-02  
 List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
<b><u>Tract #5 - 0.72 Acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.72 acres	0.0453%
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030		
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Jackie Meadows Rt. 1, Box 78 Raven, VA 24639	0.72 acres	0.0453%
<b><u>Tract #11 - 81.53 Acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Hugh MacRae Land Trust, Tr.2 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	81.53 acres	5.1263%
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030		
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Ernest Keen Heirs, Devisees, Successors or Assigns	81.53 acres	5.1263%
(a) Paul Keen ( <i>deceased</i> ) Rt. 1, Box 52 Raven, VA 24639	13.59 acres 1/6 of 81.53 acres	0.8544%
(b) Ralph Keen 200 Summit Avenue Lebanon, VA 24266	13.59 acres 1/6 of 81.53 acres	0.8544%
(c) Arnold Keen RR 2, Box 91 Cedar Bluff, VA 24609	13.59 acres 1/6 of 81.53 acres	0.8544%

**Exhibit E**  
**Buchanan #1 South Sealed Gob Unit 1**  
**Docket #VGOB 98-1117-0697-02**  
**List of Conflicting Owners/Claimants that require escrow**

	Net Acres in Unit	Interest in Unit
(d) Ruby Hale ( <i>deceased</i> ) Box 731 Cedar Bluff, VA 24609	13.59 acres  1/6 of 81.53 acres	0.8544%
(e) Anna R. Lambert 182 Blankenship Drive North Tazewell, VA 24630	13.59 acres  1/6 of 81.53 acres	0.8544%
(f) Elizabeth Ann Justice P.O. Box 677 Rosedale, VA 24280 <i>(formerly Ann McCowan. Roy McCowan is deceased and Ann remarried.)</i>	13.59 acres  1/6 of 81.53 acres	0.8544%

**Tract #12 - 12.69 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	12.69 acres	0.7979%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
c/o Sue Ann Craddock  
670 Dona Ana Road SW  
Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) Ernest Keen Heirs, Devisees, Successors or Assigns	12.69 acres	0.7979%
(a) Paul Keen ( <i>deceased</i> ) Rt. 1, Box 52 Raven, VA 24639	2.115 acres  1/6 of 12.69 acres	0.1330%
(b) Ralph Keen 200 Summit Avenue Lebanon, VA 24266	2.115 acres  1/6 of 12.69 acres	0.1330%
(c) Arnold Keen RR 2, Box 91 Cedar Bluff, VA 24609	2.115 acres  1/6 of 12.69 acres	0.1330%
(d) Ruby Hale ( <i>deceased</i> ) Box 731 Cedar Bluff, VA 24609	2.115 acres  1/6 of 12.69 acres	0.1330%
(e) Anna R. Lambert 182 Blankenship Drive North Tazewell, VA 24630	2.115 acres  1/6 of 12.69 acres	0.1330%

**Exhibit E**  
**Buchanan #1 South Sealed Gob Unit 1**  
**Docket #VGOB 98-1117-0697-02**  
**List of Conflicting Owners/Claimants that require escrow**

	Net Acres in Unit	Interest in Unit
(f) Elizabeth Ann Justice P.O. Box 677 Rosedale, VA 24280 <i>(formerly Ann McCowan. Roy McCowan is deceased and Ann remarried.)</i>	2.115 acres 1/6 of 12.69 acres	0.1330%

**Tract #13 - 10.92 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	10.92 acres	0.6866%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
c/o Sue Ann Craddock  
670 Dona Ana Road SW  
Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) Glen Rose 114 First Avenue Richlands, VA 24641	10.92 acres	0.6866%
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**Tract #27 - 57.61 Acres**

**COAL OWNERSHIP**

(1) Coal Mountain Mining Co., LLP P.O. Box 675 Tazewell, VA 24651	57.61 acres	3.6223%
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**OIL & GAS OWNERSHIP**

(1) Ernest Keen Heirs, Devisees, Successors or Assigns	57.61 acres	3.6223%
(a) Paul Keen <i>(deceased)</i> Rt. 1, Box 52 Raven, VA 24639	9.602 acres 1/6 of 57.61 acres	0.6037%
(b) Ralph Keen 200 Summit Avenue Lebanon, VA 24266	9.602 acres 1/6 of 57.61 acres	0.6037%
(c) Arnold Keen RR 2, Box 91 Cedar Bluff, VA 24609	9.602 acres 1/6 of 57.61 acres	0.6037%
(d) Ruby Hale <i>(deceased)</i> Box 731 Cedar Bluff, VA 24609	9.602 acres 1/6 of 57.61 acres	0.6037%

