

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: FF-38
TRACT(S): 1A, 1D, 2A
LOCATION: Tazewell County, Virginia
TAX ID LOCATED ON: Exhibit A-1

APPLICANTS: CNX Gas Company, LLC on behalf of Betty J. Short and Russell Rakes, Jerry T Absher, Coal Mountain Mining and CNX Gas Company, LLC

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

DOCKET NUMBER: VGOB-03-1021-1207-03

APPEARANCES: Mark Swartz, Swartz Law Offices, PLLC represented CNX Gas Company LLC

PRIOR PROCEEDINGS:

1. Original Pooling Order Executed 12/15/03 Recorded on 12/22/03 Deed Book 898 Page 205
2. Supplemental Order Executed 03/1/05 Recorded on 03/14/05 Deed Book 935466 Page 008
3. Disbursement Order Executed 11/24/09 Recorded on 11/30/09 Deed Book 1058 Page 477
4. Disbursement Order Executed 04/28/11 Recorded on 05/20/11 Deed Book 1094 Page 705

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the April 26, 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 1A, 1D and 2A identified in the attached miscellaneous petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract 1A, 1D and 2A relative to the interests of the Applicants identified in the attached miscellaneous petition.
- (3) 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. Jerry T. Absher, et ux is also 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.
- (4) Coal Mountainin Mining Co., LLP and CNX Gas Company LLC have entered into a 50/50 royalty split agreement.
- (5) The escrow agent is required to continue the escrow account as there are other owners subject to escrowing.

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 Tract 1A is Coal Mountain Mining and the oil and gas estate belongs to Jerry T. Absher for the subject drilling unit. This tract is to be paid out according to case no CL11-461 entered on May 6, 2011 granting 100%of the royalties to Jerry T. Absher.
2. The owner of the coal estate for Tract 1D is Coal Mountain Mining and the oil and gas estate belongs to CNX Gas Company, LLC for the subject drilling unit. This tract is being paid based on a 50/50 split agreement.
3. The owner of the coal estate for Tract 2A is Coal Mountain Mining and the oil and gas estate belongs to Betty J. Short (3/4) and Russell Rakes (1/4) for the subject drilling unit. The tract is to be paid out according to case no CL11-206 entered on March 11, 2011.

RELIEF GRANTED:

VGOR Approval Disbursement
03-2121-1207-03
FF-38

Table 1
Tracts 1A, 1D & 2A

Item	Tract	Disbursement Table	Fractional Ownership in Tract	Net Acreage Ownership in Tract	Royalty Split Agreement	Escrowed Acre (Delayed)	Percent of Escrowed Funds Disbursed
		Total acreage in escrow before disbursement				28,212	
	1A	Tract 1A (total acreage)	2.82				
1	1A	Jerry T. Absher et al, gas 477a Roundtree TPA, Raven, VA 24675		2,890	100.0%	2,890	13.084%
2	1A	Coal Mountain Mining Co Limited Partnership LLP, coal P.O. Box 675, Tazewell, VA 24661	court order				
	1D	Tract 1D (total acreage)	8.11				
1	1D	CNX Gas Company, LLC, Oil & Gas 1000 Capital Energy Drive, Lehigh, PA 15314		8,110	50.0%	2,555	11.497%
2	1D	Coal Mountain Mining Co Limited Partnership LLP, coal P.O. Box 675, Tazewell, VA 24661		8,110	50.0%	2,555	11.497%
	2A	Tract 2A (total acreage)	8.17				
1	2A	Betty J. Short, oil and gas 211 Hunter Av, Pineblow Mt, VA 24637		5,170	78.0%	3,878	17.480%
2	2A	Russell Rakes 1718 Green Mountain Rd, Cedar Bluff, VA 24609		5,170	25.0%	1,292	5.816%
3	2A	Coal Mountain Mining Co Limited Partnership LLP, coal P.O. Box 675, Tazewell, VA 24661	court order				

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 2 day of April, 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 2nd day of April, 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 2nd day of April, 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 expire: 09/30/2013



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 03-1021-1207-03

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

HEARING DATE: June 14, 2011

DRILLING UNIT: FF-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) 1A, 1D, & 2A 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. In addition, authorization to begin paying royalties directly to the parties to the royalty split agreement between Coal Mountain Mining Co., LLP and CNX Gas Company LLC

