

962

BK 1110PG0407

*Instrument prepared by:*  
**VIRGINIA GAS AND OIL BOARD**

*Order recorded under:*  
**CODE OF VIRGINIA**  
**§ 45.1-361.26**

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**RELIEF SOUGHT:** An Order for Disbursement of Escrowed Funds  
(and Authorization for Direct Payment of Royalties)

**JURISDICTION:** *Code of Virginia* § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

**UNIT/WELL NAME:** EE-38  
**TRACT(S):** Tracts 2T and 3  
**LOCATION:** Tazewell County, Virginia

**TAX ID NUMBER:** Tax Map Numbers Found on Exhibit Entitled Tract Identification

**DOCKET NUMBER:** VGOB-02-0521-1029-02

**APPLICANTS:** CNX Production Company on behalf of Betty Short, Russell Rakes and Jerry Absher

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
June 14, 2011

**APPEARANCES:** Mark Swartz on behalf of CNX

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 07/14/02, Recorded 07/15/02, Deed Book 0853
2. Supplemental Order Executed 08/28/02, Recorded 02/25/03, Deed Book 0871
3. Re-pooling Order Executed 09/21/04, Recorded 09/23/04, Deed Book 922
4. Supplemental Order -01 Executed 01/15/08, Recorded 01/23/08, Deed Book 1020

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the June 14, 2011 hearing and consider whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tracts 2T and 3 identified in the attached miscellaneous petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tracts 2T and 3 relative to the interests of the Applicants identified in the attached miscellaneous petition.
- (3) Continue the escrow account under this docket number.

**FINDINGS:** *Code of Virginia* § 45.1-361.22

Applicant has certified and represented to the Board that:

1. The owner of the coal estate for Tracts 2T and 3 Coal Mountain Mining for the subject drilling unit.

- The owner of the gas estate for Tract 2T is Jerry Absher and the Owners of Tract 3 are Betty J. Short and Russell Rake for the subject drilling unit.
- Disbursement is required based on court order, Case Number CL11-206 and CL11-461 which entitled 100% of the royalties to Jerry T. Absher, Betty J. Short and Russell Rakes. The order allows for the payment of royalties to aforesaid owners at 100% and the Designated Operator to pay future royalties directly to the prevailing plaintiffs as shown on Table 1.

**RELIEF GRANTED:**

VGOB Approved Disbursement  
 Unit EE-38  
 VGOB-02-0521-1019-02

Fractional Ownership in Tract	Net Acreage Ownership in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed
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Table 1  
 Tract 2T and Tract 3

Item	Tract	Disbursement Table	Address	Fractional Ownership in Tract	Net Acreage Ownership in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed
		Total acreage in escrow before disbursement					53.5635	
	2T	Tract 2T (total acreage)		0.11				
1	2T	Jerry T. Absher, et. al. - O, G, & CBM (court order adjudicating 100% ownership of CBM)	4276 Roadside TPK, Raven, VA 24639	100%	0.1100	100.0%	0.1100	0.2054%
	2T	Coal Mountain Mining Co Limited Partnership LLP - Coal	P.O. Box 675, Tazewell, VA 24651	100%	0.1100	---	---	---
	3	Tract 3 (total acreage)		0.12				
	3	Betty J. Short - O, G, & CBM (court order adjudicating 100% ownership of CBM)						
1	3	Betty J. Short (inherits paid by Deed of Gift and assumed interest)	211 Hunter Ave., Pounding Mill, VA 24637	3/4	0.0900	100.0%	0.0900	0.1680%
2	3	Russell Bryan Rakes (inherits paid by Deed of Gift and assumed interest)	1716 Green Mountain Road, Cedar Bluff, VA 24609	1/4	0.0300	100.0%	0.0300	0.0560%
	3	Coal Mountain Mining Co Limited Partnership LLP - Coal	P.O. Box 675, Tazewell, VA 24651	100%	0.1200	---	---	---

1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.

2. The Escrow Agent is ordered to continue the Escrow Account for the Subject drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

**CONCLUSION:**

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

**APPEALS:**

Appeals of this Order are governed by the provisions of the *Code of Virginia* § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a

coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

**Effective Date:**

**This Order shall be effective on the date of its execution.**

DONE AND EXECUTED this 16 day of Feb, 2012, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Bradley C. Lambert, Chairman  
Virginia Gas and Oil Board

DONE AND PERFORMED this 16<sup>th</sup> day of Feb, 2012 BY Order of the Virginia Gas and Oil Board.