**Exhibit E**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants that require escrow**

	Net Acres in Unit	Interest in Unit
(e) Anna R. Lambert 182 Blankenship Drive North Tazewell, VA 24630	9.602 acres 1/6 of 57.61 acres	0.6037%
(f) Elizabeth Ann Justice P.O. Box 677 Rosedale, VA 24280 <i>(formerly Ann McCowan. Roy McCowan is deceased and Ann remarried.)</i>	9.602 acres 1/6 of 57.61 acres	0.6037%

**Tract #28 - 1.27 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.5 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	1.27 acres	0.0799%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
c/o Sue Ann Craddock  
670 Dona Ana Road SW  
Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) Winfred L. Wade c/o Jeffery L. Wade 1026 Wade Rd. Raven, VA 24639	1.27 acres	0.0799%
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**Tract #29 - 1.34 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.5 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	1.34 acres	0.0843%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
c/o Sue Ann Craddock  
670 Dona Ana Road SW  
Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) Agnes Deskins Rt. 1, Box 59 Raven, VA 24639	1.34 acres	0.0843%
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**Exhibit E**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants that require escrow**

	Net Acres in Unit	Interest in Unit
<b><u>Tract #30 - 20.06 Acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	20.06 acres	1.2613%
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030		
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Earl Marshall Heirs, Devisees, Successors or Assigns	20.06 acres	1.2613%
(a) Charles L. Ritchie 1509 Kentucky Ave. Bristol, VA 37620	12.538 acres 5/8 of 20.06 acres	0.7883%
(b) Lowery L. Jackson 5001 Parker Avenue West Palm Beach, FL 33405	2.508 acres 1/8 of 20.06 acres	0.1577%
(c) Corbit Jackson Rt. 1, Box 80 Raven, VA 24639	2.508 acres 1/8 of 20.06 acres	0.1577%
(d) Herbert L. Jackson P. O. Box 426 Grundy, VA 24614 (Deceased - goes to Jerry Jackson, other portions as well. Look for deeds/will forthcoming.)	2.508 acres 1/8 of 20.06 acres	0.1577%

**Tract #32 - 6.64 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	6.64 acres	0.4175%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
c/o Sue Ann Craddock  
670 Dona Ana Road SW  
Deming, NM 88030

Exhibit E  
 Buchanan #1 South Sealed Gob Unit 1  
 Docket #VGOB 98-1117-0697-02  
 List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Julius Rowe P. O. Box 454 Grundy, VA 24614	6.64 acres	0.4175%
<b><u>Tract #33 - 19.07 Acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	19.07 acres	1.1990%
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030		
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Bobby Steele Rt. 1, Box 66 Raven, VA 24639	19.07 acres	1.1990%
<b><u>Tract #34 - 0.77 Acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.77 acres	0.0484%
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>		
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030		
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Grady Horn Rt. 1, Box 65 Raven, VA 24639	0.77 acres	0.0484%

Exhibit E  
 Buchanan #1 South Sealed Gob Unit 1  
 Docket #VGOB 98-1117-0697-02  
 List of Conflicting Owners/Claimants that require escrow

Net Acres  
in Unit                      Interest  
in Unit

**Tract #35 - 1.78 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	1.78 acres	0.1119%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
 c/o Sue Ann Craddock  
 670 Dona Ana Road SW  
 Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) Ruth Steele Rt. 1, Box 66 Raven, VA 24639	1.78 acres	0.1119%
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**Tract #36A - 0.11 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.11 acres	0.0069%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
 c/o Sue Ann Craddock  
 670 Dona Ana Road SW  
 Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) A. Ferrell Heirs, Devisees, Successors or Assigns	0.11 acres	0.0069%
(a) Maize F. Boardwine Rt. 3, Box 164-A Pulaski, VA 24301		
(b) Samuel L. Ferrell Rt. 3, Box 164-A Pulaski, VA 24301		
(c) Clarence & Doshie Ferrell Rt. 3, Box 127 Abingdon, VA 24210		

**Exhibit E**  
**Buchanan #1 South Sealed Gob Unit 1**  
**Docket #VGOB 98-1117-0697-02**  
**List of Conflicting Owners/Claimants that require escrow**