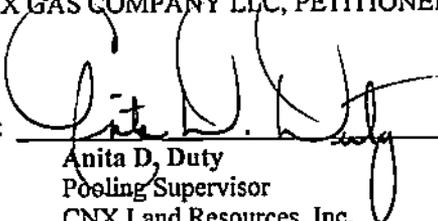
3. Legal Authority: Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

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. Jerry T. Absher, et ux is also 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. In addition, authorization to begin paying royalties directly to the parties to the royalty split agreement(s) between Coal Mountain Mining Co., LLP and CNX Gas Company LLC have entered into a royalty split agreement(s). The annexed Exhibit A-1, 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

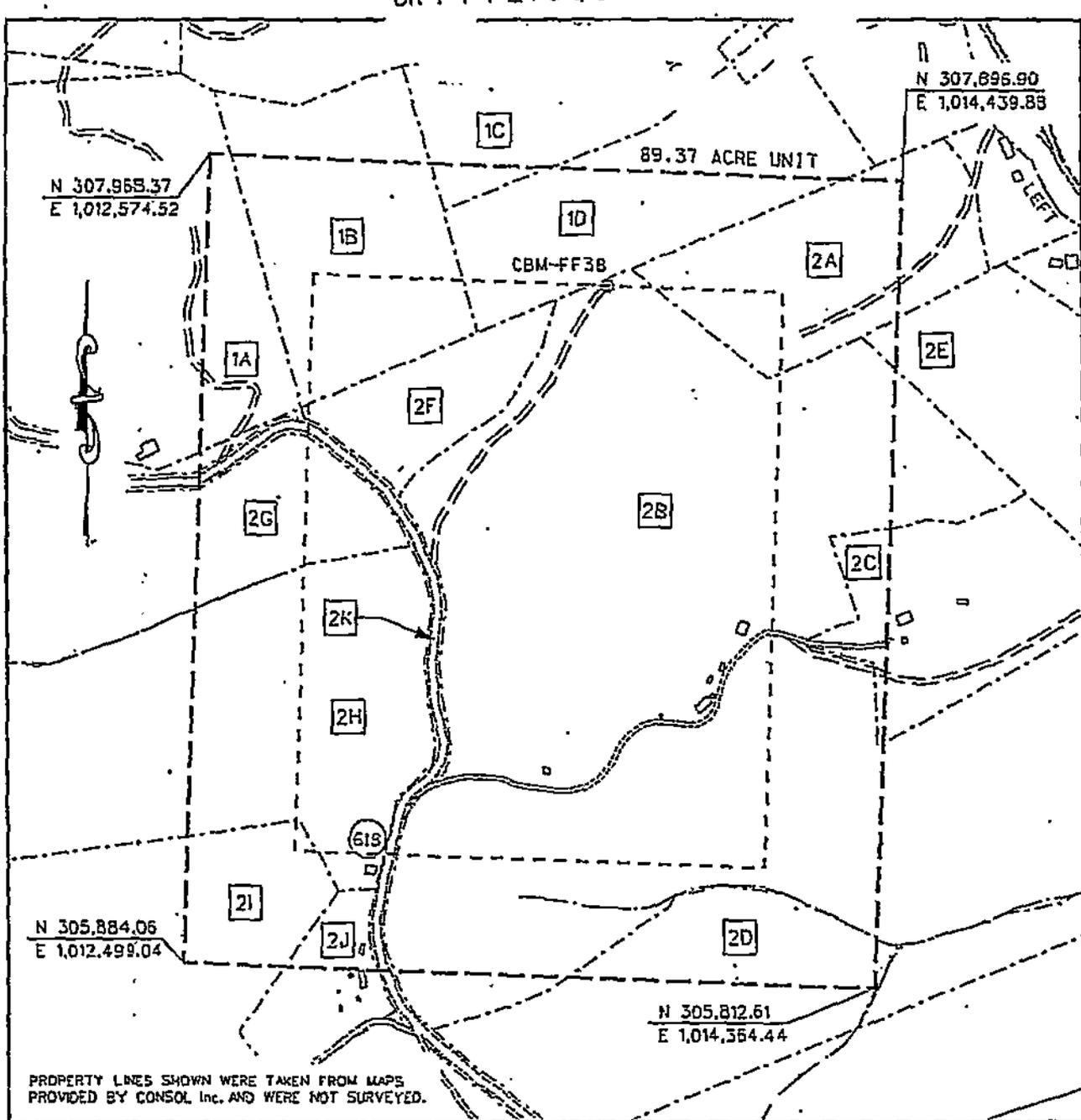
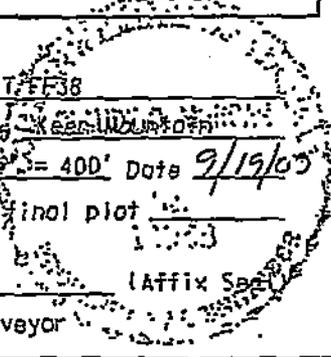