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

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL)

Acknowledged on this 16<sup>th</sup> day of Feb, 2012, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board, that they executed the same and were authorized to do so.

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

My commission expires: 09/30/2013



BY 111020110  
BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL  
DOCKET NO: VGOB 02-0521-1029-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM  
ESCROW REGARDING TRACT(S) 2T & 3  
(2) AND AUTHORIZATION FOR DIRECT  
PAYMENT OF ROYALTIES

HEARING DATE: June 14, 2011

DRILLING UNIT: EE-38

TAZEWELL 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) 2T & 3 as depicted upon the annexed Exhibit A-1; and (2) authorization to begin paying royalties directly to the prevailing plaintiffs; Jerry T. Absher, et ux, Betty J. Short, and Russell Bryan Rakes.

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 : Betty J. Short and Russell Bryan Rakes are entitled to 100% of the royalties according to the Order which was entered on March 11, 2011, Case No:CL11-206, adjudicating the ownership of coalbed methane gas. In addition, Jerry T. Absher, et ux., is entitled to 100% of the royalties according to the Order which was entered on May 6, 2011, Case No:CL11-461, adjudicating the ownership of coalbed methane gas. This order allows the Applicant and Designated Operator to pay royalties directly to the prevailing plaintiffs identified in Exhibit EE annexed hereto and the annexed Exhibit A-1, further, specifies how said royalties are to be 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

2K1107604

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

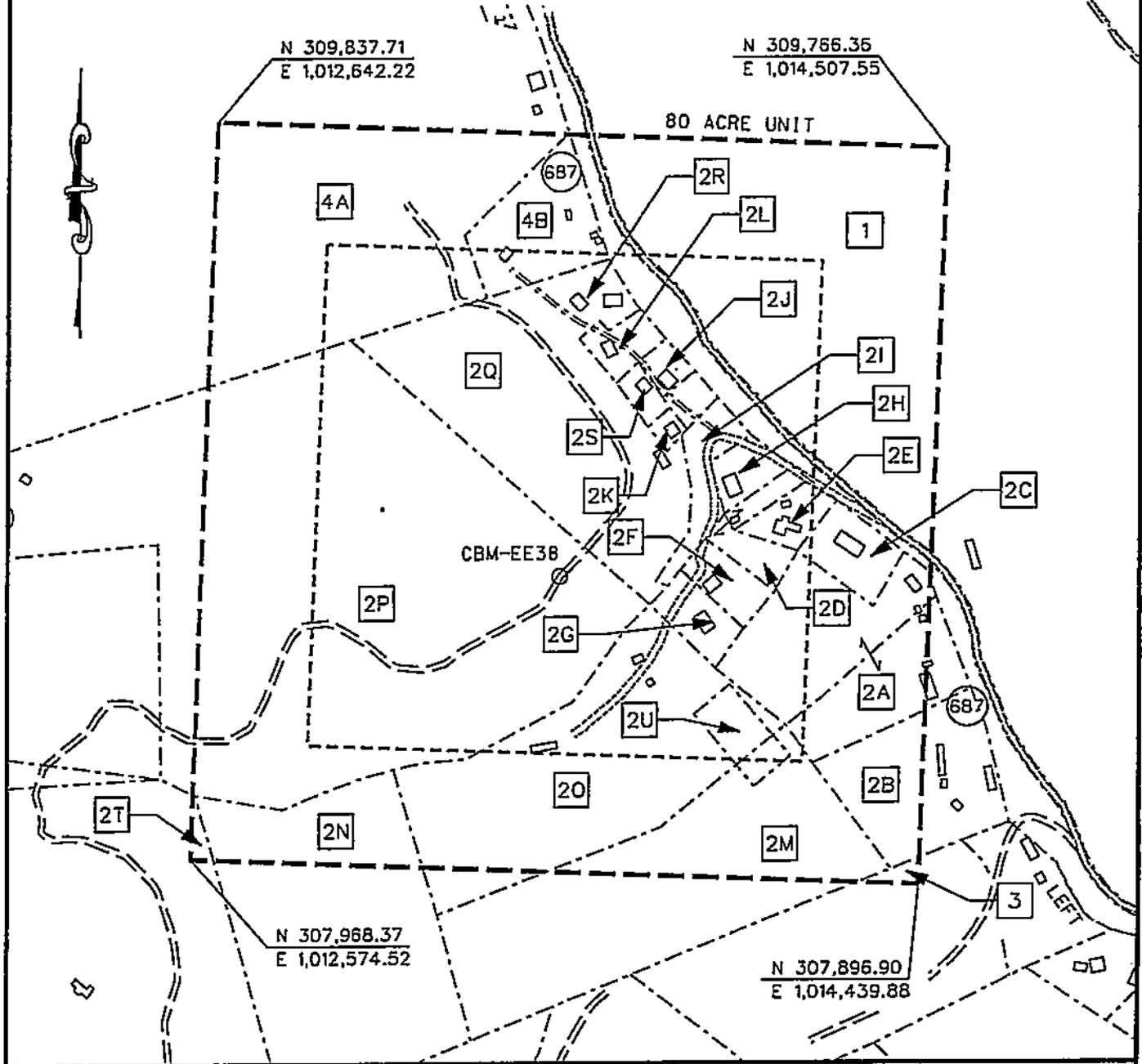
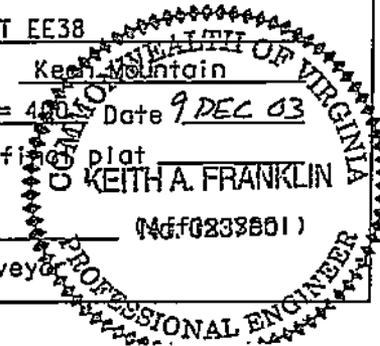