**Net Acres  
in Unit**

**Interest  
in Unit**

- 
- (d) Flora French  
1806 5th Street  
Richlands, VA 24641
- (e) Mary Honaker  
Star Route, Box 135  
Raven, VA 24639
- (f) Hazel Hylton  
122 Smith Street  
Tazewell, VA 24651
- (g) Joshua & Della Ferrell  
Heirs, Devisees, Successor, or Assigns  
Addresses Unknown
- (h) Margie Moore  
910 Jackson Street  
Rochester, IN 46975
- (i) James & Betty Wilkes  
621 Corbley Road  
Rossville, GA 20741
- (j) Kelly & Danita Wilkes  
439 South Elmwood Street  
Rossville, GA 20741
- (k) Michael Wilkes  
309 Huntington Park  
Louisville, KY 40213
- (l) Janet & Robert Willett  
1624 Osburn Road  
Chickanauga, GA 30707
- (m) Mary Scott  
Heirs, Devisees, Successor, or Assigns  
Addresses Unknown
- (n) Florine P. Ferrell  
P. O. Box 247  
Oakwood, VA 24631
- (o) Gary Ferrell  
P. O. Box 247  
Oakwood, VA 24631
- (p) Teresa & Ronnie Frazier  
Rt. 6, Box 704  
Abingdon, VA 24210
- (q) Denise & Darrell Lavinger  
Rt. 2, Box 464  
Narrows, VA 24124

**Exhibit E**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants that require escrow**

	Net Acres in Unit	Interest in Unit
(r) Joan D. & Willaim Boyd Rt. 2, Box 464 Vansant, VA 24656		
(s) John D. Davis Rt. 1, Box 30-A Raven, VA 24639		
(t) Jack & Sharon Davis P. O. Box 82 Oakwood, VA 24631		
(u) Guy W. Davis P. O. Box 1041 Vansant, VA 24656		
(v) Harold R. & Loetta Boyd Star Route, Box 133 Raven, VA 24639		
(w) Arthur J. & Phyllis Boyd 5500 Qualla Road Chesterfield, VA 23832		
(x) Clarence W. Boyd Jr. Rt. 1, Box 701 Pounding Mill, VA 24637		
(y) Larry R. & Linda Boyd 2125 Clay Street Kannapolis, NC 28081		
(z) David F. Boyd 2603 Fruehauf Road Richmond, VA 23228		
(aa) Elibabeth Merrell 801 Delaware Temple, TX 76504		
(bb) Molly & Terry Carlson P. O. Box 63, 119061 Silver Bowl, MT 59750		
(cc) Virginia Howell Rt. 3, Box 711 Martinsville, VA 24112		
(dd) Caroline Leavett & Benjamin A. Donaldson P. O. Box 796 Boulder, MT 59632		
(ee) Mary Martin 2102 Elm Street Butte, MT 59701		

Exhibit E  
 Buchanan #1 South Sealed Gob Unit 1  
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 List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
(ff) Loretta Robinson Rt. 2, Box 470 Grundy, VA 24614		
(gg) Tammy Sluder 3127 Pennsylvania Longview, WA 98632		

**Tract #36B - 0.26 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.26 acres	0.0163%
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
 c/o Sue Ann Craddock  
 670 Dona Ana Road SW  
 Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) Nancy Rose P. O. Box 568 Keen Mountain, VA 24624	0.26 acres	0.0163%
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**Tract #44 - 7.88 Acres**

**COAL OWNERSHIP**

(1) Coal Mountain Mining Co., LLP, Tr. 5 P.O. Box 675 Tazewell, VA 24651	7.88 acres	0.4955%
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**OIL & GAS OWNERSHIP**

**Title Conflict with Oil and Gas Ownership**

(1) Gary Davis, et al	7.88 acres	0.4955%
(a) Gary Davis P.O. Box 47 Shortt Gap, VA 24627	3.152 acres 2/5 of 7.88 acres	0.1982%
(b) Wayne Davis P.O. Box 183 Pounding Mill, VA 24637	1.576 acres 1/5 of 7.88 acres	0.0991%
(c) Buford Davis Rt. 1 Box 190 Pounding Mill, VA 24637	1.576 acres 1/5 of 7.88 acres	0.0991%