EXHIBIT A
 DAKWOOD FIELD UNIT FF-38
 FORCE POOLING
 VGDB-03-1021-1207

Company CNX Gas Company LLC Well Name and Number UNIT FF38
 Tract No. _____ Elevation _____ Quadrangle Keen 100m 07n
 County Tozwell District Maiden Springs Scale: 1" = 400' Date 9/19/05
 This plot is a new plot X; an updated plot _____; or a final plot _____

Form DGD-GD-7
 Rev. 9/91
Charles C. May
 Licensed Professional Engineer or Licensed Land Surveyor



CNX GAS COMPANY LLC
BK 111210077
UNIT FF-38
Tract Identifications
(89.37 Acre Unit)

Exhibit A-1

- 1A. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 18 (Jerry Cordell Tract 185 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above 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 01, Parcel 5A)
2.89 Acres 3.2337%
- 1B. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 18 (Jerry Cordell Tract 185 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Sterling Ball, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (22.125%)
David E. Short – Surface
(Tax Map 84 01, Parcel 3)
6.75 Acres 7.5529%
- 1C. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 18 (Jerry Cordell Tract 185 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Robert E. Cordill – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax map 84 01, Parcel 2)
0.44 Acres 0.4923%
- 1D. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 18 (Jerry Cordell Tract 185 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC – Surface and All Minerals except Coal
(Tax Map 84 01, Parcel 1)
5.11 Acres 5.7178%
- 2A. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal 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 84A, Parcel 92A)
5.17 Acres 5.7849%

BK 1112FG0378 CNX GAS COMPANY LLC

UNIT FF-38

Tract Identifications

(89.37 Acre Unit)

- 2B. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
James M. Short – CBM (72.5%)
Coal Mountain Mining Co. Limited Partnership, LLP – CBM (27.5%)
CNX Gas Company LLC – CBM Leased
James M. Short – Surface and All Minerals except Coal
CNX Gas Company, LLC – Oil and Gas Leased
(Tax Map 84A, Parcel 92)
41.85 Acres 46.8278%
- 2C. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Carl N. Ball, et ux. – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84A, Parcel 93)
1.10 Acres 1.2308%
- 2D. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Carl N. Ball, et ux. – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
(Tax Map 84A, Parcel 91)
3.31 Acres 3.7037%
- 2E. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Wanda Simmons, et al – All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased (80.3%)
Knox Creek Carbon Company – Surface
(Tax Map MM0253)
0.14 Acres 0.1567%
- 2F. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
David E. Short – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 99)
3.17 Acres 3.5471%

UNIT FF-38

Tract Identifications

(89.37 Acre Unit)

- 2G. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Russell J. Short, et ux – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 7)
3.76 Acres 4.2072%
- 2H. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Johnie H. Short – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 8)
10.23 Acres 11.4468%
- 2I. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Buford Short – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 9)
2.94 Acres 3.2897%
- 2J. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Buford Short, et ux – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 10)
0.76 Acres 0.8504%
- 2K. Coal Mountain Mining Co. Limited Partnership, LLP, Tract 40 (John Short Tract 205 Acres) – Coal Consolidation Coal Company – Below Drainage Coal Leased
Knox Creek Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
Commonwealth of Virginia – Surface and All Minerals except Coal
(Tax Map 84A, Parcel 00)
1.75 Acres 1.9582%