EXHIBIT A  
 OAKWOOD FIELD UNIT EE-38  
 FORCE POOLING  
 VG0B-02-0521-1029-01

Company CNX Gas Company, LLC. Well Name and Number UNIT EE38  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Keok Mountain  
 County Tazewell District Maiden Springs Scale: 1" = 400' Date 9 DEC 03  
 This plot is a new plot X ; an updated plot \_\_\_\_\_ ; or a final plat \_\_\_\_\_  
 Form DGO-GD-7 \_\_\_\_\_  
 Rev. 9/91 \_\_\_\_\_  
 Licensed Professional Engineer or Licensed Land Surveyor

*Keith A. Franklin*



BK 1110PG0412

**CNX Gas Company LLC**  
**UNIT EE-38**  
Tract Identifications

1. Commonwealth Coal Company (May & Painter Tr.) - Fee  
Reserve Coal Properties Co. - Below Tiller Coal Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - Oil, Gas and Oil Leased  
(Map 84 Parcel 122A)  
14.86 acres 18.5750%
- 2A. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Walter H. Boyd, et al. - Surface and All Minerals except Coal  
(Map 84 Parcel 96)  
4.40 acres 5.5000%
- 2B. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
James T. Absher - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Map Tax 84 Parcel 95)  
1.45 acres 1.8125%
- 2C. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Bobby Johnson - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 96)  
0.80 acres 1.0000%
- 2D. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Harvey and Ida Cordill Heirs - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 97)  
0.67 acres 0.8375%
- 2E. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
William Sullivan, et ux. - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 113)  
0.50 acres 0.6250%

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**CNX Gas Company LLC**

**UNIT EE-38**

**Tract Identifications**

- 2F. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Lawrence Cordill, et ux. - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 113)  
0.56 acres 0.7000%
- 2G. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
William Cordill, et ux. - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 117)  
0.62 acres 0.7750%
- 2H. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Gary Cordill, et al. - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased (50%)  
(Tax Map 84 Parcel 116)  
0.49 acres 0.6125%
- 2I. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Knox Creek Coal Corporation, et al. - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 115)  
0.81 acres 1.0125%
- 2J. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
David Cordill, et ux. - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 122A)  
0.49 acres 0.6125%
- 2K. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Harold J. Rose, et ux. - Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 118)  
0.13 acres 0.1625%

**CNX Gas Company LLC****UNIT EE-38****Tract Identifications**

- 2L. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Buford Sisk, et ux. - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 115)  
0.46 acres 0.5750%
- 2M. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Earl J. Cordill, et ux. - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 93)  
3.54 acres 4.4250%
- 2N. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Sterling Ball, et al. - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased (%)  
(Tax Map 84 Parcel 92)  
2.17 acres 2.7125%
- 2O. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Robert Edward Cordill - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 92A)  
7.23 acres 9.0375%
- 2P. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
James T. Absher - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 2)  
21.21 acres 26.5125%
- 2Q. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
James T. Absher - Surface and All Minerals except Coal  
CNX Gas Company LLC Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 106)  
7.16 acres 8.9500%