**Exhibit E**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants that require escrow**

	Net Acres in Unit	Interest in Unit
(d) Ruth Boyd P.O. Box 127 Grottoes, VA 24441	1.576 acres 1/5 of 7.88 acres	0.0991%
OR		
(1) Terry Baldwin Heirs, Devisees, Successors or Assigns	7.88 acres	
(a) Matthew Baldwin P.O. Box 531 Oakwood, VA 24631	3.94 acres 1/2 of 37.15 acres	0.2477%
(b) Amanda Leigh Baldwin 16241 Carousel Road Abingdon, VA 24210	3.94 acres 1/2 of 37.15 acres	0.2477%

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**Exhibit EE**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1 - 1.50 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	1.50 acres	0.0943%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Pocahontas Gas Partnership)</i>	1.50 acres	0.0943%	n/a
<b><u>Tract #2 - 1.95 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	1.95 acres	0.1226%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Ernest Addison Heirs, Devises, Successors or Assigns	1.95 acres	0.1226%	n/a
(a) Myrtle Addison Estate P.O. Box 91 Nokesville, VA 20182	0.65 acres 1/3 of 1.95 acres	0.0409%	
(b) Ralph Addison Rt.1 Box 488 St. Paul, VA 24283	0.26 acres 2/15 of 1.95 acres	0.0163%	
(c) Gayle Henderson 981 Grubmore Road Marion, VA 24354	0.26 acres 2/15 of 1.95 acres	0.0163%	

**Exhibit EE**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(d) Helen McGrady 11656 Cemetery Road Bealeton, VA 22712	0.26 acres 2/15 of 1.95 acres	0.0163%	
(e) Joe Addison P. O. Box 91 Nokesville, VA 22031	0.26 acres 2/15 of 1.95 acres	0.0163%	
(f) Evelyn Massey P. O. Box 205 Sumerduck, VA 22742	0.26 acres 2/15 of 1.95 acres	0.0163%	

**Tract #3 - 1.83 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	1.83 acres	0.1151%	
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
c/o Sue Ann Craddock  
670 Dona Ana Road SW  
Deming, NM 88030

**OIL & GAS OWNERSHIP**

(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (previously Consolidation Coal Company)	1.83 acres	0.1151%	n/a
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**Tract #4 - 3.72 Acres**

**COAL OWNERSHIP**

(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	3.72 acres	0.2339%	
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**CBM Royalty Owner (Claim from the Coal Estate Owner):**

Torch Oil & Gas Company  
c/o Sue Ann Craddock  
670 Dona Ana Road SW  
Deming, NM 88030

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**Exhibit EE**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Consolidation Coal Company)</i>	3.72 acres	0.2339%	n/a
<b><u>Tract #6 - 0.17 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.17 acres	0.0107%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Consolidation Coal Company)</i>	0.17 acres	0.0107%	n/a
<b><u>Tract #7 - 0.08 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.08 acres	0.0050%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Consolidation Coal Company)</i>	0.08 acres	0.0050%	n/a

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Exhibit EE  
 Buchanan #1 South Sealed Gob Unit 1  
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 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #8 - 4.55 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	4.55 acres	0.2861%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (previously Consolidation Coal Company)	4.55 acres	0.2861%	n/a
<b><u>Tract #9 - 48.15 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	48.15 acres	3.0275%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (previously Consolidation Coal Company)	48.15 acres	3.0275%	n/a
<b><u>Tract #10 - 7.33 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	7.33 acres	0.4609%	

**Exhibit EE**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Consolidation Coal Company)</i>	7.33 acres	0.4609%	n/a
<b><u>Tract #14 - 1.57 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	1.57 acres	0.0987%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Pocahontas Gas Partnership)</i>	1.57 acres	0.0987%	n/a
<b><u>Tract #16 - 19.18 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	19.18 acres	1.2060%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			

Exhibit EE  
 Buchanan #1 South Sealed Gob Unit 1  
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 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Pocahontas Gas Partnership)</i>	19.18 acres	1.2060%	n/a
<b><u>Tract #17 - 48.86 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	48.86 acres	3.0721%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Consolidation Coal Company)</i>	48.86 acres	3.0721%	n/a
<b><u>Tract #18 - 0.11 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.11 acres	0.0069%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Consolidation Coal Company)</i>	0.11 acres	0.0069%	n/a