BK 111260380

Exhibit E
Unit FF-38

Docket #VGOB 03-1021-1207-03

List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1B, 6.75 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	6.75 acres	7.5529%
<u>OIL & GAS OWNERSHIP</u>		
Sterling Ball, et al.	6.75 acres	7.5529%
(1) Sterling Ball 2580 West Mountain Street Kemersville, NC 27284	2.89 acres 3/7 of 6.75 acres	3.2369%
(2) Charlotte Ball Compton 1280 Timbercliff Mansfield, OH 44907	0.96 acres 1/7 of 6.75 acres	1.0790%
(3) Lenwood Ball (Lenward) Heirs, Devisees, Successors or Assigns <i>Heirs/Addresses Unknown</i>	<i>***See note below</i>	
(4) Exie Ball Johnson Heirs, Devisees, Successors or Assigns		
(a) Marvin Cline 159 Dakota Drive Raven, VA 24639	0.07 acres 1/91 of 6.75 acres	0.0830%
(b) Anna Mae Absher 757 Fork Ridge Rd. Raven, VA 24639	0.07 acres 1/91 of 6.75 acres	0.0830%
(c) Otis Johnson 6641 Banner Lake Circle, Apt. 9203 Orlando, FL 32821	0.07 acres 1/91 of 6.75 acres	0.0830%
(d) Bobby Johnson 105 Bentwood Road Raven, VA 24639	0.07 acres 1/91 of 6.75 acres	0.0830%
(e) Johnny Johnson 138 Almond Lane Raven, VA 24639	0.07 acres 1/91 of 6.75 acres	0.0830%
(f) Harold Cline P.O. Box 660 Raven, VA 24639	0.07 acres 1/91 of 6.75 acres	0.0830%
(g) Peggy Burke (Ford) 241 Birch St. Raven, VA 24639	0.07 acres 1/91 of 6.75 acres	0.0830%
(h) Betty Lawson Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit FF-38
Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest In Unit
(h.1) Donnie B. Lawson, Jr. Address Unknown	0.02 acres 1/273 of 6.75 acres	0.0277%
(h.2) James Lawson Address Unknown	0.02 acres 1/273 of 6.75 acres	0.0277%
(h.3) Ivy Houchins 712 Shamrock Rd. Charlottesville, VA 22903	0.02 acres 1/273 of 6.75 acres	0.0277%
(i) Ruth Short PO Box 291 Doran, VA 24612	0.07 acres 1/91 of 6.75 acres	0.0830%
(j) Lucille Sisk PO Box 275 Pounding Mill, VA 24637	0.07 acres 1/91 of 6.75 acres	0.0830%
(k) Lois Mays Rt. 1 Box 603 Swords Creek, VA 24649	0.07 acres 1/91 of 6.75 acres	0.0830%
(l) Maxine Ward Box 26 Red Ash, VA 24640	0.07 acres 1/91 of 6.75 acres	0.0830%
(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	0.04 acres 1/182 of 6.75 acres	0.0415%
(m.1.2) Nancy Carol Sharp 21 Cottonwood Lane Hill Hillsville, VA 24343	0.04 acres 1/182 of 6.75 acres	0.0415%
(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	0.03 acres 1/196 of 6.75 acres	0.0385%
(a.2) Michael Horn 2173 Old Hwy. 19 Cedar Bluff, VA 24609	0.03 acres 1/196 of 6.75 acres	0.0385%
(a.3) Gerald Horn 1109 Harbor St. Cedar Bluff, VA 24609	0.03 acres 1/196 of 6.75 acres	0.0385%

Exhibit E
Unit FF-38
Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(a.4) Rita Wimmer PO Box 12 Pounding Mill, VA 24637	0.03 acres 1/196 of 6.75 acres	0.0385%
(b) Ola Gay Vandyke 134 Scotch Rd. Raven, VA 24639	0.14 acres 1/49 of 6.75 acres	0.1541%
(c) Herby Ball 125 Albert Rd. Stokesdale, NC 27357	0.14 acres 1/49 of 6.75 acres	0.1541%
(d) Hermas Ball 8609 McGuire Rd. (PO Box 841) Kemersville, NC 24284	0.14 acres 1/49 of 6.75 acres	0.1541%
(e) Betty Hinkle P.O. Box 2326 Cedar Bluff, VA 24609	0.14 acres 1/49 of 6.75 acres	0.1541%
(f) Raleigh Ball, Jr. 405 River Birch Drive Vass, NC 28394	0.14 acres 1/49 of 6.75 acres	0.1541%
(g) Irean Bostic Heirs, Devisees, Successors or Assigns		
(g.1) John L. Bostic <i>Address Unknown</i>		<i>Life Estate</i>
(g.2) Greg Bostic 553 Cedar Creek Dr. Pounding Mill, VA 24631	0.14 acres 1/49 of 6.75 acres	0.1541%
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns		
(a) Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	0.12 acres 1/56 of 6.75 acres	0.1349%
(b) Exie Osborne Heirs, Devisees, Successors or Assigns		
(b.1) John Lee Osborne Box 6 Shortt Gap, VA 24647	0.02 acres 1/280 of 6.75 acres	0.0270%
(b.2) Maxie Boyd Box 972 Raven, VA 24639	0.02 acres 1/280 of 6.75 acres	0.0270%
(b.3) Ruth Osborne Smith Box 672 Doran, VA 24612	0.02 acres 1/280 of 6.75 acres	0.0270%