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**CNX Gas Company LLC**

**UNIT EE-38**

**Tract Identifications**

- 2R. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Otis Johnson, et ux. - Surface and All Minerals except Coal  
(Tax Map 84 Parcel 109)  
0.64 acres 0.8000%
- 2S. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Doris Rose - Surface and All Minerals except Coal  
CNX Gas Company LLC Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 115)  
0.24 acres 0.3000%
- 2T. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Jerry T. Absher, et ux. - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 99)  
0.11 acres 0.1375%
- 2U. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 18 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Robert Edward Cordill - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 106)  
0.14 acres 0.1750%
3. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 40 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Above Drainage Coal Leased  
CNX Gas Company LLC - CBM Leased  
Betty J. Short, et al - Surface and All Minerals except Coal  
CNX Gas Company LLC - Oil, Gas and CBM Leased  
(Tax Map 84 Parcel 94)  
0.12 acres 0.1500%

BK 1110PG0416

**CNX Gas Company LLC**

**UNIT EE-38**

**Tract Identifications**

- 4. Coal Mountain Mining Co. Limited Partnership, L.L.P. Tr. 56 – All Minerals  
Consolidation Coal Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation - Tiller and Above Coal Leased  
CNX Gas Company LLC - CBM Leased  
(Tax Map 84 Parcel 4)  
11.20 acres                      14.0000%
- 4A. James T. Absher – Surface (Tax Map 84 Parcel 106)
- 4B. Elmer Hilton – Surface (Tax Map 84 Parcel 117)

Exhibit E  
 Unit EE-38  
 Docket #VGOB 02-0521-1029-02 **BK 1110PG0417**  
 List of Conflicting Owners/Claimants that require escrow

	Acres In Unit	Interest In Unit
<b><u>Tract #2A, 4.40 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	4.40 acres	5.5000%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Walter H. Boyd, et al.	4.40 acres	5.5000%
(a) Walter H. & Mabel Marie Boyd HC Box 41 Raven, VA 24639		<i>Life Estate</i>
(b) Carol Jean Asher P.O. Box 907 Raven, VA 24639	0.88 acres 1/5 of 4.40 acres	1.1000%
(c) Charles Walter Boyd 3148 Fork Ridge Road Raven, VA 24639	0.88 acres 1/5 of 4.40 acres	1.1000%
(d) Linda D. Cordill 125 Freebird Lane North Tazewell, VA 24630	0.88 acres 1/5 of 4.40 acres	1.1000%
(e) Freda Gail Thomas RT4 Box 173-16 Bluefield, WV 24701	0.88 acres 1/5 of 4.40 acres	1.1000%
(f) James Lee Boyd PO Box 907 Raven, VA 24639	0.88 acres 1/5 of 4.40 acres	1.1000%
<b><u>Tract #2B, 1.45 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.45 acres	1.8125%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) James T. Absher P.O. Box 385 Raven, VA 24639	1.45 acres	1.8125%

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02 BK 1110PG0418  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
<b><u>Tract #2C, 0.80 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.80 acres	1.0000%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Bobby Johnson 105 Bentwood Road Raven, VA 24639	0.80 acres	1.0000%
<b><u>Tract #2D, 0.67 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.67 acres	0.8375%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) William Cordill, et al <i>(AKA Harvey &amp; Ida Cordill Heirs, Devisees, Successors or Assigns)</i>	0.67 acres	0.8375%
(a) David Lee Cordill P.O. Box 330 Doran, VA 24612	0.07 acres 1/9 of 0.67 acres	0.0931%
(b) Earl Cordill, Jr. P.O. Box 421 Pounding Mill, VA 24637	0.07 acres 1/9 of 0.67 acres	0.0931%
(c) Gary Cordill 215 Bentwood Road Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(d) Larance Damon Cordill 289 Bentwood Road Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(e) Robert E. Cordill P.O. Box 87 Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(f) William Cordill 215 Bentwood Road Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%
(g) Nancy C. Ball HC61 Raven, VA 24639	0.07 acres 1/9 of 0.67 acres	0.0931%

Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(h) Janey Joyce Stilwell 162 Valley Drive Richlands, VA 24641	0.07 acres 1/9 of 0.67 acres	0.0931%
(i) Hazel E. Sullivan P.O. Box 35 Red Ash, VA 24640	0.07 acres 1/9 of 0.67 acres	0.0931%

Tract #2E, 0.50 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.50 acres	0.6250%
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OIL & GAS OWNERSHIP

(1) William Sullivan, et ux. P.O. Box 35 Red Ash, VA 24640	0.50 acres	0.6250%
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Tract #2F, 0.56 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.56 acres	0.7000%
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OIL & GAS OWNERSHIP

(1) Lawrence Cordill, et ux. 289 Brentwood Rd. Raven, VA 24639	0.56 acres	0.7000%
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Tract #2G, 0.62 acres

COAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.62 acres	0.7750%
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OIL & GAS OWNERSHIP

(1) William Cordill, et ux. Star Route 44 Raven, VA 24639	0.62 acres	0.7750%
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Exhibit E  
 Unit EE-38  
 Docket #VGOB 02-0521-1029-02  
 List of Conflicting Owners/Claimants that require escrow

PK 111 OPG 04 20

	Acres in Unit	Interest in Unit
<u>Tract #2H, 0.49 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.49 acres	0.6125%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Gary Cordill, et al.	0.49 acres	0.6125%
(a) Gary Cordill 215 Bentwood Road Raven, VA 24639		<i>Life Estate</i>
(b) David Lee Cordill P.O. Box 330 Doran, VA 24612	0.12 acres 1/4 of 0.49 acres	0.1531%
(c) Larance Damon Cordill 289 Bentwood Road Raven, VA 24639	0.12 acres 1/4 of 0.49 acres	0.1531%
(d) Robert E. Cordill P.O. Box 87 Raven, VA 24639	0.12 acres 1/4 of 0.49 acres	0.1531%
(e) Janey Joyce Stilwell 162 Valley Drive Richlands, VA 24641	0.12 acres 1/4 of 0.49 acres	0.1531%
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.81 acres	1.0125%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Knox Creek Coal Corporation, et al. c/o A.T. Massey P.O. Box 519 Raven, VA 24639	0.81 acres	1.0125%
<u>Tract #2J, 0.49 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.49 acres	0.6125%

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants that require escrow

BK 1110PG0421

	Acres in Unit	Interest in Unit
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) David Cordill, et ux. P.O. Box 330 Doran, VA 24612	0.49 acres	0.6125%
<b><u>Tract #2L, 0.46 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.46 acres	0.5750%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Buford Sisk, et ux. Rt.1 Box 223 Raven, VA 24639	0.46 acres	0.5750%
<b><u>Tract #2M, 3.54 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.54 acres	4.4250%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Earl J. Cordill, et ux. P.O. Box 421 Doran, VA 24612	3.54 acres	4.4250%
<b><u>Tract #2N, 2.17 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.17 acres	2.7125%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
Sterling Ball, et al.	2.17 acres	2.7125%
(1) Sterling Ball 2580 West Mountain Street Kernersville, NC 27284	0.3100 acres 1/7 of 2.17 acres	0.3875%
(2) Charlotte Ball Compton 1280 Timbercliff Mansfield, OH 44907	0.3100 acres 1/7 of 2.17 acres	0.3875%