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Exhibit EE  
 Buchanan #1 South Sealed Gob Unit 1  
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 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #21 - 18.55 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.5 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	18.55 acres	1.1663%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (previously Pocahontas Gas Partnership)	18.55 acres	1.1663%	n/a
<b><u>Tract #22 - 41.05 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.5 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	41.05 acres	2.5810%	
<i>Although the deed from Hugh Macrae Land Trust to Torch Oil &amp; Gas Company conveyed the Coal owners' claim to the CBM estate to Torch Oil &amp; Gas Company. The CBM ownership was adjudicated to the prevailing plaintiff Sarah Kathleen Wade under Civil Action Case #CL09-476 executed August 31, 2010. Royalties are to be paid 100% to the prevailing plaintiff.</i>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Thurman Wade Heirs, Devisees, Successors or Assigns			
(a) Sarah Kathleen Wade P. O. Box 225 Oakwood, VA 24631	41.05 acres	2.5810%	15.4550%

**NOTE: Sarah Kathleen Wade is prevailing Plaintiff in Civil Action Case #CL09-476 and is awarded 100% of the Coalbed Methane Gas estate underlying Tract #22. All bonuses and/or royalties are to be paid to Sarah Kathleen Wade.**

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Exhibit EE  
 Buchanan #1 South Sealed Gob Unit 1  
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 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #23 - 42.57 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.5 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	42.57 acres	2.6766%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (previously Pocahontas Gas Partnership)	42.57 acres	2.6766%	n/a
<b><u>Tract #24 - 79.56 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.5 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	79.56 acres	5.0024%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP. Tr 5 P. O. Box 230 Tazewell, VA 24651	79.56 acres	5.0024%	n/a
<b><u>Tract #31 - 19.31 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	19.31 acres	1.2141%	

**Exhibit EE**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Pocahontas Gas Partnership)</i>	19.31 acres	1.2141%	n/a
<b><u>Tract #37 - 0.64 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	0.64 acres	0.0402%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Pocahontas Gas Partnership)</i>	0.64 acres	0.0402%	n/a
<b><u>Tract #38 - 1.56 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 24 P.O. Box 675 Tazewell, VA 24651	1.56 acres	0.0981%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
<b><u>Tract #38 - 1.56 Acres</u></b>			
(1) Garden Realty Coal Corporation 108 Bexley Road Mooresville, NC 28117	1.56 acres	0.0981%	n/a

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**Exhibit EE**  
**Buchanan #1 South Sealed Gob Unit 1**  
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**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #39 - 55.74 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 17 P.O. Box 675 Tazewell, VA 24651	55.74 acres	3.5047%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Yukon Pocahontas Coal Company, et al., Tr.112	55.74 acres	3.5047%	n/a
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	27.87 acres 1/2 of 55.74 acres	1.7523%	
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	6.19 acres 1/9 of 55.74 acres	0.3894%	
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	3.10 acres 1/18 of 55.74 acres	0.1947%	
(d) Highland Resources, Inc/ North American Resources, Corp. * 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303	18.58 acres 1/3 of 55.74 acres	1.1682%	
<b><i>Royalties Payable to:</i></b> Plum Creek Timberlands, LP Attn: Mineral Department One Concourse Parkway, Suite 755 Atlanta, GA 30328			
* Note: Plum Creek Timberlands retained their CBM interest. Highland Resources, Inc/North American Resource, Corp is owner of the Oil & Gas estates.			
<b><u>Tract #42 - 37.15 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 23 P.O. Box 675 Tazewell, VA 24651	37.15 acres	2.3358%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Terry Baldwin Heirs, Devisees, Successors or Assigns	37.15 acres		n/a
(a) Matthew Baldwin P.O. Box 531 Oakwood, VA 24631	18.575 acres 1/2 of 37.15 acres	1.1679%	
(b) Amanda Leigh Baldwin 16241 Carousel Road Abingdon, VA 24210	18.575 acres 1/2 of 37.15 acres	1.1679%	