List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(b.4) Judy Blankenship Box 221 Doran, VA 24612	0.02 acres 1/280 of 6.75 acres	0.0270%
(b.5) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.02 acres 1/280 of 6.75 acres	0.0270%
(c) Arthur M. Stilwell PO Box 314 Raven, VA 24639	0.12 acres 1/56 of 6.75 acres	0.1349%
(d) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns		
(d.1) Arlin W. Osborne Heirs, Devisees, Sucessors or Assigns		
(d.1.1) Mary Jane Osborne PO Box 466 Raven, VA 24639	0.01 acres 1/504 of 6.75 acres	0.0150%
(d.2) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.01 acres 1/504 of 6.75 acres	0.0150%
(d.3) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.01 acres 1/504 of 6.75 acres	0.0150%
(d.4) Hubbard Osborne 3195 Osborne Mtn. Rd. Raven, VA 24639	0.01 acres 1/504 of 6.75 acres	0.0150%
(d.5) Jackie D. Osborne 1995 Altizer Rd. Raven, VA 24639	0.01 acres 1/504 of 6.75 acres	0.0150%
(d.6) Jerline Davis 118 Coronado Rd. N. Tazewell, VA 24630	0.01 acres 1/504 of 6.75 acres	0.0150%
(d.8) Lois Casey 134 Robert St., Lot 8 Richlands, VA 24641	0.01 acres 1/504 of 6.75 acres	0.0150%
(d.9) Linda S. Shelton PO Box 521 Pounding Mill, VA 24637	0.01 acres 1/504 of 6.75 acres	0.0150%
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns		
(e.1) Cora Stilwell Arnold Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit FF-38
Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(e.1.1) James H. Arnold 1134 Pump House Rd. Grundy, VA 24614	0.04 acres 1/168 of 6.75 acres	0.0450%
(e.3) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609	0.01 acres 1/504 of 6.75 acres	0.0150%
(e.4) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.01 acres 1/504 of 6.75 acres	0.0150%
(e.5) Theodore Stilwell HC 66 Box 112A Whitewood, VA 24657	0.01 acres 1/504 of 6.75 acres	0.0150%
(e.6) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.01 acres 1/504 of 6.75 acres	0.0150%
(e.7) Wanda Hagy Box 1738 Richlands, VA 24641	0.01 acres 1/504 of 6.75 acres	0.0150%
(f) Charles Stilwell Heirs, Devisees, Successors or Assigns		
(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	0.00 acres 1/3024 of 6.75 acres	0.0025%
(f.3) Thomas H. Stilwell 27 Horseshoe Trailer Ct. Horace, ND 58047-5718	0.00 acres 1/3024 of 6.75 acres	0.0025%
(f.4) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.00 acres 1/3024 of 6.75 acres	0.0025%
(f.5) Gladys E. Pollert 1211 29th Street North Fargo, ND 58102	0.00 acres 1/3024 of 6.75 acres	0.0025%
(f.6) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.00 acres 1/3024 of 6.75 acres	0.0025%
(f.7) Bernice R. Lamb 2124 Country Road 116 International Falls, MN 56649	0.00 acres 1/3024 of 6.75 acres	0.0025%
(g) Elmer Stilwell Heirs, Devisees, Successors or Assigns		

List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(g.1) Virginia N. Stilwell, widow 1106 Dial Rd. Raven, VA 24639	0.12 acres 1/56 of 6.75 acres	0.1349%
(h) Raleigh Stilwell Heirs, Devisees, Successors or Assigns		
(h.1) Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	0.12 acres 1/56 of 6.75 acres	0.1349%
(7) John Ball Heirs, Devisees, Successors or Assigns		
(a) Goldie Ball Compton Address Unknown	***See note below	
(b) Clayton Compton Address Unknown	***See note below	
*** Undetermined Interests	0.11 acres 1/63 of 6.75 acres	0.1199%
*** Ownership determined by Court Decree of March 15, 2000 in the Circuit Court of Tazewell County, Sterling G. Ball vs. Marvin C. The ownership set forth by decree does not total to 100% and does not provide for the interests of Goldie Ball Compton, Lenwa and Clayton Compton, who were not parties to the suit and whose individual interests must be determined by the Circuit Court.		