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants that require escrow

BKTTTTOPG0422

	Acres in Unit	Interest in Unit
(3) Lenwood Ball (Lenward) Heirs, Devisees, Successors or Assigns <i>Heirs/Addresses Unknown</i>	0.3100 acres 1/7 of 2.17 acres	0.3875%
(4) Exie Ball Johnson Heirs, Devisees, Successors or Assigns		
(a) Marvin Cline 159 Dakota Drive Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(b) Anna Mae Absher 757 Fork Ridge Rd. Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(c) Otis Johnson 6641 Banner Lake Circle, Apt. 9203 Orlando, FL 32821	0.0238 acres 1/91 of 2.17 acres	0.0298%
(d) Bobby Johnson 105 Bentwood Road Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(e) Johnny Johnson 138 Almond Lane Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(f) Harold Cline P.O. Box 660 Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(g) Peggy Burke (Ford) 241 Birch St. Raven, VA 24639	0.0238 acres 1/91 of 2.17 acres	0.0298%
(h) Betty Lawson Heirs, Devisees, Successors or Assigns		
(h.1) Donnie B. Lawson, Jr. <i>Address Unknown</i>	0.0079 acres 1/273 of 6.75 acres	0.0099%
(h.2) James Lawson <i>Address Unknown</i>	0.0079 acres 1/273 of 6.75 acres	0.0099%
(h.3) Ivy Houchins 712 Shamrock Rd. Charlottesville, VA 22903	0.0079 acres 1/273 of 6.75 acres	0.0099%
(i) Ruth Short PO Box 291 Doran, VA 24612	0.0238 acres 1/91 of 2.17 acres	0.0298%
(j) Lucille Sisk PO Box 275 Pounding Mill, VA 24637	0.0238 acres 1/91 of 2.17 acres	0.0298%
(k) Lois Mays Rt. 1 Box 603 Swords Creek, VA 24649	0.0238 acres 1/91 of 2.17 acres	0.0298%

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants that require escrow

Bk 110 PG 0423

	Acres in Unit	Interest in Unit
(l) Maxine Ward Box 26 Red Ash, VA 24640	0.0238 acres 1/91 of 2.17 acres	0.0298%
(m) Roger Johnson Heirs, Devisees, Successors or Assigns		
(m.1) Nancy Johnson Heirs, Devisees, Successors or Assigns		
(m.1.1) Ralph Randall Johnson 116 Hopkins St. N. Tazewell, VA 24630	0.0119 acres 1/182 of 2.17 acres	0.0149%
(m.1.2) Nancy Carol Sharp 21 Cottonwood Lane Hill Hillsville, VA 24343	0.0119 acres 1/182 of 2.17 acres	0.0149%
(5) Raleigh Ball Heirs, Devisees, Successors or Assigns		
(a) June Horn Heirs, Devisees, Successors or Assigns		
(a.1) Gary Horn Box 528 Cedar Bluff, VA 24609	0.0111 acres 1/196 of 2.17 acres	0.0138%
(a.2) Michael Horn 2173 Old Hwy. 19 Cedar Bluff, VA 24609	0.0111 acres 1/196 of 2.17 acres	0.0138%
(a.3) Gerald Horn 1109 Harbor St. Cedar Bluff, VA 24609	0.0111 acres 1/196 of 2.17 acres	0.0138%
(a.4) Rita Wimmer PO Box 12 Pounding Mill, VA 24637	0.0111 acres 1/196 of 2.17 acres	0.0138%
(b) Ola Gay Vandyke 134 Scotch Rd. Raven, VA 24639	0.0443 acres 1/49 of 2.17 acres	0.0554%
(c) Herby Ball 125 Albert Rd. Stokesdale, NC 27357	0.0443 acres 1/49 of 2.17 acres	0.0554%
(d) Hermas Ball 8609 McGuire Rd. (PO Box 841) Kernersville, NC 24284	0.0443 acres 1/49 of 2.17 acres	0.0554%
(e) Betty Hinkle P.O. Box 2326 Cedar Bluff, VA 24609	0.0443 acres 1/49 of 2.17 acres	0.0554%

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02 BK 1110960424  
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(f) Raleigh Ball, Jr. 405 River Birch Drive Vass, NC 28394	0.0443 acres 1/49 of 2.17 acres	0.0554%
(g) Irean Bostic Heirs, Devisees, Successors or Assigns		
(g.1) John L. Bostic Address Unknown	<i>Life Estate</i>	
(g.2) Greg Bostic 553 Cedar Creek Dr. Pounding Mill, VA 24631	0.0443 acres 1/49 of 2.17 acres	0.0554%
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns		
(a) Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	0.0388 acres 1/56 of 2.17 acres	0.0484%
(b) Exie Osborne Heirs, Devisees, Successors or Assigns		
(b.1) John Lee Osborne Box 6 Shortt Gap, VA 24647	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.2) Maxie Boyd Box 972 Raven, VA 24639	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.3) Ruth Osborne Smith Box 672 Doran, VA 24612	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.4) Judy Blankenship Box 221 Doran, VA 24612	0.0078 acres 1/280 of 2.17 acres	0.0097%
(b.5) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.0078 acres 1/280 of 2.17 acres	0.0097%
(c) Arthur M. Stilwell PO Box 314 Raven, VA 24639	0.0388 acres 1/56 of 2.17 acres	0.0484%
(d) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns		
(d.1) Arlin W. Osborne Heirs, Devisees, Successors or Assigns		
(d.1.1) Mary Jane Osborne PO Box 466 Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%