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Exhibit EE  
 Buchanan #1 South Sealed Gob Unit 1  
 Docket #VGOB 98-1117-0697-02  
 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #43 - 31.48 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 5 P.O. Box 675 Tazewell, VA 24651	31.48 acres	1.9793%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Terry Baldwin Heirs, Devisees, Successors or Assigns	31.48 acres		n/a
(a) Matthew Baldwin P.O. Box 531 Oakwood, VA 24631	15.74 acres 1/2 of 37.15 acres	0.9897%	
(b) Amanda Leigh Baldwin 16241 Carousel Road Abingdon, VA 24210	15.74 acres 1/2 of 37.15 acres	0.9897%	
<b><u>Tract #45 - 65.40 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 5 P.O. Box 675 Tazewell, VA 24651	65.40 acres	4.1121%	
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Gary Davis, et al	65.40 acres	4.1121%	n/a
(a) Gary Davis P.O. Box 47 Shortt Gap, VA 24627	26.16 acres 2/5 of 65.40 acres	1.6448%	
(b) Larry Wayne Davis P.O. Box 183 Pounding Mill, VA 24637	13.08 acres 1/5 of 65.40 acres	0.8224%	
(c) Buford Davis Rt. 1 Box 190 Pounding Mill, VA 24637	13.08 acres 1/5 of 65.40 acres	0.8224%	
(d) Ruth Boyd P.O. Box 127 Grottoes, VA 24441	13.08 acres 1/5 of 65.40 acres	0.8224%	
<b><u>Tract #49 - 2.99 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Consolidation Coal Company 10545 Riverside Dr. Oakwood, VA 24631	2.99 acres	0.1880%	

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Exhibit EE  
 Buchanan #1 South Sealed Gob Unit 1  
 Docket #VGOB 98-1117-0697-02  
 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>(previously Consolidation Coal Company)</i>	2.99 acres	0.1880%	n/a
<b><u>Tract #50 - 1.13 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 14 P.O. Box 675 Tazewell, VA 24651	1.13 acres	0.0710%	0.2127%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Elizabeth Ann Justice P.O. Box 677 Rosedale, VA 24280 <i>(formerly Roy &amp; Ann McCowan. Roy McCowan is deceased and Ann remarried.)</i>	1.13 acres	0.0710%	0.2127%
<b><u>Tract #51 - 0.55 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 14 P.O. Box 675 Tazewell, VA 24651	0.55 acres	0.0346%	0.1035%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Anna R. Lambert 182 Blankenship Drive North Tazewell, VA 24630	0.55 acres	0.0346%	0.1035%
<b><u>Tract #52 - 0.23 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Co., LLP, Tr. 14 P.O. Box 675 Tazewell, VA 24651	0.23 acres	0.0145%	0.0433%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Ralph Keen 200 Summit Avenue Lebanon, VA 24266	0.23 acres	0.0145%	0.0433%

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Exhibit EE  
 Buchanan #1 South Sealed Gob Unit 1  
 Docket #VGOB 98-1117-0697-02  
 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #53 - 11.56 Acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Hugh MacRae Land Trust, Tr.17 c/o Alan Siegel Esq Gump, Strauss, Akin LLP 590 Madison Avenue, 20th Floor New York, NY 10022-2524	11.56 acres	0.7268%	
<b><u>CBM Royalty Owner (Claim from the Coal Estate Owner):</u></b>			
Torch Oil & Gas Company c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, NM 88030			
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 (previously Consolidation Coal Company)	11.56 acres	0.7268%	n/a

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**Exhibit A**  
**Tract-by-Tract Escrow Calculation**  
**Account Balances as of 8/31/10**

Unit: Buchanan No.1 SGU1  
 VGOB 98-1117-0697-02  
 Acres Escrowed: 265.61

Owners	Tract #	Acres	Owner Acres	Total Tract Percent of Escrow	Total Owners' Percent of Escrow (100%)	Total Owners' Percent of Escrow (50%)	Total Amount Due Owners \$660,697.15
Torch Oil and Gas Company- Coal Sarah Wade (Thurman Wade) - O,G & CBM	22	41.05	15.4550%	15.4550%	15.4550%		\$102,110.68
Coal Mountain Mining- Coal Elizabeth Ann McCowan Justice - O&G	50	1.13	0.4254%	0.4254%		0.2127%	\$1,405.42
Coal Mountain Mining- Coal Anna R. Lambert- O&G	51	0.55	0.2071%	0.2071%		0.1035%	\$684.05
Coal Mountain Mining- Coal Ralph Keen - O&G	52	0.23	0.0866%	0.0866%		0.0433%	\$286.06

**Wells contributing to the escrow account:** Multiple GOB wells producing within the SGU area

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 DECEMBER 28, 2010 AT 10:32AM  
 BEVERLY S. TILLER, CLERK  
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