Tract #1C, 0.44 acresCOAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.18 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.44 acres	0.4923%
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OIL & GAS OWNERSHIP

(1) Robert E. Cordill P.O. Box 87 Raven, VA 24639	0.44 acres	0.4923%
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Tract #2E, 0.14 acresCOAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.14 acres	0.1567%
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OIL & GAS OWNERSHIP

(1) Wanda Simmons, et al. (aka Mary Jane Short Heirs, Devisees, Successors or Assigns)	0.14 acres	0.1567%
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Exhibit E
Unit FF-38
Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(a) Maude Murray 1234 1/2 N. F Street Muscogee, OK 74403 <i>(Deceased - documentation pending)</i>	0.01 acres 7/96 of 0.14 acres	0.0114%
(b) Ruby Boice 1409 Old Manor Road Chesapeake, VA 23323 <i>(Deceased - documentation pending)</i>	0.01 acres 7/96 of 0.14 acres	0.0114%
(c) Millie Campbell 216 Cassidy Avenue Virginia Beach, VA 23452	0.01 acres 7/96 of 0.14 acres	0.0114%
(d) Carolyn Phelps Heirs, Devisees, Successors or Assigns		
(d.1) Robert L. Phelps, widower 3108 Sterling Way Portsmouth, VA 23703	0.01 acres 7/96 of 0.14 acres	0.0114%
(e) George H. Short 806 Nottingham Road Portsmouth, VA 23703 <i>(Deceased - documentation pending)</i>	0.01 acres 7/96 of 0.14 acres	0.0114%
(f) James H. Short 622 Chandler Harper Drive Portsmouth, VA 23701 <i>(Deceased - documentation pending)</i>	0.01 acres 7/96 of 0.14 acres	0.0114%
(g) Donald Blaine Short 4404 Point West Drive Portsmouth, VA 23703	0.01 acres 7/96 of 0.14 acres	0.0114%
(h) Alfred V. Short Heirs, Devisees, Successors or Assigns		
(h.1) Alfred V. Short, Jr. 109 Wyoming Avenue Portsmouth, VA 23701	0.003 acres 7/288 of 0.14 acres	0.0038%
(h.2) Cheryl Wood 13 California Avenue Portsmouth, VA 23701	0.003 acres 7/288 of 0.14 acres	0.0038%
(h.3) Patricia Clark 6101 #B College Drive Suffolk, VA 23435	0.003 acres 7/288 of 0.14 acres	0.0038%
(i) Daniel A. Short Heirs, Devisees, Successors or Assigns		
(i.1) Delmar Short (spouse) 2741 Martha Drive Chesapeake, VA 23323	0.003 acres 7/288 of 0.14 acres	0.0038%

List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(i.2) Dennis Short 1421 Old Manor Road Chesapeake, VA 23323	0.001 acres 1/144 of 0.14 acres	0.0011%
(i.3) Dwayne Short 2106 Wyoming Avenue Portsmouth, VA 23701	0.001 acres 1/144 of 0.14 acres	0.0011%
(i.4) David Short 2741 Martha Drive Chesapeake, VA 23323	0.001 acres 1/144 of 0.14 acres	0.0011%
(i.5) Danny Short 1112 Elm Street Suffolk, VA 23434	0.001 acres 1/144 of 0.14 acres	0.0011%
(i.6) Delma S. Grove 2741 Martha Drive Chesapeake, VA 23323	0.001 acres 1/144 of 0.14 acres	0.0011%
(i.7) Dawn Short Robey 2749 Martha Drive Chesapeake, VA 23323	0.001 acres 1/144 of 0.14 acres	0.0011%
(i.8) Dianna Short Barney 3 Windmere Heights Bristol, VA 24201	0.001 acres 1/144 of 0.14 acres	0.0011%
(j) Max O. Short Heirs, Devisees, Successors or Assigns		
(j.1) Marie (Frances) Short, widow 9 Morris Street, Apt.2 Portsmouth, VA 23702	0.003 acres 7/288 of 0.14 acres	0.0038%
(j.2) Mary Ann Rowe 9 Morris Street, Apt.2 Portsmouth, VA 23702	0.003 acres 7/288 of 0.14 acres	0.0038%
(j.3) Carrol J. Short 3263 Asbury Square Atlanta, GA 30346	0.003 acres 7/288 of 0.14 acres	0.0038%
(k) John D. Short 6178 Knotts Creek Lane Suffolk, VA 23435 (Deceased - documentation pending)	0.01 acres 7/96 of 0.14 acres	0.0114%
(l) Wanda Simmons Heirs, Devisees, Successors or Assigns		
(l.1) Michael Simmons 687 Forest Hills Dr. Pounding Mill, VA 24637	0.001 acres 7/768 of 0.14 acres	0.0014%
(l.2) Bernard Simmons Heirs, Devisees, Successors or Assigns		