**Exhibit E**  
**Unit EE-38**  
**Docket #VGOB 02-0521-1029-02**  
**List of Conflicting Owners/Claimants that require escrow**

02/11/06 04:25

	Acres in Unit	Interest In Unit
(d.2) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.3) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.4) Hubbard Osborne 3195 Osborne Mtn. Rd. Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.5) Jackie D. Osborne 1995 Altizer Rd. Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.6) Jerline Davis 118 Coronado Rd. N. Tazewell, VA 24630	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.7) Sylvia A. Shelton Byrd 549 Jacks Creek Road Raven, VA 24639	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.8) Lois Casey 134 Robert St., Lot 8 Richlands, VA 24641	0.0043 acres 1/504 of 2.17 acres	0.0054%
(d.9) Linda S. Shelton PO Box 521 Pounding Mill, VA 24637	0.0043 acres 1/504 of 2.17 acres	0.0054%
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns		
(e.2) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.3) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.4) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.5) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0065 acres 1/336 of 2.17 acres	0.0081%
(e.6) Wanda Hagy P. O. Box 1738 Richlands, VA 24641	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f) Charles Stilwell Heirs, Devisees, Successors or Assigns		

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants that require escrow

PK 1110PG0426

	Acres in Unit	Interest in Unit
(f.1) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	<i>Life Estate</i>	
(f.2) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.3) Thomas H. Stilwell 27 Horseshoe Trailer Ct. Horace, ND 58047-5718	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.4) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.5) Gladys E. Pollert 1211 29th Street North Fargo, ND 58102	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.6) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.0065 acres 1/336 of 2.17 acres	0.0081%
(f.7) Bernice R. Lamb 2124 Country Road 116 International Falls, MN 56649	0.0065 acres 1/336 of 2.17 acres	0.0081%
(g) Elmer Stilwell Heirs, Devisees, Successors or Assigns		
(g.1) Virginia N. Stilwell, widow 1106 Dial Rd. Raven, VA 24639	0.0388 acres 1/56 of 2.17 acres	0.0484%
(h) Raleigh Stilwell Heirs, Devisees, Successors or Assigns		
(h.1) Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	0.0388 acres 1/56 of 2.17 acres	0.0484%
(7) John Ball Heirs, Devisees, Successors or Assigns		
(a) Goldie Ball Compton <i>Address Unknown</i>	0.1550 acres 1/14 of 2.17 acres	0.1938%
(b) Judith Compton <i>Address Unknown</i>	0.0775 acres 1/28 of 2.17 acres	0.0969%
(c) Clayton Compton <i>Address Unknown</i>	0.0775 acres 1/28 of 2.17 acres	0.0969%

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants that require Escrow

BR 1110FG0427

	Acres in Unit	Interest in Unit
<b><u>Tract #2O, 7.23 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	7.23 acres	9.0375%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Robert E. Cordill P.O. Box 87 Raven, VA 24639	7.23 acres	9.0375%
<b><u>Tract #2P, 21.21 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	21.21 acres	26.5125%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) James T. Absher P.O. Box 385 Raven, VA 24639	21.21 acres	26.5125%
<b><u>Tract #2Q, 7.16 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	7.16 acres	8.9500%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) James T. Absher P.O. Box 385 Raven, VA 24639	7.16 acres	8.9500%
<b><u>Tract #2R, 0.64 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.64 acres	0.8000%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Otis Johnson, et ux. HC62 Box 49 Raven, VA 24639	0.64 acres	0.8000%

Exhibit E  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants that require escrow

BK L L L O P G O 4 2 8

	Acres in Unit	Interest in Unit
<b><u>Tract #2U, 0.14 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.14 acres	0.1750%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Robert E. Cordill P.O. Box 87 Raven, VA 24639	0.14 acres	0.1750%

Exhibit EE  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants with Royalty Split Agreements