BK 1112 PG 0388

Exhibit E
Unit FF-38

Docket #VGOB 03-1021-1207-03

List of Conflicting Owners/Claimants that require escrow
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit
(I.2.1) Bernard Rolf Simmons Marital Trust 16308 Old Jonesborough Rd. Bristol, VA 24202	0.001 acres 7/768 of 0.14 acres	0.0014%
(I.3) Dennis Simmons 109 Eagle St. Richlands, VA 24641	0.001 acres 7/768 of 0.14 acres	0.0014%
(I.4) Norma Lee Heirs, Devisees, Successors or Assigns		
(I.4.1) Robert Lee 751 Terry Dr. Richlands, VA 24641	0.001 acres 7/768 of 0.14 acres	0.0014%
(I.5) Billy R. Simmons P.O. Box 45 Doran, VA 24612	0.001 acres 7/768 of 0.14 acres	0.0014%
(I.6) Jack Simmons 764 Terry Drive Richlands, VA 24641	0.001 acres 7/768 of 0.14 acres	0.0014%
(I.7) Sandra Spruell 11 23rd St., SW Roanoke, VA 24014	0.001 acres 7/768 of 0.14 acres	0.0014%
(I.8) Renee Younce <i>Address Unknown</i>	0.001 acres 7/768 of 0.14 acres	0.0014%
(2) Knox Creek Coal Corporation P.O. Box 519 Raven, VA 24639	0.02 acres 1/8 of 0.14 acres	0.0196%

Tract #2K, 1.75 acresCOAL OWNERSHIP

(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.75 acres	1.9582%
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OIL & GAS OWNERSHIP

(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.75 acres	1.9582%
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Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants with Royalty Split Agreements
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A, 2.89 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	2.89 acres	3.2337%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Jerry T. Absher, et ux. 4276 Roadridge TPK Raven, VA 24639	2.89 acres	3.2337%	13.0044%
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 #1B, 6.75 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	6.75 acres	7.5529%	n/a
<u>OIL & GAS OWNERSHIP</u>			
Sterling Ball, et al.	6.75 acres	7.5529%	
(6) Ida Ball Stilwell Heirs, Devisees, Successors or Assigns			
(d) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns			
(d.7) Sylvia A. Shelton Byrd 549 Jacks Creek Road Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%	n/a
(e) Sylvester Stilwell Heirs, Devisees, Successors or Assigns			
(e.2) Jay C. Stilwell Heirs, Devisees, Successors or Assigns			
(e.2.1) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.0134 acres 1/504 of 6.75 acres	0.0150%	n/a
<u>Tract #1D, 5.11 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	5.11 acres	5.7178%	11.4970%

BK 1112PG0390

Exhibit EE
Unit FF-38

Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants with Royalty Split Agreements
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC 1000 Consol Energy Drive Canonsburg, PA 15317 <i>Previously Earl J. Cordill, et ux</i>	5.11 acres	5.7178%	11.4970%
<u>Tract #2A, 5.17 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	5.17 acres	5.7849%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Betty J. Short <i>(Previously listed as Betty J. Short, et al)</i>			
(a) Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	5.17 acres	5.7849%	
<i>Royalties should be paid as follows:</i>			
Betty J. Short 211 Hunter Ave. Pounding Mill, VA 24637	3.88 acres 3/4 of 5.17 acres	4.3387%	17.4480%
Russell Bryan Rakes 1716 Green Mountain Road Cedar Bluff, VA 24609	1.29 acres 1/4 of 5.17 acres	1.4462%	5.8160%
<i>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 5/3/11.</i>			
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.			
<u>Tract #2B, 41.85 acres</u>			
<i>The effect Deed of Confirmation dated 7/30/09, James Short 72.5% CBM rights / Coal Mountain 27.5% CBM rights.</i>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	41.85 acres	46.8278%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) James M. Short 181 Vickey Drive Richlands, VA 24641	41.85 acres	46.8278%	n/a

BK 1112PG0391

Exhibit EE
Unit FF-38
Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants with Royalty Split Agreements
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2C, 1.10 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	1.10 acres	1.2308%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Carl N. Ball, et ux. Heirs, Devisees, Successors or Assigns			
(a) David D. Ball 384 Leonards Drive Raven, VA 24639	1.10 acres	1.2308%	n/a
<u>Tract #2D, 3.31 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.31 acres	3.7037%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Carl N. Ball, et ux. Heirs, Devisees, Successors or Assigns			
(a) David D. Ball 384 Leonards Drive Raven, VA 24639	3.31 acres	3.7037%	n/a
<u>Tract #2F, 3.17 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.17 acres	3.5471%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) David Eugene Short 4150 Road Ridge Turnpike Raven, VA 24639	3.17 acres	3.5471%	n/a

Note: *CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 10-1036 executed in the corrected order dated February 23, 2011 they were awarded 100% of the Coalbed Methane Gas underlying this tract. Royalties will be paid 100% to the prevailing plaintiffs.*

BK 1112860392

Exhibit EE
Unit FF-38
Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants with Royalty Split Agreements
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2G, 3.76 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	3.76 acres	4.2072%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Russel J. Short, et ux. P.O. Box 363 Swords Creek, VA 24649	3.76 acres	4.2072%	n/a
Note: <i>CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 10-1036 executed in the corrected order dated February 23, 2011 they were awarded 100% of the Coalbed Methane Gas underlying this tract. Royalties will be paid 100% to the prevailing plaintiffs.</i>			
<u>Tract #2H, 10.23 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	10.23 acres	11.4468%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Johnie H. Short P.O. Box 227 Richlands, VA 24641	10.23 acres	11.4468%	n/a
Note: <i>CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 10-1036 executed in the corrected order dated February 23, 2011 they were awarded 100% of the Coalbed Methane Gas underlying this tract. Royalties will be paid 100% to the prevailing plaintiffs.</i>			
<u>Tract #2I, 2.94 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	2.94 acres	3.2897%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Buford E. Short 3929 Road Ridge Turnpike Raven, VA 24639	2.94 acres	3.2897%	n/a
Note: <i>CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 10-1036 executed in the corrected order dated February 23, 2011 they were awarded 100% of the Coalbed Methane Gas underlying this tract. Royalties will be paid 100% to the prevailing plaintiffs.</i>			

Exhibit EE
Unit FF-38
Docket #VGOB 03-1021-1207-03
List of Conflicting Owners/Claimants with Royalty Split Agreements
(89.37 Acre Unit)

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2J, 0.76 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Coal Mountain Mining Company, Tr.40 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	0.76 acres	0.8504%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Buford E. Short 3929 Road Ridge Turnpike Raven, VA 24639	0.76 acres	0.8504%	n/a

Note: *CBM ownership was adjudicated to the prevailing plaintiffs under Case no. CL 10-1036 executed in the corrected order dated February 23, 2011 they were awarded 100% of the Coalbed Methane Gas underlying this tract. Royalties will be paid 100% to the prevailing plaintiffs.*

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

Unit FF38
 VGOB 03-1021-1207-03
 Acres Escrowed: 22.22320

Owners	Tract #	Acres	Owner Acres	Interest	Owners' Percent of Escrow	Amount Due Owners \$83,329.60
Coal Mountain Mining Co. Limited Partnership, LLP - Coal Jerry T. Absher, et ux - O.G. & CBM	1a	2.89			13.0044%	\$10,836.54
Coal Mountain Mining Co. Limited Partnership, LLP - Coal CNX Gas Company LLC - O&G	1d	5.11			11.4970% 11.4970%	\$9,580.40 \$9,580.40
Coal Mountain Mining Co. Limited Partnership, LLP - Coal Betty J. Short - O.G. & CBM	2a	5.17				
Betty J. Short			3.88	3/4	17.4480%	\$14,539.33
Russell Bryan Rakes			1.29	1/4	5.8160%	\$4,846.44

Note: Tracts 2g, h, 2i, and 2j have been subtracted from the total amount in escrow.
 These tracts were approved for disbursement April 26, 2011 by the Board

Wells contributing to the escrow account: FF38 and FF38A

INSTRUMENT #120001391
 RECORDED IN THE CLERK'S OFFICE OF
 TAZEWELL COUNTY ON
 APRIL 24, 2012 AT 03:35PM

 JAMES E. BLEVINS, CLERK
 RECORDED BY: MLT