PK 1110PG0429

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #2K, 0.13 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.13 acres	0.1625%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Harold J. & Doris A. Rose Heirs, Devises, Successors or Assigns	0.13 acres	0.1625%	
(a) Patricia Ann Osborne 878 Pardee St. Johnson City, TN 37601	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a
(b) Larry Allen Rose, I PO Box 425 Pounding Mill, VA 24637	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a
(c) Ricky B. Rose PO Box 995 Raven, VA 24639	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a
(d) David Keith Rose 1825 Flat Hollow Road Pearisburg, VA 24134	0.03 acres 1/4 of 0.13 acres	0.0406%	n/a
<b><u>Tract #2N, 2.17 acres</u></b>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.17 acres	2.7125%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
Sterling Ball, et al.	2.17 acres	2.7125%	
(6) Ida Ball Stilwell Heirs, Devises, Successors or Assigns			
(e) Sylvester Stilwell Heirs, Devises, Successors or Assigns			
(e.1) Jay C. Stilwell Heirs, Devises, Successors or Assigns			
(e.1.2) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.0065 acres 1/336 of 2.17 acres	0.0081%	n/a

Exhibit EE  
Unit EE-38  
Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants with Royalty Split Agreements

BK 1110PG0430

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2S, 0.24 acres</u>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.24 acres	0.3000%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Harold J. & Doris A. Rose Heirs, Devises, Successors or Assigns	0.24 acres	0.3000%	
(a) Patricia Ann Osborne 878 Pardee St. Johnson City, TN 37601	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a
(b) Larry Allen Rose, I PO Box 425 Pounding Mill, VA 24637	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a
(c) Ricky B. Rose PO Box 995 Raven, VA 24639	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a
(d) David Keith Rose 1825 Flat Hollow Road Pearisburg, VA 24134	0.06 acres 1/4 of 0.24 acres	0.0750%	n/a
<u>Tract #2T, 0.11 acres</u>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.11 acres	0.1375%	n/a
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(1) Jerry T. Absher, et ux. 4276 Roadridge TPK Raven, VA 24639	0.11 acres	0.1375%	0.2054%
Note: CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 11-461 The Order was executed May 6, 2011 and plaintiffs were awarded 100% of the Coalbed Methane Gas underlying this tract.			
<u>Tract #3, 0.12 acres</u>			
<b><u>COAL OWNERSHIP</u></b>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.12 acres	0.1500%	n/a

Docket #VGOB 02-0521-1029-02  
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>OIL &amp; GAS OWNERSHIP</u></b>			
(a) Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	0.12 acres	0.1500%	
<i>Royalties should be paid as follows:</i>			
Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	0.09 acres 3/4 of 0.12 acres	0.1125%	0.1680%
Russell Bryan Rakes 1716 Green Mountain Road Cedar Bluff, VA 24609	0.03 acres 1/4 of 0.12 acres	0.0375%	0.0560%

*By Deed of Gift dated 4/9/11, Russell Bryan Rakes conveyed his 25% ownership inherited from Charles G. Rakes to Betty J. Short. (DB1092/PG708). In exchange, Betty J. Short assigned Russell Bryan Rakes a 25% royalty interest, executed 5/5/11.*

**Note: CBM ownership was adjudicated to the prevailing plaintiff under Case no. CL 11-206 The Order was executed March 11, 2011 and plaintiff was awarded 100% of the Coalbed Methane Gas underlying this tract.**

**Exhibit A-1**  
**Tract-by-Tract Escrow Calculation**  
 Account Balances as of 4/30/2011

Unit EE38  
 VGOB 02-0521-1029-02  
 Acres Escrowed: 53.56350

Owners	Tract #	Acres	Owner Acres	Interest	Owners' Percent of Escrow	Amount Due Owners \$275,686.74
Coal Mountain Mining Co. Limited Partnership, LLP - Coal Jerry T. Absher, et ux - O, G, & CBM	2t	0.11			0.2054%	\$566.16
Coal Mountain Mining Co. Limited Partnership, LLP - Coal Betty J. Short - O,G, & CBM	3	0.12				
Betty J. Short			0.09	3/4	0.1680%	\$463.22
Russell Bryan Rakes			0.03	1/4	0.0560%	\$154.41

*Wells contributing to the escrow account: EE38 and EE38A*

INSTRUMENT #120000962  
 RECORDED IN THE CLERK'S OFFICE OF  
 TAZEWELL COUNTY ON  
 MARCH 20, 2011 AT 11:29AM  
 JAMES E. BLEVINS, CLERK  
 RECORDED BY: ADR

*Angela Ray*